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City of Hogansville



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COUNCIL ACTION FORM

MEETING DATE: April 16, 2018 **SUBMITTED BY:** Lynne Miller

AGENDA TITLE: Proposed Special Event Ordinance

CLASSIFICATION (City Attorney must approve all ordinances, resolutions and contracts as to form)

- | | | | |
|---|-------------------------------------|--|---|
| <input type="checkbox"/> Ordinance (No. _____) | <input type="checkbox"/> Contract | <input checked="" type="checkbox"/> Information Only | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Resolution (No. _____) | <input type="checkbox"/> Ceremonial | <input type="checkbox"/> Discussion/Action | <input type="checkbox"/> Other |

BACKGROUND (Includes description, background, and justification)

The proposed special event ordinance is based on LaGrange's. It defines special events that would involve alcohol sales, and the requirements for permitting these events. No events may last more than 3 days. The event producer must show proof of comprehensive liability insurance. No events are allowed after 10 pm. The City Manager may waive related permit fees for non-profit organizations. A separate but related ordinance (Alcoholic Beverage Ordinance) describes the areas of the city where open containers of beer or wine may be carried during special events.

No direct impact on City budget, if the special event permit fees fully recoup City costs.

BUDGETING & FINANCIAL IMPACT (Includes project costs and funding sources)

STAFF RECOMMENDATION (Include possible options for consideration)

When coupled with the proposed Alcohol ordinance update, this Special Events ordinance will clarify City requirements for controlled outdoor festivals with alcohol. Relaxed but regulated drinking laws will add to the vibrancy and attractiveness of downtown for businesses, residents and visitors; create an atmosphere that is positive-sum for downtown merchants (our neighboring cities have seen increased sales as a result); and serve as a recruitment tool for new businesses and visitors.

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE TO AMEND THE ALCOHOLIC BEVERAGES CHAPTER OF THE HOGANSVILLE CODE OF ORDINANCES IN ORDER TO PERMIT OUTSIDE CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE CITY'S DESIGNATED DOWNTOWN DEVELOPMENT AREA DURING PERMITTED SPECIAL EVENTS; TO MODIFY DEFINITIONS; TO UPDATE RELATED PERMIT FEES; TO REPEAL CONFLICTING ORDINANCES OR ORDINANCE SECTIONS; TO FIX AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

The Mayor and Council of the City of Hogansville, Georgia hereby ordain as follows:

That Chapter 6 – Alcoholic Beverages of the Hogansville Code of Ordinances be amended as follows:

SECTION 1.

That Section 6.1 – Definitions – be amended by inserting new terms and definitions, in proper alphabetical order, as follows:

“Downtown Development Area” shall mean that geographical area within the city which constitutes its central business district, as described and modified from time to time by the governing body.”

“Special event” or “Special Permitted Event” means any organized for-profit or nonprofit activity sanctioned by the Hogansville Downtown Development Authority and having as its purpose entertainment, recreation and/or education which (i) takes place on public property; or (ii) takes place on private property, but requires special public services and which is permitted by the city under this chapter; and at which consumption or sale of alcoholic beverages is to be allowed.

By way of example, special events include, but are not limited to, assemblies, festivals, concerts, holiday celebrations, and block parties. Private social gatherings that will make no use of city streets other than for lawful parking purposes and do not require special public services by the city are not included. Garage sales, lawn sales, rummage sales, flea market sales, or any similar casual sales of tangible personal property are not included.

SECTION 2.

That a new Section 6-33 be inserted into this Section to read as follows:

“Section 6-33 – Outside consumption of alcoholic beverages permitted during permitted special events.

