

**ORDINANCE
AMENDMENT
NO. OA - 2025 – 10**

AN ORDINANCE TO AMEND CHAPTER 4 – ALCOHOLIC BEVERAGES, ARTICLE VII – CONSUMPTION ON PREMISES OF ALCOHOLIC BEVERAGES, SECTION 4-81 – HOURS OF SALE OF THE CODE OF ORDINANCES OF THE CITY OF DALLAS, GEORGIA, TO AUTHORIZE SUNDAY SALES OF DISTILLED SPIRITS AND ALCOHOLIC BEVERAGES FOR BEVERAGE PURPOSES BY THE DRINK FROM 11:00 A.M. TO 12:30 P.M.; TO PROVIDE FOR FINDINGS; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Charter of the City of Dallas, Georgia empowers the Mayor and Council to adopt ordinances to provide for rules and regulations concerning the sale and consumption of alcoholic beverages including beer, wine, and distilled spirits within the City of Dallas, Georgia and for the safety, health, and welfare of the citizens of the City of Dallas, Georgia; and

WHEREAS, pursuant to O.C.G.A. § 3-3-2, local governing authorities have broad discretionary powers to regulate the manufacturing, distribution, and selling by wholesale or retail of alcoholic beverages within their jurisdictions; and

WHEREAS, the Georgia General Assembly enacted Senate Bill 17 in 2018, codified at O.C.G.A. § 3-3-7(j.1), commonly known as the "Brunch Bill," which authorizes counties and municipalities to permit and regulate Sunday sales of distilled spirits and alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M., subject to approval by referendum; and

WHEREAS, on November 6, 2018, the City of Dallas conducted a duly called referendum election pursuant to O.C.G.A. § 3-3-7(j.1), at which the qualified voters of the City of Dallas were asked the following question: "Shall the governing authority of City of Dallas be authorized to permit

and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M.?" and

WHEREAS, a majority of the qualified voters voting in said referendum voted in favor of authorizing the governing authority of the City of Dallas to permit and regulate Sunday sales of distilled spirits and alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M.; and

WHEREAS, although the referendum was duly passed by the voters of the City of Dallas in 2018, the City has not yet adopted an ordinance amendment to implement the results of said referendum and authorize such Sunday sales; and

WHEREAS, the Mayor and Council of the City of Dallas, Georgia have determined that it is appropriate and in the best interest of the City's residents, businesses, and economic development to implement the results of the 2018 referendum by amending Chapter 4 – Alcoholic Beverages to authorize Sunday sales of distilled spirits and alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M.; and

WHEREAS, the authorization of Sunday sales of alcoholic beverages during the hours of 11:00 A.M. to 12:30 P.M. will support local restaurants, hotels, and other establishments that serve food and beverages, enhance their ability to compete with establishments in neighboring jurisdictions, promote tourism and related entertainment and hospitality businesses, and contribute to the economic well-being of the City of Dallas; and

WHEREAS, this ordinance amendment is consistent with state law and gives effect to the will of the voters as expressed in the November 6, 2018 referendum; and

WHEREAS, the Mayor and Council of the City of Dallas, Georgia have determined that this amendment is in the best interest of the City's residents and businesses and for the safety, health, welfare, and public good.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Dallas, Georgia, and it is hereby ordained by the authority thereof:

SECTION I – AMENDMENT TO SECTION 4-91

That Chapter 4 – Alcoholic Beverages, Article VII – Consumption on Premises of Alcoholic Beverages, Section 4-81 – Hours and Days of Sale of the Code of Ordinances of the City of Dallas, Georgia is hereby amended to authorize Sunday sales of distilled spirits and alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M. as follows:

Sec. 4-91. Hours of Sale.

- (a) The hours of sale for consumption by the drink on the premises where sold is 9:00 a.m. to 11:55 p.m. Monday through Saturday, and from 12:30 p.m. till 12:00 midnight on Sunday.
 - 1. Sunday Sales – Extended Morning Hours (11:00 A.M. to 12:30 P.M.). Pursuant to O.C.G.A. § 3-3-7(j.1) and the referendum conducted on November 6, 2018, licensees authorized for consumption on the premises that meet the requirements of subsection (f) below may sell distilled spirits and alcoholic beverages for beverage purposes by the drink on Sundays during the extended hours of 11:00 A.M. to 12:30 P.M.
 - 2. Qualifications for Extended Sunday Morning Sales. Sales of distilled spirits and alcoholic beverages for beverage purposes by the drink on Sundays from 11:00 A.M. to 12:30 P.M. shall be permitted only at licensed establishments that meet the following criteria:
 - a. The establishment must hold a valid license from the City of Dallas for consumption on the premises of distilled spirits, wine, or malt beverages, or any combination thereof; and
 - b. The establishment must be a bona fide eating establishment that derives at least fifty percent (50%) of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served; or the establishment must be a bona fide hotel or motel that derives at least fifty percent (50%) of its total annual gross income from the rental of rooms for overnight lodging; and

- c. The establishment must be in compliance with all applicable provisions of this Chapter 4 and state law.
- (b) Any alcoholic beverage served must be consumed within 30 minutes of the required closing time.
- (c) Notwithstanding any other provision of this article, establishments holding a valid alcohol license in the City of Dallas, Georgia, shall be permitted to sell, serve, and allow the consumption of alcoholic beverages on their licensed premises until 1:30 a.m. the day following recognized major holidays and significant events, including but not limited to New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Super Bowl Sunday, St. Patrick's Day, Cinco de Mayo, and Halloween.
 - 1. The department of business development shall maintain an official list of approved holidays and events for which no special event permit is required under this subsection. This list shall be updated as necessary and made available to licensed establishments.
 - 2. Establishments exercising this extended operational hour under this subsection shall remain compliant with all other applicable laws and ordinances regarding the sale and service of alcoholic beverages.
- (d) It shall be unlawful for any licensee to permit the consumption of alcoholic beverages on the premises during any hours when the sale of alcoholic beverages is prohibited under this section.
- (e) It shall be unlawful for any manager, agent, or other employee of any licensee to permit any violation of the provisions of this section.
- (f) This section shall be interpreted and applied in a manner consistent with state law, including but not limited to O.C.G.A. Title 3 and any regulations promulgated thereunder.

SECTION II – SEVERABILITY

Should any section, subsection, sentence, clause, or phrase of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

SECTION III – REPEALER

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION IV – EFFECTIVE DATE

This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Dallas, Georgia.

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF
_____, 2026.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date

EXPLANATORY NOTE

This ordinance amendment implements the results of the November 6, 2018 referendum election in which the voters of the City of Dallas approved the authorization of Sunday sales of distilled spirits and alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M. The amendment is consistent with Georgia's "Brunch Bill" (O.C.G.A. § 3-3-7(j.1)) and applies only to qualified establishments that meet the food sales or lodging requirements specified in state law. The ordinance maintains the existing Sunday sales hours of 12:30 P.M. to 12:00 midnight for all qualifying licensees while extending the hours to begin at 11:00 A.M. for those establishments meeting the additional statutory criteria.