
Sec. 4-71. License required to sell alcoholic beverages.

- (a) Licenses for the sale of alcoholic beverages shall be issued by the town clerk. The fees for such licenses shall be as set forth annually by the mayor and council. A table of said fees shall be maintained by the town clerk.
- (b) All licenses issued herein shall constitute a mere grant of a privilege to carry on such business during the term of the license subject to all the terms and conditions imposed by this ordinance, the charter, related ordinances, this Code, and the Constitution, laws and regulations of the state and the United States of America applicable to such business.
- (c) All licenses issued under this article shall have printed on the face the following words:

"THIS LICENSE IS A PRIVILEGE AND IS SUBJECT TO BEING REVOKED AND ANNULLED BY THE TOWN COUNCIL OF THE TOWN OF TYRONE AND IS SUBJECT TO LAWS, ORDINANCES AND REGULATIONS HEREAFTER ADOPTED."
- (d) Both the licensee or license representative shall be the authorized and duly constituted agent for service of all notices and processes required to be served on or given hereunder for any action or proceeding or uses of any nature whatsoever permitted under the provisions of the ordinance or under any other provisions of this Code.

(Code 1984, § 2-8-21; Ord. No. 2011-02, § 2, 1-20-2011)

State law reference(s)—Local alcoholic beverage license fees, O.C.G.A. §§ 3-4-50, 3-5-43.

Sec. 4-72. Contents of application for license.

- (a) All persons desiring to obtain a license under this article for the sale of alcoholic beverages shall apply to the town council upon forms to be prepared and provided by the town clerk and shall be considered at a regular meeting of the town council.
 - (1) The location of the proposed business;
 - (2) The nature and character of the proposed business;
 - (3) If the business is to be operated by an individual, the name and address of that individual;
 - (4) If the business is to be operated by a partnership, the name and address of all general partners, the licensee and the license representative;
 - (5) If the business is to be operated by a close corporation, the names and addresses of all officers, directors, stockholders, licensee and license representative;
 - (6) If the business is to be operated by a corporation, other than a close corporation, the name of the corporation, the address of the corporate office, the name and address of the registered agent for service of process for the corporation, and the name and address of the licensee and license representative; and
 - (7) Such other appropriate information as may be required by the town council.
- (b) The truth of the contents of an application for a license shall be sworn to by the licensee and the license representative.
- (c) The licensee shall also file with the clerk a completed state department of revenue alcohol tax and control unit form ATT-17, which has been filed with the state.

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- (d) The application, when filed with the town clerk, shall be accompanied by a processing and investigation fee of \$350.00. Such fee shall cover costs of investigating the license applicant and shall be credited against the first annual license fee upon grant of a license. Said processing fee will not be refunded if the requested license is not granted.
 - (e) When the license is approved, the license fee must be paid by certified check or cash within 30 days and prior to the issuance of the license.
 - (f) If the person applying fails to receive a license from the state, any license fees in excess of the processing and investigative fees paid to the town shall be refunded.
 - (g) Only one application form and accompanying documents must be filed for each business premises.
 - (h) Applications for event venues/banquet halls shall be required to submit a copy of the facility's rental contract template; applications for performing arts venues shall submit a ticketing/reservations policy and sample ticket.

(Code 1984, § 2-8-22; Ord. No. 2024-06, § 1, 5-16-2024)

Sec. 4-82. Combining retail and retail consumption licenses.

- (a) No premises licensed for the retail sale of alcoholic beverages shall hold a license for, or allow the retail consumption on the premises of alcoholic beverages.
- (b) No retail package license shall be issued for, or in connection with, any restaurant, cafe or eating-place.

(Code 1984, § 2-8-37)

Sec. 4-143. Licenses.

Any type of alcoholic beverage license for consumption on the premises may be granted only to a restaurant, a private club, event venue, performing arts venue, or a hotel/motel as defined under section 4-1.

(Code 1984, § 2-8-70)

State law reference(s)—Licenses for sale of distilled spirits by the drink, O.C.G.A. § 3-4-110.

Sec. 4-144. Sale of food.

In order for an establishment to qualify for a pouring license for distilled spirits, malt beverages or wine for consumption on the premises, only, as a restaurant, private club or restaurant in a hotel, such establishment must have at least 55 percent of its total sales comprised of the sale of food prepared on the premises and nonalcoholic beverages consumed on the premises. For this purpose, if a restaurant makes a minimum charge, cover charge, or admission charge, or any other nonfood or nonalcoholic beverage charge, the amount so charged shall not be counted in computing total sales and shall not be counted as a food or beverage sale.

Event Venues/Banquet Halls and performing arts venues licensed under this chapter are exempt from the 55 percent food requirement above and shall instead comply with Sec. 4-164 of this chapter.

(Code 1984, § 2-8-71)

Sec. 4-150. Reports of sales to be made quarterly; suspension, revocation.

- (a) ~~(a)~~ Licensees shall, within 30 days following the end of each quarter, file with the town clerk a report sworn to by the licensee, setting forth gross sales of the licensee for the quarter, sales of food and nonalcoholic beverages, and sales of alcoholic beverages.
- (b) Event Venue/Banquet Hall and Performing Arts Venues Licensees shall, within 30 days following the end of each quarter, file with the town clerk a report sworn by the licensee, setting forth gross sales of the licensee for the quarter the following:
- a. Rental or ticket revenue.
 - b. Food, concessions, or catering revenue.
 - c. Alcoholic beverage revenue.
- (b) Should the total sales from food and nonalcoholic beverages reported by any licensee for consumption on the premises not exceed those from the sale of all alcoholic beverages as required by this ordinance for any two consecutive reporting periods, the license may be suspended or revoked by the mayor and council after a hearing as provided for in section 4-93.

(Code 1984, § 2-8-77)

Sec. 4-164. Event Venue/Banquet Hall Operational Standards.

- (a) Alcohol sales are only allowed during a bona-fide event held pursuant to a written contract signed in advance and kept on file for a period of 1 year.
- (b) No walk-in or bar-only service to the general public shall be permitted.
- (c) A special event reserved and conducted solely by and for the owner for the primary purpose of revenue generation is prohibited.
- (d) Alcoholic beverage service hours shall mirror Section 4-11; in no case may service exceed fifteen (15) total hours in a calendar day.
- (e) Event venues must derive greater than or equal to 55 percent of annual gross revenue from charges other than alcoholic beverages. Quarterly sales reports required by Section 4-150 shall demonstrate compliance.
- (f) A business employee for the venue must be on site whenever alcohol is served.
- (g) All other distance, age verification, security, and disorderly conduct provisions of this chapter apply.

Sec. 4-165. Performing Arts Venue Operational Standards

- (a) Bona-fide performance: alcohol sales shall only be permitted during a bona-fide, ticketed, or reserved performance or event.
- (b) Service windows: service is limited to no earlier than one (1) hour before the scheduled event or performance and no later than one (1) hour after the performance ends; service may occur during intermissions
- (c) Bar location: alcoholic beverages shall be sold/served only in the lobby or designated concession areas.
- (d) No walk-in or bar-only service to the general public absent a ticket or reservation shall be permitted.
- (e) Performing arts venues must derive greater than or equal to 55 percent of annual gross revenue from charges other than alcoholic beverages. Quarterly sales reports required by section 4-150 shall demonstrate compliance.
- (f) A business employee for the venue must be on site whenever alcohol is served.
- (g) All other distance, age verification, security, and disorderly conduct provisions of this chapter apply.

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