

**AN ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES IN OCONEE COUNTY, GEORGIA, AND THE ISSUANCE OF LICENSES IN CONNECTION THEREWITH AND FOR OTHER PURPOSES.**

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Be it ordained by the Oconee County Board of Commissioners, the “Board”, for the purposes of:

- (1) Promoting the health and general welfare of the community;
- (2) Establishing reasonable and ascertainable standards for the regulation and control of the licensing and sale of alcoholic beverages;
- (3) Protecting and preserving schools and churches; and
- (4) Preventing undesirable persons from engaging in or having any interest in alcoholic beverages;

It is hereby ordained as follows:

**Section 1. DEFINITIONS.**

The following definitions shall apply in the interpretation and enforcement of this Ordinance; however, any word defined in the Georgia state laws on alcoholic beverages which is not defined herein shall have the definition given in state law:

*Alcohol:* Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

*Alcoholic beverage:* Includes all alcohol, distilled spirits, beer, malt beverage, wine, or fortified wine.

*Alcoholic Beverages Ordinance:* The name by which this Ordinance shall be referred.

*Barrel:* Thirty-one gallons or a container holding such amount.

*Board:* The Oconee County Board of Commissioners.

*Brewpubs:* means any restaurant in which malt beverages are manufactured, subject to the barrel production limitation prescribed in O.C.G.A. § 3-5-36; provided, however, that when determining the total annual gross food and beverage sales, barrels of malt beverages sold to licensed wholesale dealers, as authorized pursuant to O.C.G.A. § 3-5-36(2)(D), or to the public for consumption off the premises, as authorized pursuant to O.C.G.A. § 3-5-36(1)(D), (2)(D), shall not be used.

*Catered function:* An event conducted by a bona fide non-profit charitable or civic organization at which alcoholic beverages will be sold by a licensed alcoholic beverage caterer as defined herein. Any proceeds from such event, after expenses, must be used for charitable or civic purposes. Such event shall not exceed one 24 hour period and shall comply with the times of service specified for the service of alcoholic beverages set out in this ordinance.

*Church:* Any permanent building which houses the main sanctuary in which persons regularly assemble for religious worship and which is publicly designated as a church and which is

either owned or held under a lease of at least five years by or on behalf of such persons, but shall not include a residence also used for religious purposes. The term "church" shall not include the temporary housing of a religious group in an otherwise commercial center.

*Distilled Spirits:* Any alcoholic beverage obtained by distillation or containing more than 21% alcohol by volume, including but not limited to, all fortified wines.

*Election Day:* That period of time beginning with the opening of the polls and ending with the closing of the polls.

*Fee Schedule:* The schedule of fees adopted by the Board as part of its annual budget process.

*Financial interest:* Includes, but is not limited to, holding any indebtedness or security interest in a business.

*Fortified Wine:* Any alcoholic beverage containing more than 21% alcohol by volume made from fruits, berries or grapes, either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, brandy.

*Hard Cider:* Any alcoholic beverage contained by the fermentation of the juice of apples, containing not more than 6% alcohol by volume, including, but not limited to, flavored or carbonated cider. For purposes of this ordinance, hard cider shall be deemed a malt beverage. The term does not include sweet cider.

*Licensed alcoholic beverage caterer:* Any holder of a class B-4, C-4 or D-4 alcoholic beverage license issued under this ordinance who obtains an alcoholic beverage caterer's license and who otherwise qualifies with the provisions of state law set forth in O.C.G.A. Title 3, Chapter 11, and the state regulations promulgated thereunder and any holder of an alcoholic beverage caterer's license from another political subdivision.

*Licensee:* The individual to whom a license is issued, or, in the case of a partnership, limited liability company or corporation, all partners, members, managers, officers, and directors of the partnership, limited liability company or corporation and in the case of any other business entity, any person filling an analogous role in such entity.

*Malt beverages:* Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt hops or any other similar product, or any combination of such products in water, containing not more than fourteen (14) percent alcohol by volume and including ale, porter, brown, stout, lager beer, small beer, strong beer and hard cider. The term does not include sake, known as Japanese rice wine.

*Oconee County:* A political subdivision of the State of Georgia and, for the purposes of this ordinance, the unincorporated portions thereof.

