

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Special Called Session
Tuesday, July 10, 2018
5:30 p.m.
120 West Dougherty Street

The Unified Government of Athens-Clarke County, Georgia met this date in a special called session. Present: Mayor Denson; Commissioners Dickerson, Parker, Wright, Bailey, NeSmith, Bell, and Hamby. Absent: Commissioners Link, Herod, and Girtz.

The purpose of the meeting was to adopt a resolution calling for a referendum to approve the brunch bill, i.e. the legislation that would allow restaurants to begin serving alcoholic averages on Sundays at 11:00 a.m.; consider any other item in order; and enter into executive session for an attorney/client conference to discuss threatened or pending litigation.

Citizen input

There was no citizen input.

New business – Consider under suspension of Rules

A motion was made by Commissioner Wright, seconded by Commissioner Dickerson, to suspend Rules of Commission for consideration of one item of new business. The motion passed by unanimous vote.

A motion was made by Commissioner Wright, seconded by Commissioner Dickerson, to adopt the following resolution. The motion passed by unanimous vote.

RESOLUTION AUTHORIZING A REFERENDUM ON THE QUESTION OF EXTENDING THE HOURS ON SUNDAYS THAT CERTAIN ALCOHOLIC BEVERAGES LICENSEES MAY SELL DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES FOR BEVERAGE PURPOSES BY THE DRINK

WHEREAS, pursuant to Title 3 of the Official Code of Georgia Annotated, i.e. Section 3-3-7 (j)(1), the Mayor and Commission, having been authorized by referendum, have adopted ordinances to permit the sale of alcoholic beverages for consumption on the premises on Sundays from 12:30 p.m. until 12:00 Midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging, and

WHEREAS, at its 2018 legislative session the Georgia General Assembly adopted, and the Governor approved, Senate Bill 17, which amends Code Section 3-3-7 of Title 3 of the Official Code of Georgia Annotated by adding a new section, i.e. Section (j.1)(1) to allow counties or municipalities that have adopted ordinances, including the Unified Government of Athens-Clarke County, to permit the sale of alcoholic beverages for consumption on the premises on Sundays from 12:30 p.m. until 12:00 Midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging to, conditioned on approval in a referendum, authorize the sale of alcoholic beverages for consumption on the premises of any such establishments on Sundays for an additional hour and a half during the time period of 11:00 a.m. until 12:30 p.m., and

WHEREAS, the Mayor and Commission desire to take the necessary actions to authorize a referendum on the question of authorizing the sale of alcoholic beverages for consumption on the premises of the hereinabove described establishments on Sundays for an additional hour and a half during the time period of 11:00 a.m. until 12:30 p.m., and

NOW THEREFORE, the Commission of Athens-Clarke County, Georgia hereby resolves as follows:

1. The Clerk of Commission is hereby authorized and directed to transmit this Resolution to the Elections Superintendent of Athens-Clarke County to issue the call for a referendum for the purpose of submitting to the voters of Athens-Clarke County the question of authorizing the sale of alcoholic beverages for consumption on the premises on Sundays for an additional hour and a half during the time period of 11:00 a.m. until 12:30 p.m. in any licensed establishment which derives at least 50 percent of its

total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging.

2. Upon the receipt of this Resolution, the Elections Superintendent shall issue the call and shall conduct the election on the 6th day of November, 2018 in the manner prescribed by O.C.G.A. Section 21-2-540 and by Senate Bill 17.

3. The Elections Superintendent shall cause the date and the purpose of the election to be published once a week for four weeks immediately preceding the date of the election in the official organ of Athens-Clarke County.

4. The Elections Superintendent shall cause the following language to be written or printed on the ballot:

YES Shall the governing authority of Athens-Clarke County be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M.to 12:30 P.M.?"

NO

5. Upon the passage of the above-described referendum, the governing authority of Athens-Clarke County shall be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M.to 12:30 P.M.

A motion was made by Commissioner Bailey, seconded by Commissioner NeSmith, to enter into executive session for an attorney/client conference to discuss threatened or pending litigation. The motion passed by unanimous vote.

The meeting adjourned at 5:35 p.m.

Clerk of Commission