

CITY OF CLARKESVILLE

ORDINANCE - 02

AN ORDINANCE OF CITY OF CLARKESVILLE, GEORGIA AMENDING CHAPER SIX, SECTIONS 6-204 & 6-236 AS APPROVED BY REFERENDUM PASSED BY ASSENT OF A MAJORITY OF THE QUALIFIED VOTERS OF CITY OF CLARKESVILLE BY REFERENDUM HELD ON NOVEMBER 5, 2019 SO AS TO AUTHORIZE THE SALE OF ALCOHOLIC BEVERAGES AND DISTILLED SPIRITS ON SUNDAY FROM 11:00 A.M. UNTIL 12:00 P.M. AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Clarkesville, Georgia is authorized under Article IX, Section II, Paragraph III of the Constitution of the State of Georgia to adopt reasonable ordinances to protect the public health, safety and welfare of the citizens of the City of Clarkesville, Georgia; and

WHEREAS, the duly elected governing authority of the City of Clarkesville, Georgia is the Mayor and City Council; and

WHEREAS, the City Council approved a resolution calling for a referendum election to be held on November 5, 2019 to permit the voters of City of Clarkesville to decide whether the City should 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 12:00 p.m., and

WHEREAS, the referendum was passed by the voters of City of Clarkesville on November 5, 2019, and

WHEREAS the results of the passed referendum authorize the City Council to amend Chapter 6, Section 6-204 (a) so as to set the hours of Sunday sales of malt beverages and wine to conform with the results of the referendum and further authorize the City Council to amend Chapter 6, Section 6-236 (a) so as to set the hours of Sunday sales of distilled spirits to conform with the results of the referendum.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKESVILLE, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:

Section 1, That Section 6-204 - "Hours and Days of Sale" of the Code of Ordinances of the City of Clarkesville, in keeping with the passage of the November 5, 2019 referendum, is hereby partially amended at section 6-204 (a) so that Section 6-204 (a) shall now read as follows:

"(a) Malt beverages and /or wine shall not be sold or distributed for consumption on the premises except between the hours of 10:00 a.m. and 1:55 a.m., Monday through Saturday and between the hours of 11:00 a.m. and 12:00 midnight on Sunday. Seasonal time changes shall be 2:00 a.m. current time. "

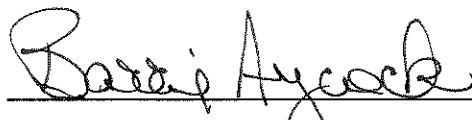
Section 2, That Section 6-236 – “Hours and Days of Sale” of the Code of Ordinances of the City of Clarkesville, in keeping with the passage of the November 5, 2019 referendum, is here by partially amended at section 6-236(A) so Section 6-236 (a) shall now read as follows:

‘(a) Distilled spirits shall not be sold for consumption on the premises except between the hours of 10:00 a.m. and 1:55 a.m. Monday through Saturday and between the hours of 11: 00 a.m. and 12:00 midnight on Sunday. Seasonal time changes shall be 2:00 a.m. current time.’”

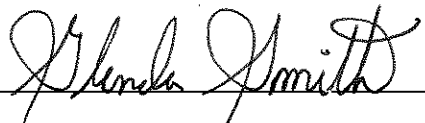
Section 3, Conflicting Laws and Regulations. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4, Severability. If any of the provisions of this resolution or the application thereof to any person or circumstance are held invalid, such invalidity shall not affect other provisions or applications of the resolution which can be given effect without the invalid provision or application, and to this end, the provision of this resolution are declared to be severable.

Section 5, Effectivity. This ordinance will become effective upon its adoption.



Barrie Aycock Mayor

Attest: 

Glenda Smith City Clerk

Posted: 12-10-19

Adopted: _____



OFFICIAL MINUTES
COUNCIL MEETING

December 09, 2019
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The regular meeting of the Clarkesville Mayor and City Council was held on Monday, December 09, 2019 at 6:00 p.m. at Clarkesville City Hall. Those present were Mayor Barrie Aycock, Council Members, Roxie Barron, Steven Ward, Franklin Brown & Terry Gladden. Also present City Attorney Janney Sanders.

Agenda Item #1: *Call to Order.*

Mayor Barrie Aycock called the meeting to order.

Agenda Item #2: *Invocation and Pledge*

Keith Cox opened the meeting with an invocation followed by the Pledge of Allegiance.

Agenda Item #3: *Consent Agenda:*

Approve Minutes of the November 04, 2019 City Council Meeting

Approve Minutes of the November 19, 2019 Work Session

Council Member Franklin Brown made a motion to approve the Consent Agenda.

Seconded: Council Member Terry Gladden

Passed Unanimously

Agenda Item #4: *Committee Reports: Finance, Project Management, Main Street, Planning & Zoning, Fire, Police, Public Works, Water & Waste Water.*

Unfinished Business

There is no unfinished business to attend to at this meeting.

New Business

Agenda Item #5: *Consideration of approval of a Resolution for Call of Election.*

Council Member Steven Ward made a motion to approve the Resolution for Call of Election.

Seconded: Council Member Terry Gladden

Passed Unanimously

Agenda Item #6: *Consideration of amending Chapter Six of the Clarkesville Municipal Code Sections 6-204 & 6-236.*

The Council had the first reading of code and requested to change 12:00 p.m. to midnight and post at City Hall and on the city web site. The second reading of the code and vote will be at the Council Meeting on January 06, 2019.

Agenda Item #7: *Consideration of approval of DDA Board.*

Council Member Terry Gladden made a motion to approve the DDA Board with terms as listed.

Seconded: Council Member Franklin Brown **Passed Unanimously**

Agenda Item #8: *Consideration of the nomination of Jeff Johnson to the DDA Board.*

Council Member Roxie Barron made a motion to approve the nomination of Jeff Johnson to the DDA Board.

Seconded: Council Member Franklin Brown **Passed Unanimously**

Agenda Item #9: *Consideration of approving the renewal of the following Alcohol Licenses for 2020.*

Council Member Franklin Brown made a motion to approve the alcohol licenses for renewal.

Seconded: Council Member Steven Ward **Passed Unanimously**

Agenda Item #10: *Public Comment*

No public comments

Agenda Item #11: *Make a motion to enter into Executive Session pursuant to the attorney-client privilege in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions as provided by Georgia Code Section 50-14-2(1).*

Council Member Franklin Brown made a motion to go into Executive Session.

Seconded: Council Member Terry Gladden **Passed Unanimously**

Agenda Item #12: *Adjournment*

Council Member Steven Ward made a motion to adjourn the meeting.

Seconded: Council Member Franklin Brown **Passed Unanimously**

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Mayor Barrie Aycock adjourned the meeting.

Respectfully submitted,

Glenda Smith
City Clerk