*Package:* A bottle, can, keg, barrel, or other original consumer container.

*Planning Department:* The Director of the Planning and Code Enforcement Department of Oconee County or his designee.

*Recreational club:* An entity which meets all of the following criteria: (a) be a profit or non-profit business entity organized and existing under the laws of the State of Georgia, actively in operation within Oconee County, Georgia, at least one year immediately prior to the application for a license hereunder; (b) be organized and exist primarily for pleasure and recreational purposes; (c) have a minimum of three (3) full time employees; (d) have a minimum of fifty (50) paved off-street parking facilities; (e) have a building or space therein for the reasonable use of its members which it owns, hires or leases; (f) have suitable kitchen and dining room space and equipment to serve meals or snacks for its members or guests; (g) have significant recreational facilities, by owning, hiring or leasing, including, without limitation, a swimming pool, tennis courts, golf course or other similar amenities usually associated with recreational clubs; and (h) have a minimum of seventy-five percent (75%) of the gross income of the corporation deriving from the sale of food stuffs, the use of its recreational facilities and dues.

*Restaurant:*

- (1) An established place of business actively in operation within Oconee County, Georgia, where meals with substantial entrees selected by the patron from a full menu are served during all hours of operation with (a) a minimum of three (3) full time employees, (b) a minimum of fifty (50) paved off-street parking facilities unless a UDC Article 1303 Special Exception Variance to parking is granted by the Board of Commissioners, (c) suitable kitchen and dining room space and equipment to serve meals or appetizers for at least 30 patrons, (d) a minimum of seventy-five percent (75%) of its gross income deriving from the sale of such meals or appetizers; and (e) a minimum schedule of serving at least one meal a day for at least five days a week, with the exception of recognized holidays, reasonable vacation time and periods of actual redecoration. Each such restaurant must be classified, under the Unified Development Code of Oconee County, herein the "UDC", as one of the following: Custom Service, Family, Quality or Rooming or Boarding House.
- (2) An established place of business actively in operation within Oconee County, Georgia, that was built for the primary purpose of showing first run motion pictures on a large screen using projection equipment with (a) a minimum of 6 screens that are larger than one hundred square feet, (b) a minimum of five (5) full-time employees (c) a minimum of fifty (50) paved off-street parking facilities, (d) suitable kitchen space and equipment to serve meals or appetizers for at least 50 patrons, (e) a designated bar or alcohol service area that is detached from the traditional concession stand of the movie theatre where alcohol can be sold, (f) a minimum of seventy-five percent (75%) of its gross food and beverage income deriving from the sale of meals, appetizers, snacks and non-alcoholic beverages and (g) a minimum schedule of showing at least two motion pictures per day and offering food and non-alcoholic beverages for sale at all times the business is open to the public

*Retailer or retail dealer:* Except as to distilled spirits, any person who sells alcoholic beverages in unbroken packages at retail only to consumers and not for resale.

*School building or educational building on a college campus:* Governmental or church school buildings and such buildings at such other schools as teach the subjects commonly taught in the common schools and colleges of this state.

*Wholesale or wholesale dealer:* Any person who sells alcoholic beverages to other wholesale dealers, to retail dealers, or to retail consumption dealers.

*Wine:* Any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruits, berries or grapes either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, all sparkling wines, champagnes and combinations of such beverages, vermouths, special natural wines, rectified wines and like products. The term does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage. A liquid shall first be deemed to be a wine at that point in the manufacturing process when it conforms to the definition of wine contained in this section.

## **Section 2. LICENSE REQUIREMENTS**

(a) *Generally.* It shall be unlawful for any person, to sell or offer for sale, at retail or wholesale, within Oconee County, any alcoholic beverage without having a license issued as provided for under the provisions of this Ordinance or in violation of the terms of such license or this Ordinance. The sale of alcoholic beverage within Oconee County is declared to be a privilege and not a right and such privilege shall not be exercised except as licensed hereunder. It shall be unlawful for any person to manufacture, sell or offer for sale, at retail or wholesale, within Oconee County any alcoholic beverage not specifically licensed hereby. Except for recreational clubs, it shall be unlawful for any person to bring an alcoholic beverage of any kind onto the premises of any restaurant or similar eating facility or to permit same within Oconee County except as provided for hereunder.

