

**AN ORDINANCE**

**AN ORDINANCE TO AMEND THE CODE OF DEKALB COUNTY, GEORGIA,  
CHAPTER 4, ARTICLE III, PERTAINING TO HOURS OF SALES BY AND  
OPERATION OF ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC  
BEVERAGES, AND FOR OTHER PURPOSES.**

**WHEREAS**, the Governing Authority of DeKalb County is tasked with the protection of the County's public health, safety, and general welfare;

**WHEREAS**, O.C.G.A. § 3-3-7 establishes maximum hours of sale for distilled spirits, wine and beer; and

**WHEREAS**, DeKalb County desires to improve the quality of life in all of its communities and neighborhoods by minimizing crime, accidents, assaults, loitering and other deleterious conduct associated with the presence of establishments that sell or offer to sell wine, malt beverages or distilled spirits for on-premises consumption; and

**WHEREAS**, this amendment to the alcoholic beverages ordinance will reduce the hours of operation for establishments licensed to sell alcoholic beverages for on-premises consumption.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of same, that Chapter 4, Article III of the Code of DeKalb County, Georgia, is amended to read as follows:

**PART I. ENACTMENT**

*Section 4-126, 4-147, and 4-162 are amended by deleting these sections in their entirety and by replacing them with new sections 4-126, 4-147 and 4-162, to read as follows:*

**Sec. 4-126. Hours of sale and operation.**

Distilled spirits shall be sold and delivered to the customer for consumption on the premises only during the following hours:

June 15, 2010

- (a) Monday through Friday hours are from 9:00 a.m. until 3:55 a.m. of the following day.
- (b) Saturday hours are from 9:00 a.m. until 2:55 a.m. on Sunday.
- (c) Sunday hours are from 12:30 p.m. until 2:55 a.m. on Monday as permitted by section 4-128.

Sales and deliveries during all other hours are prohibited. There shall be no consumption on the premises after prohibited hours have been in effect for one-half (1/2) hour. All licensed establishments must close their premises to the public and clear their premises of patrons within one (1) hour after the time set by this chapter for discontinuance of the sale of alcoholic beverages on the premises and shall not reopen their premises to the public until 9:00 a.m. or thereafter.

\* \* \*

**Sec. 4-147. Hours of sale and operation.**

Beer and/or wine shall be sold and delivered to the customer for consumption on the premises only during the following hours:

- (a) Monday through Friday hours are from 9:00 a.m. until 3:55 a.m. of the following day.
- (b) Saturday hours are from 9:00 a.m. until 2:55 a.m. on Sunday.
- (c) Sunday hours are from 12:30 p.m. until 2:55 a.m. on Monday as permitted by section 4-149.

Sales and deliveries during all other hours are prohibited. There shall be no consumption on the premises after prohibited hours have been in effect for one-half (1/2) hour. All licensed establishments must close their premises to the public and clear their premises of patrons within one (1) hour after the time set by this chapter for discontinuance of the sale of alcoholic beverages on the premises and shall not reopen their premises to the public until 9:00 a.m. or thereafter.

\* \* \*

**Sec. 4-162. Hours of sale and operation.**

Alcoholic beverages shall be sold and delivered to patrons for consumption on the premises only during the following hours:

- (a) Monday through Friday hours are from 9:00 a.m. until 3:55 a.m. of the following day.

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- (b) Saturday hours are from 9:00 a.m. until 2:55 a.m. on Sunday.
- (c) Sunday hours are from 12:30 p.m. until 2:55 a.m. on Monday as permitted by section 4-164.

Sales and deliveries during all other hours are prohibited. There shall be no consumption on the premises after prohibited hours have been in effect for one-half (1/2) hour. All licensed establishments must close their premises and clear their premises of patrons within one (1) hour after the time set by this chapter for discontinuance of the sale of alcoholic beverages on the premises and shall not reopen their premises to patrons until 9:00 a.m. or thereafter.

### PART II. EFFECTIVE DATE

This ordinance shall become effective upon adoption by the Board of Commissioners and approval by the Chief Executive Officer.

### PART III. SEVERABILITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, nor any part thereof, other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

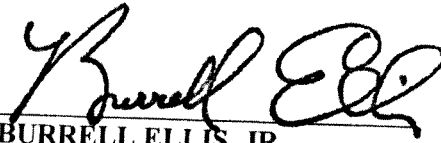
**ADOPTED** by the DeKalb County Board of Commissioners, this 22<sup>nd</sup> day of June, 2010.



LARRY L. JOHNSON, MPH  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

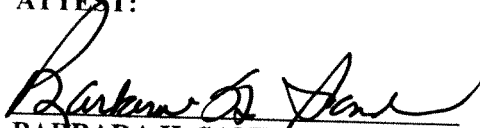
June 15, 2010

**APPROVED** by the Chief Executive Officer of DeKalb County, this 24<sup>th</sup> day of June, 2010.



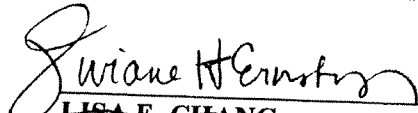
**W. BURRELL ELLIS, JR.**  
Chief Executive Officer  
DeKalb County, Georgia

**ATTEST:**



**BARBARA H. SANDERS, CCC**  
Clerk to the  
Board of Commissioners and  
Chief Executive Officer

**APPROVED AS TO FORM:**



**LISA E. CHANG**  
County Attorney  
DeKalb County, Georgia  
*Chief  
asst.*