



ALCOHOL BEVERAGE ORDINANCE PROPOSED AMENDMENTS

City of Savannah
October 5, 2022

Alcohol Beverage Ordinance Proposed Amendments

Georgia Legislative O.C.G.A.

- ❖ O.C.G.A § 3-3-11: ***Proposed Reserved Code Section 6-1228***
- ❖ O.C.G.A § 3-3-10: ***Proposed Reserved Code Section 6-1229***
- ❖ O.C.G.A § 3-15-1: ***Proposed Reserved Code Section 6-1230***

Local Revisions

- ❖ Bring your own Bottle “BYOB”: ***Proposed Reserved Code Section 6-1231***
- ❖ Selling, Serving or Dispensing alcoholic beverages through Windows or Doors: ***Proposed Reserved Code Section 6-1232***
- ❖ Alcohol Beverage Compliance Unit – Mandatory Administrative Meetings: ***Proposed Reserved Code Section 6-1233***
- ❖ Alcohol Review Committee: ***Proposed Reserved Code Section 6-1234***
- ❖ Armed Security Guards: ***Proposed Reserved Code Section 6-1235***
- ❖ ***Alcohol License Waiting Periods***
- ❖ ***Late Night Alcohol Permit***
- ❖ ***Three Fee Changes***
- ❖ ***Education & Outreach***

Distilled Spirits Take-Out w/ Meal

State Law: O.C.G.A § 3-3-11
Proposed Local Ordinance: Section 6-1228

Purpose

Permit Retail Consumption Dealers (Restaurants with on-premises licenses) to sell distilled spirits for off-premises consumption in approved containers with the purchase of a meal.

Examples of approved containers:

- Container with a snap on cap that has a tail band or security ring (similar to a gallon of milk).
- Screw caps/tops that break the link when unscrewed (similar to the cap on a 2 liter of soda or a water bottle).
- Cork or plug with a foil heat seal (similar to a wine bottle).
- Crown capped glass bottles (similar to a beer bottle).
- Container with a shrink band or shrink wrap seal over the screw cap.
- Heat-sealed closures over sealed caps.
- Take out drink carrier bag with a permanent closure adhesive or permanent heat-sealed strip.



Packaged Alcohol Home Delivery

State Law: O.C.G.A § 3-3-10

Proposed Local Ordinance: Section 6-1229

Purpose

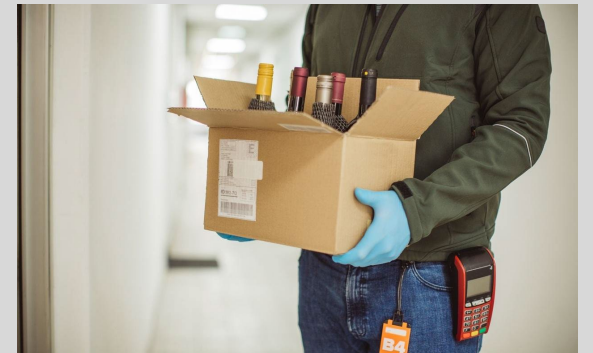
Permit Class D (Retail Package Store) and Class E (Convenience and Grocery Stores) to conduct home delivery of distilled spirits, malt beverages, and wine. All other classes are not permitted for home delivery.

Key Delivery Driver Requirements:

- Be at least 21 years of age.
- Must be a direct employee of the alcohol establishment (no third parties, no Grubhub, Uber Eats, Drizly, Saucey)
- Check identification at the time of delivery, to ensure the persons receiving the alcoholic beverages are 21 years of age and older.
- The driver must keep a running log of all deliveries and must be signed by the license holder at the end of each shift
- Has a valid Georgia driver's license
- Delivery driver must submit driving records from The Department of Drivers Services to the SPD ABC Unit.

