

MEMORANDUM

TO: File

FROM: JLB

DATE: October 30, 2024

RE: Summary of Changes to Chapter 6 since September 11, 2024 draft

The following is a summary of all changes proposed to Chapter 6 of the City of Dalton Code of Ordinances since the draft circulated on September 11, 2024:

1. **Sec. 6-1:** Added a definition of “café.” It will have the same hours as other pouring outlets except for restaurants.
2. **Sec. 6-1:** Slight change to definition of restaurant for clarity.
3. **Sec. 6-7:** The powers and duties of mayor and council regarding licenses were changed to show that mayor and council will grant or deny an application after a recommendation by the PSC unless the PSC does not hear the application within 60 days of filing with the clerk. In that instance, the mayor and council can consider the application without a recommendation.
4. **Sec. 6-8:** The powers and duties of the PSC were changed to allow PSC to review applications and make a recommendation to mayor and council.
5. **Sec. 6-19:** Restaurants are allowed to serve until 2:00a.m. All other pouring outlets must stop serving at 1:00a.m.
6. **Sec. 6-20:** Restaurants now may close at 3:00a.m., although they must still stop serving alcohol at 2:00a.m. pursuant to Sec. 6-19. All others must be closed at 1:30a.m.
7. **Sec. 6-70:** Added café to the categories of businesses which can obtain a license.
8. **Sec. 6-103:** Deleted reference to public recreation area in distance requirements because this is not defined or prohibited in the code.

9. **Sec. 6-107:** Clarified that evidence supporting disqualification may be presented before the PSC or Mayor and Council, and a violation sufficient for disqualification may also be considered if a license is tendered while a charge is pending but not adjudicated.
10. **Sec. 6-113:** Deleted all alcohol handler's training requirements.
11. **Sec. 6-146:** Added a time limit on requests for hearing following notice of denial of an alcohol license.
12. **Sec. 6-209:** Added a provision allowing surrender of license, but the surrender while a charge is pending to get out of that charge is deemed an admission and causes the license to be revoked.
13. **Sec. 6-231:** Slight change to reflect the change in 6-209.
14. **Sec. 6-233:** Deleted 10-day suspension from 1st offense of sale to underage persons.
15. **Sec. 6-234:**
 - Clarified that the on-record review of the PSC hearing is the only review by mayor and council.
 - Added flexibility to continue the hearing to a date no later than 60 days following the PSC's decision.
 - Changed the time on failure to rule resulting in a dismissal from 60 to 90 days to account for the fact that the code says mayor and council must hear it within 60 days of the PSC hearing and issue a decision within 30 days.
 - Also required a written decision to be filed with the city clerk in order to start the appeal time set forth in OCGA §5-3-7(b)(2).
16. **Sec. 6-235:** Deleted section (a) and merged the former section (b) into 6-234 so that there is one review and notice process.