



April 18th, 2017
4:30 pm-Council Chambers

City Council Work Session

Topic for Discussion:

1. Discussion of the proposed changes to Chapter 6 (Alcohol Ordinance) for the Code of Ordinances of the City of Statesboro (pricing/happy hour and fines for hearings)

General discussion on emerging issues

*******THERE WILL BE NO ACTION TAKEN*******

Sec. 6-16. - Alcohol promotions; pricing of alcoholic beverages.

(a) Unless otherwise stated, this section shall be construed to cover, include and apply to every type of alcoholic beverage licensed to be sold in the City of Statesboro.

(b) It shall be unlawful for any licensee or employee or agent of such licensee to engage in or allow any of the following practices in connection with the sale or other disposition of alcoholic beverages:

(1) Offer or deliver any free alcoholic beverage to the general public. This subsection shall not apply to events conducted in accordance with the grant of a special event permit granted pursuant to this Chapter, or to samples of beer offered in conjunction with the sale of growlers as provided for in Section 6-8(b).

(2) Sell, offer to sell, or deliver to any person ~~or group of persons~~ any alcoholic beverage at a price less than ~~\$1.00-\$1.50~~ or less than wholesale cost.

(3) ~~Sell, offer to sell, or deliver to any person or group of persons two or more alcoholic beverages during any set period of time at a fixed price.~~ Base pricing of alcoholic beverages in any manner on gender, race, creed, color, or national origin.

(4) Sell, offer to sell, or deliver alcoholic beverages, ~~after 11:00 p.m. to any person or group of persons~~ except during a single up to three hour period that concludes before 10:00 P.M., at ~~reduced~~ prices less than the normal ~~retail~~ price of the establishment ~~charges for that alcoholic said beverages~~ ~~charged the general public on that day.~~ on that particular day. This reduced price period shall be conspicuously posted and apply to all days of the week. Said period shall also be noted on alcoholic beverage license applications and renewals.

~~(5) Increase the volume of alcohol contained in a drink without increasing proportionately the price regularly charged for such alcoholic beverage.~~

~~(6) Sell two or more alcoholic beverages for a price substantially the same as is charged for one such alcoholic beverage.~~

~~(7) Require or encourage the purchase of a second or subsequent alcoholic beverage at the same time another alcoholic beverage is purchased.~~

(5) Sponsor, conduct, encourage or allow on the licensed premises any game or contest or promotion which either:

a. Involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as the prize;
or

b. Has as its primary purpose the increasing of the consumption of alcoholic beverages on the premises.

(6) Sell, offer to sell, or give away any coupons, tokens, tickets, receipts or other devices authorizing the serving of any alcoholic beverage drinks either on the current or subsequent day.

(7) Sell, offer to serve, or deliver any alcoholic beverage to be inserted into the mouth of a customer in any manner by anyone other than by the customer.

(8) Charge any minimum charge, cover charge, admission charge, or any other non-food or non-alcoholic beverage charge based on gender, race, creed, color or national origin.

(c) There shall be no advertisement or promotion in any way, whether within or without the licensed premises, of any of the practices prohibited under this section.

(d) No provision of this section shall be construed to prohibit licensees from offering free food or entertainment at any time; provided all patrons or customers are allowed equal access to such free food or entertainment, or to prohibit licensees from including an alcoholic beverage as a part of a meal package, or to prohibit the sale or delivery of wine by bottle or carafe when sold with meals or to more than one person, or to prohibit any hotel or motel from offering room services to registered guests.

(e) This section shall not limit or expand any privilege granted by the Commissioner of the Georgia Department of Revenue to a brewer licensed to manufacture malt beverages authorizing said brewer to conduct educational and promotional brewery tours pursuant to O.C.G.A. § 3-5-38

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(b) It shall be unlawful for any licensee or employee or agent of such licensee to engage in or allow any of the following practices in connection with the sale, service, or other disposition of alcoholic beverages:

(1) Offer or deliver any free alcoholic beverage to the general public. This subsection shall not apply to events conducted in accordance with a special or catered event permit granted pursuant to this Chapter or to samples of beer offered in conjunction with the sale of growlers as provided for in Section 6-8(b).

(2) Sell, offer to sell, or deliver any alcoholic beverage at a price less than \$1.50 or less than wholesale cost.

(3) Base pricing of alcoholic beverages in any manner on gender, race, creed, color, or national origin.

(4) Sell, offer to sell, or deliver alcoholic beverages, except during a single up to three hour period that concludes before 10:00P.M., at prices less than the normal price the establishment charges for said beverages on that particular day. This reduced price period shall be conspicuously posted and apply to all days of the week. Said period shall also be noted on alcoholic beverage license applications and renewals.

(5) Sponsor, conduct, encourage or allow on the licensed premises any game or contest or promotion which either:

- a. Involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as a prize; or
- b. Has as its primary purpose increasing the consumption of alcoholic beverages on the premises.

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package, or to prohibit the sale or delivery of wine by bottle or carafe when sold with meals or to more than one person, or to prohibit any hotel or motel from offering room service to registered guests.

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Sec. 6-19. - Compliance; violations; penalties.

(a)

Violations; penalties.

(1)

It shall be unlawful for any person to violate any provision of this chapter. Upon conviction for the violation thereof each person shall be subject to the punishments allowed under [section 5-3](#) of the Charter of the City of Statesboro, after hearing before the judge of municipal court.

(2)

Unless otherwise provided in the schedule of fines and fees, the minimum fine for a first conviction for violating any provisions of this chapter in the last five years, as measured from the date of previous offense to the date of the current offense, shall not be less than \$300.00 per citation.

(3)

Unless otherwise provided in the schedule of fines and fees, the minimum fine for a second or subsequent convictions for violating any provisions of this chapter in the last five years, as measured from the date of previous offense to the date of the current offense, shall not be less than \$725.00 per citation.