No delivery shall knowingly be made to any address or to any property that is part of:

- Any public or private elementary or secondary educational school;
- Any prison, reformatory, and other correctional facilities;
- Any addiction or substance abuse facilities;
- Any locker, mailbox, package shipping location, or similar service or storage facility business; or
- Any packaged good retailer/Alcohol license holder



Alcoholic Beverage Tastings

State Law: O.C.G.A § 3-15-1

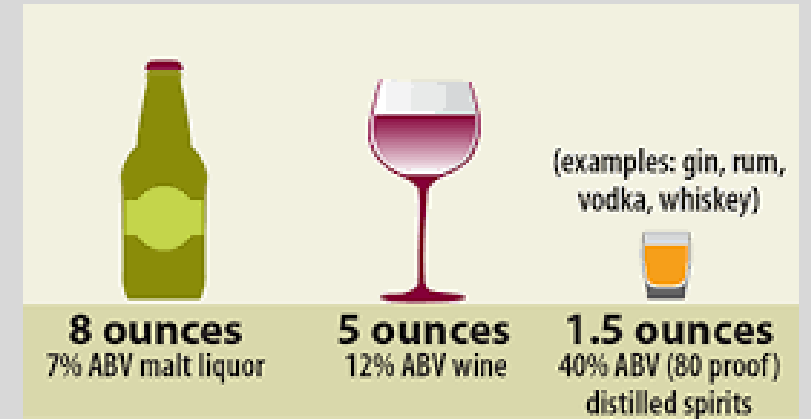
Proposed Local Ordinance: Section 6-1230

Purpose

Permit Class D (Retail Package Stores) and Class E (Convenience, Grocery Stores) to provide tasting events of distilled spirits, malt beverages and wine. This code section will repeal and replace Class H (Samples), in the current ABO.

All tasting events must abide by the following:

- Must receive a permit from the City's Revenue Department 14 days prior to event
- Maximum size per sample is 8 oz of malt beverage, 5 oz of wine and 1.5 oz of distilled spirits
- Only conduct 52 tastings per calendar year with 14-day prior notification to the City's Revenue Department
- May last only 4 hours
- May only serve one type of alcoholic beverage, either malt beverage, wine, or distilled spirits. However, more than one brand of each type of alcoholic beverage may be offered, so long as no more than four packages are open at one time



Bring Your Own Bottle “BYOB”

Proposed Local Ordinance: Section 6-1231

Purpose

Reinstate provisions of the previous ordinance pertaining to BYOB.

- 6-1231(a) It shall be unlawful for the operator of any non-licensed establishment to serve, sell or keep for sale alcoholic beverages.
- 6-1231(b) It shall be unlawful for any person to bring or pour his/her own alcoholic beverage (“brown bagging”) into any non-licensed alcoholic beverage establishment.
- Alcohol license holders allowing customers to bring their own bottle shall remain responsible for adhering to all State and Local requirements pertaining to the service of alcohol.



Selling, Serving or Dispensing Alcoholic Beverages Through Windows or Doors

Proposed Reserved Code Section 6-1232

Purpose

With the exception of Class D (package store) license holders with (state-approved) drive thru windows only, no licensee may sell or permit the sale or dispensation of alcoholic beverages through windows, doors, or other openings to sidewalks, parking lots, or to any other area outside the licensed premises, excluding approved adjacent patios.

*The City's Festival Ordinance may pre-empt the above restrictions in some instances.



Alcohol Review Committee

Local Ordinance Section 6-1234

Purpose

- Establish Alcohol Review Committee (ARC) to collaborate with City staff and outside agencies involved in the alcohol licensure process to improve efficiency of the application process.
- Streamline process with City staff and outside agencies involved.
- Ensure all regulatory requirements are met prior to consideration by City Council.

Proposed Committee Representatives

- ❖ ABC Unit
- ❖ Code Compliance
- ❖ Clerk of Council
- ❖ City Manager's Administrative Office
- ❖ Department of Public Health
- ❖ Department of Revenue
- ❖ Human Services
- ❖ Planning, Zoning and Urban Design
- ❖ Development Services

Alcohol Beverage Compliance (ABC) Unit Administrative Meetings

Proposed Local Ordinance: Section 6-1233

Purpose

Require the appearance of the Alcohol Licensee or Responsible Party at the Administrative Meetings to discuss public safety plans along with policies and procedures after one or more violations have occurred at the establishment against the current alcohol ordinance, to include nuisance and public safety violations.

Definition:

- An Administrative Meeting is held to establish a corrective action plan with the Licensee and/or Responsible Party to seek compliance with the alcohol ordinance. The Administrative Meeting has no bearing on court proceedings, however attendance from the Licensee and/or Responsible Party is mandatory.
- Failure to attend Administrative Meetings will result in subpoena issued to appear in Recorder's Court.

