

ORDINANCE #2007-23: 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, the City Attorney and City Manager have proposed an amendment to address several issues that have arisen regarding the imposition of penalties, and the Mayor and City Council wish to incorporate these changes into the Statesboro Municipal Code;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled that Chapter 6, Alcoholic Beverages, of the Code of Ordinances of the City of Statesboro is hereby amended as follows:

Section 1. Amend Sec. 6-3 (b) to read as follows: "(b) The violation of any of the provisions of this chapter, including the maximum occupant load, shall be grounds for suspension or revocation by the mayor and city council of any retail or wholesale license issued hereunder, as set out below:

- (1) For the first violation there shall be a three- (3) day suspension of the license.
- (2) For the second violation, the date of occurrence of which is within any 24-month period of the first violation, there shall be a ten- (10) day suspension of the license.
- (3) For the third violation, the date of occurrence of which is within any 24-month period of the first violation, there shall be a thirty- (30) day suspension of the license.
- (4) For the fourth violation, the date of occurrence of which is within any 24-month period of the first violation, there shall be either a ninety- (90) day suspension of the license, or revocation of the license.
- (5) For any violation beyond the fourth, the date of occurrence of which is within any 24-month period of the first violation, the license shall be revoked.
- (6) Any suspension or revocation shall begin on the seventh day after the suspension or revocation decision was made by the mayor and city council.
- (7) Any suspension or revocation of a license shall first require notice to the license holder of a due process hearing as required by section 6-35 herein.
- (8) A license holder who receives a suspension or revocation of his license may not be an officer, director or shareholder of any succeeding entity that holds a license from the city during his period of suspension."

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: September 5, 2007

Second Reading: September 18, 2007

MAYOR AND CITY COUNCIL OF STATESBORO, GEORGIA

William S. Hatcher

By: William S. Hatcher, Mayor

Judy M. McCorkle

Attest: Judy M. McCorkle, City Clerk