(b) *Classes.* The licenses shall be divided into the following classes:

1. Class B-1, wholesale malt beverages, which shall permit only the sale of malt beverages at wholesale;
2. Class B-2, retail malt beverages by the package in food stores, grocery stores, supermarkets and convenience food stores, which shall permit the sale of malt beverages by the package as an item incidental to the sale of food stuffs and groceries;
3. Class B-3, retail malt beverages by the package, which shall permit only the sale of malt beverages by the package in stores where alcoholic beverages are the primary item sold;
4. Class B-4, retail malt beverages by the drink, which shall only permit the sale of malt beverages by the drink and which may only be issued for a restaurant as defined herein with a Class B-4(1) being for non-Brewpubs and a Class B-4(2) being for brewpubs and all brewpubs shall comply with all Class B-4 requirements except as modified below;
5. Class C-1, wholesale wine, which shall permit only the sale of wine at wholesale;
6. Class C-2, retail wine by the package in food stores, grocery stores, supermarkets and convenience food stores, which shall permit the sale of wine by the package as an item incidental to the sale of food stuffs and groceries;

7. Class C-3, retail wine by the package, which shall permit only the sale of wine by the package in stores where alcoholic beverages are the primary item sold;
8. Class C-4, retail wine by the drink, which shall only permit the sale of wine by the drink and which may only be issued for a restaurant as defined herein;
9. Class D-1, wholesale distilled spirits, which shall permit only the sale of distilled spirits at wholesale;
10. Class D-4, retail distilled spirits by the drink, which shall only permit the sale of distilled spirits by the drink and which may only be issued for a restaurant as defined herein;
11. Class E, alcoholic beverages by the drink which shall only permit the sale of alcoholic beverages by the drink and which may only be issued for a recreational club as defined herein; and
12. Class F, licensed alcoholic beverage caterer, which shall only permit the sale of alcoholic beverages permitted by the underlying licenses at catered functions.

(c) *Fees.* The basic fees for each type of license listed in subsection (b) hereinabove shall be set each year in the Fee Schedule and shall apply to licenses issued after January 1, 2025.

(d) *Payment.* The fees referred to in this section shall be payable annually on a calendar-year basis except for the initial year when they will be prorated for the number of quarters remaining in the calendar year at the time the license was purchased. If the license is purchased and is not used for the full calendar year, there shall be no refunds for any portion of the fees.

(e) *License Modification.* In the event a licensee desires to modify or amend the license held by such licensee, a new application shall be made with such information as the Planning Department may require to reasonably facilitate the evaluation of such modification accompanied by the fee set in the Fee Schedule. Changes to a license made at the time of renewal shall not require a fee, but all changes from any previously requested license shall be clearly set out on the renewal application and shall be subject to the Planning Department's request for additional information to determine compliance with this Ordinance.

(f) *Non-Local Wholesalers.* Those wholesalers with no place of business in Oconee County shall not be required to pay the license fees set out above.

(g) (a) License required. No person shall be issued a brewpub license without first obtaining a Class B-4(2) License. This license authorizes the holder of such license to:

- (1) Manufacture on the licensed premises not more than 10,000 barrels of malt beverages in a calendar year solely for retail sale;
- (2) Operate a restaurant that shall be the sole retail outlet for such malt beverages as required for a Class B-4 license;
- (3) Operate an restaurant that may offer for sale for consumption on the premises any other alcoholic beverages produced by other manufacturers which are authorized for retail sale under this Ordinance and for which a license has been issued, provided that such

alcoholic beverages are purchased from a licensed wholesaler; and, provided, further, that in addition to draft beer manufactured on the premises, each brewpub licensee shall offer for sale commercially available canned or bottled malt beverages from licensed wholesalers;

- (4) Notwithstanding any other provision of this paragraph, sell up to a maximum of 5,000 barrels annually of such malt beverages to licensed wholesale dealers. Under no circumstances shall such malt beverages be sold by a brewpub licensee to any person holding a retail consumption dealer's license or a retailer's license for the purpose of resale; and
- (5) A brewpub license holder shall be allowed to sell malt beverages produced by the brewpub for consumption off the premises under the same restrictions and conditions as a Class B-3 licensee.