Armed Security Guards

Local Ordinance Section 6-1235

Purpose

- Require all armed security guards working either directly for the alcohol establishment or contracted by the establishment to complete a background check through the SPD.
- All private armed security businesses that furnish security services to establishments licensed to sell alcoholic beverages shall conduct a complete and thorough background investigation of all employees carrying weapons. For each such employee, the private security company shall maintain a copy of the background investigation, which shall be furnished to any representative of the SPD upon demand.
- Licensee must inform the ABC Staff in writing within 30 days if any armed security guards of the licensee or establishment is convicted of a felony or any crime involving the illegal use, carrying, or possession of a dangerous weapon or any crime involving moral turpitude.

Alcohol License Waiting Periods

Proposed Local Ordinance Section 6-1207

Waiting Periods (Revocation) Proposed Revisions:

- 6-1207(e)(1)(A) – When any license is revoked as provided under this article, no further license shall be issued to such license holder for a period of 24 months from the date of revocation.
- 6-1207(e)(1)(B) – When any license is revoked as provided under this article, no further license shall be issued at the subject premises to any person, firm, or corporation at such location for a period of six months from the date of revocation.

Waiting periods (Denials) Proposed New Language:

- 6-1207(e)(2) – When a license is denied by the Mayor and Aldermen pursuant to the provisions of this Article, no license shall be issued to such ABL Applicant or Responsible ABL Applicant for the premises subject to the ABL denied application for a period of twelve (12) months from the date of denial.

Waiting Periods (Surrender) Repeal and Replace Language:

- 6-1207 (b)(11)- For occasions on which the applicant, manager, or any person with a financial interest in the establishment has voluntarily surrendered an alcoholic beverage license issued by the city, no license shall be issued to such person at subject location for a period of twelve (12) months immediately following the surrender.

Late Night Alcohol Permit

New Class K

Purpose

- Permit restaurants to transition to a bar/lounge between the hours of:
 - Monday thru Saturday: 12:00 a.m. – 2:55 a.m.
 - Sunday: 11:00 p.m. – 2:00 a.m.
- Required for existing and new alcohol establishments seeking transition privileges.
- Any existing establishment operating without an Alcohol Transitional Permit will be cited under code section 6-1205(a).

The following guidelines will be permitted during the transitional phase:

- Cease or modify food sales
- Entry fee
- Employment of Security Staff (armed/unarmed)
- Surveillance Cameras

The Late Night Alcohol Permit will require:

- No one under 21 years of age allowed on premise during transitional hours.
- Alcohol Transitional Permit Application along with payment of \$1,500 dollars paid to the City's Revenue Department
- Only current ABL/Responsible ABL applicants can apply for Late Night Alcohol Permit
- Additional Public Safety Plan must be turned into the SPD's Alcohol Beverage Compliance (ABC) unit at the time of permit request

Amend Language

Section 6-1205(a) & Revenue Ordinance

Sec. 6-1205. – License or permit required.

- (a) No malt beverage, wine, distilled spirits or any other alcoholic beverage may be sold, dispensed or manufactured in the city except upon obtaining a license or permit issued pursuant to the terms of this article by the office of the revenue director for the city.
- (c) The following licenses or permits, or any combination thereof, may be issued pursuant to this article; provided, however that such combination is not prohibited by O.C.G.A., tit. 3 of the Official Code of Georgia Annotated, as amended, the regulations issued pursuant thereto, as amended, or any other applicable law concerning the sale or dispensation of alcoholic beverages.

Revenue Ordinance Revisions:

- Late Night Alcohol Permit: \$1,500.00
- Alcohol Review Committee Application: \$ 50.00
- Discount for Businesses Owned by Veterans 40%

Education and Outreach

Convene quarterly meetings to:

- Assist new, existing, and future alcohol applicants understand the relevant rules and regulations pertaining to their business and alcohol.
- Provide updates to the Alcohol Beverage Ordinance and current overlays
- Provide an opportunity to hear from the industry on concerns
- Host seminars on new trends
- Discuss revisions to regulations and/or policies

Proposed dates:

- January 2023
- March 2023 (St. Patrick's Day Coordination)
- May 2023 (St. Patrick's Day Assessment)
- October 2023

Next Steps & Questions

Present revisions for Council consideration:

- City Council Workshop: October 27
- First and Second Reading: November 2022
- Effective: January 1, 2023

Information available:

- alcohol@savannahga.gov
- www.savannahga.gov/alcohol