

STATE OF GEORGIA

CITY OF JONESBORO

ORDINANCE NO.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF JONESBORO, GEORGIA, BY AMENDING CHAPTER 58, PARADES, SPECIAL EVENTS, ETC.; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Jonesboro, Georgia (the “City”) is the Mayor and Council thereof; and

WHEREAS, the finds that an ever-increasing number of demands are being made upon city resources and infrastructure by applications to hold special events in the City streets, sidewalks, and parks; and

WHEREAS, the City desires to promote and encourage events for the greater good and cultural diversity of the city. ; and

WHEREAS, in an effort to attract festivals, concerts and other outdoor functions at Lee Street Park, the city recognizes the ever-growing need to allow, within statutory confinements, the use/sale of beer, wine & distilled spirits.

WHEREAS, the City desires to amend the Special Events Ordinance as codified in Article II, Chapter 58, Parades, Special Events, etc., Section 58-59 Alcohol Sub Permit to the Code of Ordinances of the City of Jonesboro, Georgia and to add definitions of the same; and

WHEREAS, the public health, safety, and general welfare of the citizens of the City will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF JONESBORO, GEORGIA, and by the authority thereof:

Section 1. The Code of Ordinances, City of Jonesboro, Georgia is hereby amended by inserting a new definition in Section 58-42 to be enumerated as (4) to read as follows:

4) The term “Sub-permit” shall mean any permit or written approval that authorizes some component of an outdoor event, such as, but not limited to, an electrical permit or an alcohol permit.

Section 2. The Code of Ordinances, City of Jonesboro, Georgia is hereby amended by inserting a new Section 58-59 immediately after the already-existing Section 58-58 to read as follows:

Sec. 58-59 – Alcohol sub-permit.

- (a) No alcohol may be served and/or sold at any outdoor event unless the host receives an alcohol sub-permit. Where the outdoor event occurs in a park, the only type of outdoor event eligible for an alcohol sub-permit is an outdoor festival. Alcohol is not permitted in parks absent a permitted outdoor festival alcohol sub-permit.
- (b) If the outdoor event is utilizing an alcohol pourer that has already obtained a city-issued liquor license from the City, the applicant shall complete and submit an alcohol sub-permit application to the City Clerk with the outdoor event application. Where the outdoor event application is due less than 30 days prior to the outdoor event, the alcohol sub-permit application must none-the-less be submitted to the City Clerk no later than 30 days before the outdoor event.
 - (1) The City Clerk shall prepare the alcohol sub-permit application for approval by Mayor & Council. The Mayor & Council shall be the sole decision-maker of whether to issue a sub-permit.
 - (2) The fee for an alcohol sub-permit shall be \$350.00 per day, per fixed location where alcohol is served.
 - (3) The applicant must obtain a license to serve alcohol at the outdoor event from the State of Georgia, and must supply the city with a copy of said license no later than three business days prior to the outdoor event.
- (c) If the outdoor event is utilizing an alcohol pourer that has not already obtained a city-issued liquor license, the applicant must obtain an alcohol pourer license utilizing the standard procedures established by the city.
- (d) The alcohol sub-permit must be displayed at the approved event site and must be made available upon request of any City representative.

- (d) Persons attending any event where alcohol is allowed are subject to park rules, state rules, county and city ordinances. All laws are strictly enforced. Offenders are subject to ejection from the park and/or prosecution.
- (e) Glass containers shall not be allowed in the park.
- (f) Alcohol sub-permits shall only be issued for Lee Street tPark.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise

unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 6. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this _____ day of _____, 2016.

CITY OF JONESBORO, GEORGIA

JOY DAY, Mayor

ATTEST:

RICKY L. CLARK, JR., City Clerk

APPROVED AS TO FORM:

STEVE FINCHER, City Attorney