



COUNCIL ITEM AGENDA REQUEST FORM

Department: Administration

Meeting Date: 06/05/2025

Staff Contact: Phillip Trocquet

Agenda Section: Old Business

Staff Report:

Item Description:

Consideration of a text amendment to Section 4-202-203 of Article VI regarding sales of alcohol off-premises for catered functions.

Background/History:

Council had a workshop discussion regarding alcoholic beverage sales off-premises for catered functions with direction to prepare text amendments reflecting changes to the frequency of holding outdoor functions, fees, and regulation of outdoor premises areas.

Findings/Current Activity:

Staff has prepared this text amendment to allow the frequency of off-premises catered functions not in a permanent building to a monthly occurrence. Subsequent changes to the area of sales was also clarified in defining the area of sales and consumption based on other areas of the ordinance.

Actions/Options/Recommendations:

Staff recommends approval of this text amendment.

ARTICLE VI. SALES OF ALCOHOL OFF-PREMISES FOR CATERED FUNCTIONS

Sec. 4-201. Licensed alcohol beverage caterers eligible for off-premises licenses; application; fee.

- (a) For the purposes of this article, the term "licensed alcoholic beverage caterer" shall be defined to mean any retail alcohol dealer who is a food caterer and has either (1) been licensed pursuant to this article or (2) been licensed by another jurisdiction in the State of Georgia to sell alcoholic beverages by the drink off-premises and in connection with an authorized catered function.
- (b) For the purposes of this article, the terms "authorized catered function" or "event" shall be defined to mean any organized activity for profit or non-profit having as its purpose entertainment, recreation and/or education, such as a party, wedding, reception, reunion conference, celebration or assembly which occurs or takes place for a limited duration. No event permit shall be issued under this article for any authorized catered function or event that lasts more than three consecutive days. An authorized catered function or event may be held in a temporary structure; however, no more than one such event per ~~quarter-month~~ shall be held at a particular location.
- (c) Any licensed alcoholic beverage caterer, as defined herein, who holds a validly issued license from the Town of Tyrone for the retail sale of malt beverages or wine or distilled spirits by the drink for consumption on-premises may be issued an off-premises license which authorizes such licensed alcoholic beverage caterer to sell malt beverages and wine and distilled spirits by the drink off-premises and in connection with an authorized catered function.
- (d) Any licensed alcoholic beverage caterer seeking a license for sales of alcohol by the drink for an off-premises catered function shall submit an application, provided by the town, for such license. Each application shall state the certificate number of the alcohol license held by the applicant and shall contain all other information requested by the town.
- (e) All licenses issued pursuant to this article shall be subject to the requirements of article III of this chapter and shall be subject to approval by the mayor and council.
- (f) The applicant shall pay a license fee as established by a schedule of fees adopted by the mayor and council.

(Ord. No. 2020-02, § 9, 5-21-2020)

Sec. 4-202. Limitations.

- (a) No license shall be issued to any person or entity that does not already hold a license validly issued pursuant to article III of this chapter 4. An ~~off-premises~~ license issued for the sale of alcoholic beverages shall only permit the sale of those types of alcoholic beverage permitted by the underlying license.
- (b) Malt beverages or wine or distilled spirits may only be sold at off-premises catered functions for which the licensee has received an event permit issued in accordance with section 4-203 of this chapter 4.

(Ord. No. 2020-02, § 9, 5-21-2020)

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Sec. 4-203. Event permit.

- (a) In order to sell malt beverages or wine or distilled beverages at an authorized catered function, a licensed alcoholic beverage caterer must:
- (1) Apply to the town clerk for an event permit. The application shall include the name of the licensed alcoholic beverage caterer; the date, address, and time of the event; and the licensed alcoholic beverage caterer's on-premises license number, the name of the owner of the property on which the event will be held and such other information as the town clerk may require.
 - (2) Provide satisfactory reports to the town clerk on a form provided by the town clerk stating the quantity of any and all alcoholic beverages transported from the licensee's primary premises to the location of the authorized catered function and such other information as may be required by the town clerk.
 - (3) In order to sell alcoholic beverages at a catered function, the location of the event/function must qualify pursuant to section 4-80 of this chapter 4.
 - (4) No permit shall be issued in a residential zoning district.
 - (5) If the licensed alcoholic beverage caterer's license to sell alcoholic beverages by the drink off-premises was issued by a jurisdiction other than the Town of Tyrone, the applicant must also pay an event permit fee in the amount of \$50.00 as established by the schedule of fees adopted by the mayor and council and the total quantity of alcoholic beverages brought into the Town by such caterer shall be subject to excise taxation as provided in article II of this chapter.
 - (6) Area of sales and consumption: Consumption of alcohol shall only be permitted within the premises of which the permit has been issued. If said premises includes outdoor areas, such areas must be adequately marked for enclosure by a temporary or permanent fence or markings at least three feet in height with controlled ingress and egress.
- (b) Upon compliance with the requirements of subsection (a) of this section, the town clerk shall issue an event permit for the particular date, time and location requested on the application for the permit. The permit shall include the name of the holder, the date, address and time of the event, and the type of alcoholic beverages for which sales are authorized by the permit. The permit shall authorize sales of alcoholic beverages only at the location identified on the permit and only during those times set out on the same. The holder of any permit issued pursuant to this section shall maintain the original event permit, as well as original on-premises and off-premises licenses, in the vehicle transporting the alcoholic beverages to the catered function at all times.

(Ord. No. 2020-02, § 9, 5-21-2020)

Sec. 4-204. Violations.

- (a) It shall be unlawful for any person to distribute or sell malt beverages or wine or distilled spirits off the premises of the licensed alcoholic beverage caterer's business without a license issued pursuant to this article VI or a license to sell alcoholic beverages by the drink off-premises validly issued by another jurisdiction in the State of Georgia.
- (b) It shall be unlawful for a licensed alcoholic beverage caterer licensed under this chapter to distribute or sell malt beverages, or wine or distilled spirits off-premises except in connection with an authorized catered function within the scope of an approved and issued event permit.
- (c) It shall be unlawful for a licensed alcoholic beverage caterer to employ any person under 21 years of age who, in the course of such employment, would dispense, serve, sell, or handle alcoholic beverages. It is the

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intent of this subsection to prevent any person employed by such caterer, or any other employee, to knowingly violate any prohibitions contained in O.C.G.A. § 3-3-23, relating to furnishing alcoholic beverages to, and purchase and possession of alcoholic beverages by, a person under 21 years of age. Nothing herein shall prohibit the employment of persons under 21 years of age for purposes not involving the selling or handling of alcohol.

- (d) It shall be the duty of a person holding a license issued pursuant to this article to file with the chief of police the names of all employees. Such employees shall be subject to such investigative rules and regulations as may be deemed necessary from time to time by the police department of the town.
- (e) If a licensed alcoholic beverage caterer has his/her/its license issued pursuant to article III revoked or suspended, for any reason, then any license issued to such licensed alcoholic beverage caterer pursuant to this article VI shall be automatically revoked.
- (f) Any person violating the provisions of this article VI shall be guilty of a misdemeanor.

(Ord. No. 2020-02, § 9, 5-21-2020)