### **Section 3. LICENSE APPLICATION PROCEDURE.**

(a) *Generally.* The applicant for a license under this Ordinance shall make a written application under oath on the form as provided by the Planning Department. Such application is a public record and open to public inspection as provided by the Georgia Open Records Act. The application shall include such matters as may be reasonably required to aid in the decision on whether to issue a license or not.

(b) *Investigation fee.* The applicant shall, upon turning in a complete application to the Planning Department, pay the amount set out in the Fee Schedule for the investigation fee.

(c) *Non-Individual Ownership.* All applicants who are non-individual persons shall list the names, addresses and ownership interest of each owner of a 5% or greater interest in such entity. If a named owner is another non-individual person, the same information shall be given for such further entity. If during the life of the license the identity of the owners or their percentage of ownership should change, that information shall be submitted to the Planning Department. All non-individual applicants, without regard to the number of owners, shall list the names and addresses of their officers. In addition, thereto, they shall name an agent whose name shall appear as such on the license issued. The applicant shall provide the name and address of the agent, who shall be the individual who does in fact have regular, managerial and supervisory authority over the business conducted on the licensed premises. In addition, the manager shall be an agent for service for the entity in addition to all other methods allowed for service by the laws of Georgia. Any person who has been an agent/manager of an entity whose license has been revoked is ineligible to act as an agent/manager for any non-individual licensee thereafter.

(d) *Investigation.* The Planning Department shall submit the application within five (5) business days after filing to the Sheriff's Department. The Sheriff's Department shall obtain fingerprints and make an arrest and conviction investigation, including national, state and local information, concerning any applicants hereunder, if individuals, and the officers and the designated agent or manager if applicant is a non-individual applicant and shall deliver the results of the investigation to the Planning Department within 30 days of such submission.

(e) *Offenses.* Any person making a false statement in any application for a license, or statement in connection with renewal thereof, shall be guilty of an offense and punished as provided by state law relating to false swearing, and further, a license, if previously granted or renewed, may

be revoked for the violation. It shall be an offense for any person to give other than the true and correct legal name of the intended licensee.

(f) *Duration; renewal.* All licenses are issued only on a calendar-year basis and shall come up for renewal each year following issuance. Each licensee shall make a written application for renewal on or before November fifteenth of each calendar year which shall swear to the truthfulness of such information that is the same as the prior application and shall set forth facts which are different from the prior year's application. The form shall be approved by the Planning Department. All fees shall be tendered with the application. In addition, all holders of a Class B-4, Class C-4 or Class D-4 license shall provide evidence satisfactory to the Planning Department that such licensee is in full compliance with the definition of restaurant hereinabove and of such other matters of compliance with this ordinance as the Planning Department may require. All holders of a Class E license shall provide evidence satisfactory to the Planning Department that such licensee is in full compliance with the definition of recreational club hereinabove and of such other matters of compliance with this ordinance as the Planning Department may require.

(g) *Penalty for filing renewal application and license fee payment after November fifteenth.* There shall be a penalty fee charged for filing alcoholic beverage renewal application and license fee payments after November fifteenth as set out in the Fee Schedule.

Alcoholic beverage license renewal application fees paid to Oconee County after November thirtieth shall be deemed in proper form only if presented as a cashiers' or bank check. Personal or company checks will not be acceptable forms of payment after November thirtieth. If an alcoholic beverage license renewal application and license fee has not been filed with the Planning Department by December fifteenth, the license shall be declared to be abandoned and any relicensing shall require a new application.

