

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LOGANVILLE, GEORGIA, TO UPDATE CHAPTER 4 – ALCOHOLIC BEVERAGES, SECTION 4-103. - OPEN CONTAINERS, AND CHAPTER 22 – OFFENSES AND MISCELLANEOUS PROVISION, SECTION 22-52. – CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC ORDINANCES FOR THE CITY OF LOGANVILLE

THE COUNCIL OF THE CITY OF LOGANVILLE HEREBY ORDAINS AS FOLLOWS:

ARTICLE I.

The Code of Ordinances of the City of Loganville, is hereby amended by implementing the below text amendment related to Chapter 4 – Alcoholic Beverages, Section 4-103. – Open Containers Ordinance, and Chapter 22 – Offenses and Miscellaneous Provisions, Section 22-52. – Consumption of Alcoholic Beverages in Public Ordinances for the City of Loganville as follows:

SEE “EXHIBIT A” ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR THE COMPLETE TEXT AMENDMENT.

Note: Text which is stricken through shall be removed from the Code of Ordinances of the City of Loganville. Text which is italicized shall be added to the Code of Ordinances of the City of Loganville.

ARTICLE II.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ARTICLE III.

This ordinance shall take effect from and after its adoption by the Mayor and Council of the City of Loganville, Georgia.

READ AND ADOPTED, this ____ day of _____, 2023.

CITY OF LOGANVILLE, GEORGIA

By: _____ (SEAL)

Skip Baliles, Mayor

Attest: _____ (SEAL)

Kristi Ash, Deputy Clerk

EXHIBIT "A"

Sec. 4-103. - Open containers.

- (a) No bottle or other container of alcoholic beverages shall be opened or consumed by any person on the premises upon which the place of business is conducted and licensed under this article, whether the bottle or other container so opened or consumed was bought or obtained at the place of business or elsewhere, unless the premises is licensed for consumption on the premises under this chapter. This Code section shall not prohibit wine tasting in connection with a valid wine tasting permit under the conditions set forth in section 4-71.
- (b) No establishment licensed under this article to sell alcoholic beverages shall allow a person to leave that premises with alcoholic beverages in an open cup, bottle, can or other open container.
- (c) At no time shall a person be permitted to leave ~~a~~ *the interior of a* ~~premises~~ restaurant with an alcoholic beverages in an open ~~glass~~ container unless the customer ~~is seated at~~ *remains on the premises and the premises is* a permitted outdoor dining restaurant.

Sec. 22-52. - Consumption of alcoholic beverages in public.

- (a) Except as provided in subsections (b),(c), and (d) herein, it shall be unlawful for any establishment licensed for the retail sale of alcohol to dispense any alcoholic beverage in an open container for removal from the premises, and it shall be unlawful for any person to remove from any such establishment any open container of alcoholic beverage or to drink or attempt to drink any alcoholic beverage from any open container or to possess in any open container any alcoholic beverage on the streets, sidewalks, rights-of-way, public parks, public buildings, and parking lots, whether public or private, within the corporate limits of the City of Loganville.
- (b) Consumption of alcoholic beverages within the confines of the Town Green and in the Historic Rock Gym Convention Center is subject to the following regulations:
- (1) An establishment licensed for the retail sale of malt beverages and wine on the premises that applies for and receives a special event permit under section 4-71.1 of the Loganville Code of Ordinances may dispense alcoholic beverages in accordance with the special event permit.
- (2) Consumption of an alcoholic beverage in an open container within the confines of the Town Green and the Historic Rock Gym Convention Center shall not constitute a violation of this Code section *or Section 4-103 of the Code.*
- (3) Alcoholic beverages consumed within the confines of the Town Green must be in a plastic container. No glass or cans are allowed.
- (c) Consumption on the premises in approved temporary outdoor areas contiguous and connected to the retail location for which a retail consumption license has been issued shall not constitute a

violation of this Code section when such consumption is in compliance with a special event permit issued in accordance with section 4-71.1 of the Loganville Code of Ordinances.

(d) *[Main Street District]*.

(1) Consumption of an alcoholic beverage in an open container within the confines of the Main Street District, as defined by the attached Main Street District Map, shall not constitute a violation of this Code section *or Section 4-103 of the Code*.

(2) Alcoholic beverages consumed within the confines of the Main Street District must be in a plastic or aluminum container.