

ORDINANCE #2006-1: AN ORDINANCE AMENDING THE  
STATESBORO MUNICIPAL CODE REGARDING ALCOHOLIC BEVERAGES

THAT WHEREAS, the City has previously adopted an ordinance regulating the sale of alcoholic beverages; and

WHEREAS, those regulations have included provisions regarding the number of alcoholic beverages that can be sold to an individual at one time; and

WHEREAS, those regulations have included provisions regulating the practice of reducing drink prices during any portion of a day; and

WHEREAS, the City Council has determined that those provisions might be modified and still provide for the public health, safety, and welfare;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled as follows:

Section 1. That Sec. 6-166 of the Statesboro Municipal Code is hereby amended as follows:

a) delete b) 2) in its entirety and insert the following language in its place:

"2) Deliver more than two alcoholic beverage drinks to one person at one time, or allow any patron to possess more than two alcoholic beverage drinks at one time."

b) delete b) 3) in its entirety and insert the following language in its place:

"3) a) Sell, offer to sell, or deliver any alcoholic beverages to any person or group of persons during any special period of the day at prices lower than those customarily charged during the remainder of the day.

b) However, any on-premise consumption licensee may sell, offer to sell, or deliver to a person only during the period from 5:00 pm to 7:00 pm, any alcoholic beverage for no less than one-half the price customarily charged, **provided that** the following five conditions are met. This provision does not permit a licensee to sell, offer to sell, or deliver any alcoholic beverages during this two-hour period to any person or group at a price lower than is offered to the general public during this two-hour period.

1) The Alcohol Control Board shall not have ruled that the restaurant licensee, or any of his current employees, or persons in his employ within the prior 12 months has violated at or on the licensed premises within the last twelve (12) months of such sale any provision of this chapter, or state statute regarding alcoholic beverages; and

2) The Municipal Court shall not have found the licensee, or any of his current employees, or persons in his employ within the prior 12 months guilty of violating at or

on the licensed premises any of the following provisions of the Statesboro Municipal Code, in the last twelve (12) months:

- a) Sec. 18-131 et seq dealing with massage parlors;
- b) Sec. 18-171 et seq dealing with adult entertainment establishments;
- c) Sec. 38-26, et seq dealing with nuisances;
- d) Sec. 38-101 et seq dealing with noise;
- e) Sec. 58-2 dealing with the posting of advertisements on private property;
- f) Sec. 58-3 dealing with the discharge of firearms; or
- g) Sec. 58-4 dealing with disorderly conduct;

3) The Police Department shall not have responded to requested dispatches to the restaurant location more than twenty-five (25) times in the last twelve (12) months for any reason other than to investigate a traffic accident, or to provide assistance to the Fire Department or Emergency Medical Services during one of their emergency calls; and

4) Such sales shall only take place on a day when sales of alcoholic beverages for consumption-on-the-premises are allowed by this chapter and state statute.

5) The twelve (12) month period referred to above is inclusive of the time period of the 365 days immediately preceding the proposed sales date."

Section 2. Should any section, subsection, or provision of this ordinance be ruled invalid by a court of competent jurisdiction, then all other sections, subsections, and provisions of this ordinance shall remain in full force and effect.

Section 3. That this Ordinance shall be and remain in full force and effect from and after its adoption on two separate readings.

First Reading: February 7, 2006  
Second Reading: February 21, 2006

MAYOR AND CITY COUNCIL OF STATESBORO, GEORGIA

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By: William S. Hatcher, Mayor

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Attest: Judy M. McCorkle, City Clerk