(h) *Alcohol Training Program.* The following licensees and the licensee's managers shall attend a workshop which has been approved by the County: (1) All new businesses or recreational clubs where a license has not previously been issued, (2) where there is a change of ownership of the license or (3) where there is any change of licensee, and the licensee has not previously attended a responsible alcohol sales and service policy workshop for owners and managers. The licensee shall attend said workshop prior to the issuance of any alcoholic beverage license. Such workshop shall be attended by the licensee at the licensee's expense. If at the time the application is considered by the County, the licensee has not provided evidence that the licensee has successfully completed the alcohol sales and service workshop, the application may either be denied or approved to be issued only after attendance. The provisions of this section shall apply to renewal applications as well. The workshop provision shall not be waived. Instructors, trainers or any persons associated or employed by the person or organization conducting the training referenced in this subsection shall not appear as a representative, attorney, advocate, or witness for any applicant. All licensees shall attend such workshop at least every third year after their initial attendance. Upon proper proof and upon approval by the Planning Department, if the owner is a non-resident of Oconee County or any surrounding county and is not actively engaged in the day to day operation of the business or recreational club, the owner may be exempted from such training so long as the owner designates an agent as specified in *Section 3(c)* above, who shall receive the specified training and otherwise act as the Owner's agent as specified therein.

Any licensed alcoholic beverage caterer from another political subdivision applying for a permit to conduct a catered function in Oconee County shall provide proof satisfactory to the County Planning Department that it has completed such training in the same manner as if it were licensed by Oconee County.

(i) *Changes to Registered Agents.* In the event a licensee intends to replace a *Section 3(c)* registered agent, the licensee shall notify the Planning Department 14 days prior to the replacement, or in the event of an unexpected replacement, immediately. Such registered agent must complete the training specified in *Section 3(h)* at the first available class after such replacement and failure to do so shall be grounds for suspension of the license until completion of such training.

(j) *Time for action.* The Planning Department shall issue the license within 60 days of its being filed in a completed state by the applicant based on the foregoing standards and requirement. The Planning Department may refer the license to the Board within the same time period if it determines there are issues involving the license with are unusual or that present unique questions. The Board shall act on any such referred application at its next regular meeting which is more than fourteen days after such referral. If the Planning Department does not transmit the application within such time period, the applicant may appeal the failure to act to the Board which shall act to issue or deny such application at its next regular meeting which is more than thirty days after such appeal is filed. At its discretion, the Board may require applicants for any such license or renewal license to be present at the meeting at which action is to be taken.

#### **Section 4. ISSUANCE OF LICENSE.**

*License standards and qualifications.* Issuance of licenses is limited to those licensees meeting the following standards and qualifications:

(a) No license defined herein shall be issued to a person who is not a legal resident of the United States and at least 21 years of age.

(b) No person, firm, limited liability company or corporation shall be granted any alcoholic beverage license unless it shall appear to the satisfaction of the board of commissioners or their designee that such person, manager, partners in the firm, or officers and directors of the corporation have not been convicted or plead guilty or entered a plea of nolo contendere to and have been released from parole or probation concerning any crime involving moral turpitude, illegal gambling or illegal possession or sale of controlled substances or the illegal possession or sale of alcoholic beverages, including the sale or transfer of alcoholic beverages to minors in a manner contrary to law, keeping a place of prostitution, pandering, pimping, public indecency, prostitution, solicitation of sodomy, or any sexual related crime within a period of ten years immediately prior to the filing of such application. At the time an application is submitted for any alcoholic beverage license, the applicant shall, by a duly sworn affidavit, certify that neither the applicant, nor any of the other owners of the establishment has been convicted or has pleaded guilty or entered a plea of nolo contendere to any crime involving moral turpitude, illegal gambling or illegal possession or sale of controlled substances or the illegal possession or sale of alcoholic beverages, including the sale or transfer of alcoholic beverages to minors in a manner contrary to law, keeping a place of prostitution, pandering, pimping, public indecency, prostitution, solicitation of sodomy, or any sexual related crime within a period of ten years immediately prior to the filing of such application. An applicant's first conviction for illegal possession of alcohol as a misdemeanor or violation of a county ordinance shall not, by itself, make an applicant ineligible for an alcohol license. Should any applicant, partner, or officer instrumental in the sale or dispensing of any alcoholic beverage, after a license has been granted, be convicted or plead guilty or nolo contendere to a crime involving moral turpitude, illegal gambling or illegal possession or sale of controlled substances or the illegal possession or sale of alcoholic beverages, including the sale or transfer of alcoholic beverages to minors in a manner contrary to law, keeping a place of prostitution, pandering, pimping, public indecency, prostitution, solicitation of sodomy, or any sexual related crime, the license shall be immediately revoked and cancelled.

- (c) No license for the sale of alcoholic beverages shall be granted to any person convicted under any federal, state or local law of any felony, within ten years prior to the filing of application for such license.
- (d) It shall be unlawful for any county, state or federal employee directly involved in the issuance of alcoholic beverage licenses under this chapter to have any whole, partial or beneficial interest in any license to sell alcoholic beverages in the county.
- (e) No license for the sale of alcoholic beverages shall be granted to any person who has had any license issued under the police powers of the county previously revoked within two years prior to the filing of the application. A suspension of the license for the balance of a license year shall be deemed a revocation for this purpose.
- (f) The County may decline to issue a license when any person having any ownership interest in the operation of such place of business or control over such place of business does not meet the same character requirements as set forth in this section for the licensee.
- (g) A license application may be denied to any applicant for any alcoholic beverage license where it appears that the applicant would not have adequate financial participation in the proposed business to direct and manage its affairs, or where it appears that the application is intended to be a mere surrogate for a person who would not otherwise qualify for a license for any reason whatsoever.
- (h) For purposes of this chapter, a conviction or plea of guilty or nolo contendere shall be ignored as to any offense for which a defendant who was allowed to avail themselves of the state First Offender Act, O.C.G.A. §42-8-60 et seq., as amended. Except that any such offense shall not be ignored where the defendant violated any term of probation imposed by the court granting first offender treatment or committed another crime and the sentencing court entered an adjudication of guilt as to the crime for which the defendant had previously been sentenced as a first offender.
- (i) No person shall hold a license in any retail category hereunder and a license under any wholesale category at the same time.
- (j) All applicants must show financial responsibility. The County may require all applicants to provide financial statements and other evidence of financial responsibility in conjunction with the application.
- (k) The County, in its discretion, may consider any extenuating circumstances which may reflect favorably or unfavorably on the applicant, application or the location of the licensee's facility. If, in its judgment, circumstances are such that the granting of the license would not be in the best interest of the general public, such circumstance may be grounds for denying the application.

## **Section 5. GENERAL REGULATIONS PERTAINING TO LICENSES.**

- (a) *Employment and supervision of underage persons.* For all Class B-4, Class C-4, Class D-4, Class E and Class F licensees, it shall be unlawful for any person to allow or require a person in his employment less than eighteen years of age or the minimum age designated by law, whichever is greater, to dispense, serve, sell or take orders for any alcoholic beverages. For all other licensees,

it shall be unlawful for any person to allow or require a person in his employment under the minimum age designated by law to dispense, serve, sell or take orders for any alcoholic beverages. Alcoholic beverages may not be sold by any licensee hereunder unless there is on duty at the licensed location at the time of such sale a person of at least 21 years of age who is in charge of that location at that time. Such on duty personnel shall be present at the premises except for job related absences not exceeding one hour.

(b) *License not transferable to another location.* Each license, other than the license for a licensed alcoholic beverage caterer, is issued for a specific location only and may not be transferred to another location without making a new application.

(c) *Compliance with regulations; suspension, revocation, etc., of license.*

1. Each licensee and its agents and employees shall be subject to and comply with all ordinances and laws of Oconee County, the state or units thereof and the federal government. Upon the violation thereof by a licensee or its agents or employees, any license may, after a hearing before an administrative hearing officer, be revoked, suspended or put on probation under conditions. In addition, upon the violation thereof each licensee and its agents or employees shall be subject to the criminal punishment allowed by law, after hearing before the judge of the magistrate court.

2. Within 30 days of the issuance of the establishment's initial Oconee County alcohol license, the licensee must apply for the licensee's state license and provide a copy of the state license application to the Planning Department. Further, the licensee must provide a copy of the state alcohol license to the Planning Department within 90 days of the issuance of the establishment's initial Oconee County alcohol license. If the licensee fails to comply with these provisions, the Planning Department shall notify the Oconee County Sheriff's Department of such failure, and initiate Oconee County procedures for the suspension of said license.

(d) *Transfer of license to another person.* No alcoholic beverage license shall be transferred from one person to another during the year in which the license was obtained, except in the case of the death of a person holding a license, in which event his executor or administrator may continue to operate under the license for six months from the date of his qualification.