- (a) *Outside consumption limited to beer and wine.* Alcoholic beverages permitted for outside consumption shall be limited to beer and wine.
- (b) *Container.* No container within which beer or wine is dispensed and removed from the licensed premises shall exceed 16 fluid ounces in size. No person shall hold in their possession on the public streets and sidewalks, parks and/or any other public place within the downtown development area any open alcoholic beverage container that exceeds 16 fluid ounces in size. Any establishment licensed to sell beer and/or wine by the drink is authorized to dispense these beverages in a clear plastic cup for removal from the premises during permitted special events, as defined in this Section.
- (c) *Drinking from can, bottle, or glass prohibited.* Except as specifically set forth in Section 6-33(a) above, herein with respect to a plastic cup, it shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, glass, cup, or container, on the public streets, sidewalks, parks, rights of way or public or private parking lots within the City.
- (d) *Purchase from licensed premises within the downtown development area allowed off premises.* Alcoholic beverages purchased in accordance with this section may be consumed within the downtown development area except as prohibited in this section.
- (e) *Consumption limited to certain areas in the downtown development area.* No alcoholic beverage purchased pursuant to this provision may be consumed outside of the boundary of the downtown development area or within the downtown development area on any parcel used as a public park, church, day care center or school unless specifically allowed by issuance of a special event permit in accordance with this section.
- (f) *Regulated hours.* After 10 p.m., consumption on premises licensees shall discontinue the sale of alcoholic beverages within clear plastic cups and shall not allow alcoholic beverages to be removed from their licensed premises.

SECTION 3.

That a new Section 6-72 be inserted into this Section to read as follows:

“Section 6-72 – Special Alcohol Beverage Event Licenses.

- a) *Special alcoholic beverage event license.* Notwithstanding anything to the contrary in this Section, private parties, organizations, or entities, nonprofit civic groups, or

governmental organizations may apply for special alcoholic beverage event licenses from the City Manager or his designee to sell or offer for sale alcoholic beverages at special events within the Downtown Development Area.

- b) *Application for special alcoholic beverage event license.* The City Manager or his designee is authorized to issue a special alcoholic event license for any application meeting all applicable subsections of this section. Any private parties, organizations, or entities, nonprofit civic groups, or governmental organizations desiring to sell or offer to sale alcoholic beverages at permitted special events within the Downtown Development Area shall make written application to the City Manager or his designee for a special alcoholic beverage license on forms provided by the City. The City Manager or his designee shall have authority to prescribe forms of application. Failure to furnish any requested data shall automatically serve to dismiss the application. Any untrue or misleading information contained in, or material statement omitted from, an application for a special alcoholic beverage event license shall be the cause for denial or revocation thereof. All applications for special alcoholic beverage event licenses must be submitted to the City Manager or his designee at least 30 days prior to the date of the event, unless waived by the City Manager or his designee.
- c) *Duration of special alcoholic beverage event license.* If a special alcoholic beverage event license is granted by the City Manager or his designee, it shall be good only for the specified event set forth in the application, not to exceed three days in duration.
- d) *Fees.* The fees for special alcoholic beverage event licenses shall be:
 - i) For private parties, organizations, entities, \$250 for one day, \$350 for two days, and \$500 for three days;
 - ii) For nonprofit civic organizations, \$50 per day;
 - iii) For governmental organizations, no charge.

The fee shall be paid at the time of the application. Said fee shall be refunded if the license is denied or withdrawn.

- e) *Alcoholic beverages to be provided by the recipient of special alcoholic beverage event license.* All alcoholic beverages sold or offered for sale at any special alcoholic beverage event must be sold or offered for sale by the entity granted the special alcoholic beverage event license.
- f) *Security.* One security officer, who shall be a certified city police officer, shall be required for any special alcoholic beverage event. Based on his evaluation of the event, the City Manager or his designee may, at his discretion, waive the security requirement or require additional security. The recipient of the special alcoholic beverage event license shall be responsible for contacting the city police department to schedule the required security and for payment of same.

SECTION 4.

Chapter 6, ARTICLE IV. – FEE SCHEDULE shall be amended as follows:

Catered events permit – Requires application		
	Resident—Off-premises—Per event	50.00 replace with 150
	Nonresident – Per event	50.00-replace with 150

Add a new section to this fee table:

Special permitted event, with alcohol pour		
	Private parties, organizations, entities	\$250 for one day, \$350 for two days, \$500 for three days
	Nonprofit civic organizations	\$50 per day
	Governmental organizations	No charge

SECTION 5.

Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6.

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING (Date) _____

SECOND READING AND ADOPTED (Date) _____

SUBMITTED TO MAYOR AND APPROVED (Date) _____

BY: _____

ATTEST: _____