

ORDINANCE NO. 22-05

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF FOREST PARK, GEORGIA TO ALLOW FOR ON-PREMISES CONSUMPTION OF ALCOHOL AT ENTERTAINMENT VENUES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

Be it ordained by the Governing Body of the City of Forest Park, Georgia as follows:

SECTION 1. That Section 9-2-62 of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by deleting said section and replacing it the following in lieu thereof.

“Sec. 9-2-62. No retail on-premises consumption license shall be issued to any applicant except as for a restaurant, hotel, motel, private club, entertainment venue or banquet hall as defined herein.”

SECTION 2. That Section 9-2-2(c) of the Code of Ordinances, City of Forest Park, Georgia, Georgia is hereby amended by adding the following subsection:

“Sec. 9-2-2(c)(6). Entertainment venue. A location that is only open to the public for artistic presentations, live or recorded musical presentations, comedic presentations, theatrical performances, films or other similar expressive events of a limited duration. Adult entertainment establishments as defined in Title 9; Chapter 12 are not included within the definition of entertainment venue. An entertainment venue shall only be authorized to sell alcoholic beverages beginning one hour before the scheduled event and no later than one hour after the conclusion of the event and must otherwise comply with Section 9-2-66 of this Chapter. The entertainment venue must make food available to its patrons.”

SECTION 3. Intention of the Governing Body. It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Forest Park, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

SECTION 4. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

SECTION 5. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 6. Codification and Severability.

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 7. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO ORDAINED this 18th day of April 2022.

Angelyne Butler, Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney