

STATE OF GEORGIA

FULTON COUNTY

First Reading: May 3, 2010
Second Reading: June 21, 2010

**ORDINANCE TO AMEND CHAPTER 3.7.3, ALCOHOLIC BEVERAGES, OF
THE CODE OF ORDINANCES OF THE CITY OF ROSWELL**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the City of Roswell;
and

WHEREAS, the Mayor and Council of the City of Roswell are charged with the protection of the public health, safety and welfare; and

WHEREAS, the existing regulations for alcohol permits may cause hardship for smaller restaurants regarding the number of seats at tables required in order for a restaurant to obtain an alcohol license; and

WHEREAS, Mayor and Council wish to encourage a variety of dining experiences within the city, to include small and large restaurants, but, also, to maintain "family friendly" restaurants:

NOW, THEREFORE, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Chapter 3, *Alcoholic Beverages*, of the Code of Ordinances of the City of Roswell, is amended by deleting Chapter 3, Section 3.7.3 (b) and (c) in their entirety and substituting a new Section 3.7.3 (b) to read as follows:

- (b) In order to be eligible for a consumption on the premises license, a restaurant shall legally maintain either a seating capacity of sixty (60) people at tables (which total may include approved outdoor seating) or an indoor seating capacity, at tables, equal to at least 60% of its maximum occupancy load (as set by the Fire Safety Code or Building Code, whichever is less, as determined by the Fire Marshal or Chief Building Official of the City of Roswell). If a restaurant meets the requirements of this section and all other requirements of local and State law, it shall be eligible for either a limited pouring license or a full pouring license.

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

4.

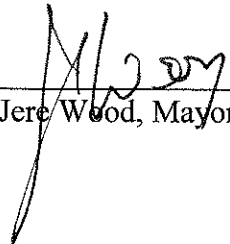
It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

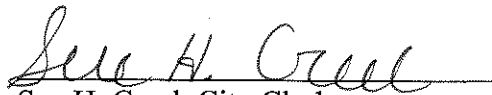
This Ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the 21st day of June, 2010.


Attest:



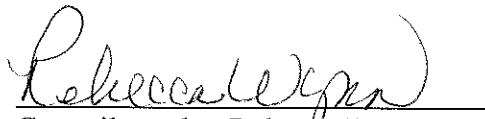
Jere Wood, Mayor



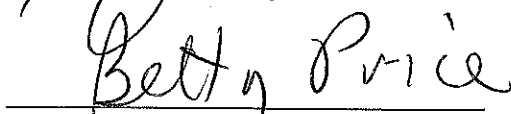
Sue H. Creel, City Clerk
(Seal)



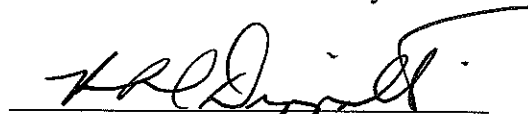
Councilmember Jerry Orleans




Councilmember Rebecca Wynn



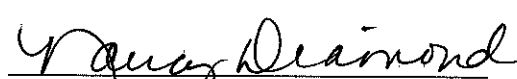
Councilmember Betty Price



Councilmember Richard Dippolito



Councilmember Kent Igleheart



Councilmember Nancy Diamond