(e) *Operation by new owner under prior license.* Upon the sale of any licensed business hereunder, the new owner may not operate the business under the old license under this Ordinance, but must make application for a new license hereunder. The application may be made prior to the closing of the sale, but shall only be issued to be effective after such closing date.

(f) *Location.* No license for any class license, except Class F, shall be issued except in those zones allowed by the UDC. Licenses for all classes shall not be issued for a location in violation of the state required minimum distances of a school building, school grounds or college campus, except as provided herein.

Class B-4, Class C-4, Class D-4 and Class E licenses shall not be issued for any location which is within three hundred feet of a school building, school grounds or college campus or a church. Additionally, Class B-4, Class C-4 and Class D-4 licenses shall only be issued for locations within the areas designated "Service Area" on the map attached to this ordinance as Exhibit A and incorporated herein by reference.

All such minimum distances shall be measured from the front door of the structure which Alcoholic Beverages are sold or offered for sale in a straight line, and to the nearest public sidewalk, walkway, street, road or highway, and then, following a legally permissible way, along such public sidewalk, walkway, street, road or highway by the nearest route to the front door of the building, or to the nearest portion of the grounds, whichever is applicable under the appropriate statute.

All licensees for alcoholic beverages within the county in compliance with county ordinance requirements involving residency, distance, location, parking and type of building structure in effect at the time of first receiving the license and continuing to comply therewith shall be exempt from the requirements of this chapter involving residency, distance, location, parking and type of building structure. Renewals of such licenses shall also be deemed in compliance under this section to the extent provided in this subsection.

(g) *Failure to open or operate.* All holders of licenses issued hereunder must, within six months after the issuance of such license, open for business the establishment referred to in the license. Failure to open the licensed establishment as referred to within such period shall serve as a forfeiture and cancellation of the unused license and no refund of the license fee shall be made to the license holder.

(h) *Sales, etc., to persons under legal age.* It shall be unlawful to provide alcoholic beverages to any persons under the age permitted by O.C.G.A. § 3-3-23.

(i) *False representation of age.* It shall be unlawful for any person to misrepresent his age in any manner whatsoever for the purposes of purchasing or otherwise acquiring any beverage licensed hereunder.

(j) *Misrepresentations.* It shall be unlawful for a licensee hereunder or his agents to add to the contents of a bottle or to refill an empty bottle or in any manner to misrepresent the quantity, quality or brand name of any beverage licensed hereunder.

(k) *Hours of operation.* Holders of Class B-2, B-3, C-2 and C-3 licenses shall not engage in the sale of alcoholic beverages except between the hours of 7:00 a.m. and 11:59 p.m., Monday through Saturday and between the hours of 11:00 a.m. and 11:59 p.m. on Sundays. Holders of Class B-4, Class C-4, Class D-4, Class E and Class F licenses shall not engage in the sale of alcoholic beverages except between the hours of 11:00 a.m. and 11:00 p.m., or 12:30 a.m. on New Year's Day, Monday through Saturday and between the hours of 11:00 a.m. and 11:00 p.m. on Sundays

(l) *Sales prohibited, limited on certain days.* All alcoholic beverages licensed hereunder shall not be sold on Christmas Day. The sale of alcoholic beverages on any election day shall be permitted in accordance with O.C.G.A. § 3-3-20.

(m) *Suspension of sales during civil emergency.* The Chairman of the Board of Commissioners may, upon determining that there is an immediate danger of civil disorder or natural disaster or any other immediate threat to the public peace and order, by executive order, suspend the sales of all beverages licensed under this Ordinance until such danger or threat has passed and for a reasonable period of time thereafter.

(n) *On-premises signs.* No sign of any kind, painted or electric, advertising any brand or price of alcoholic beverage shall be permitted on the exterior or in the window of any licensed premises hereunder. No plaque or sign of any kind which is visible from the exterior of the licensed premises shall make reference to the price of any alcoholic beverage sold therein, except for a normal price tag showing the price of individual bottles or containers to the edge of the shelf wherein such bottles or containers are located.

(o) *Open retail containers, sale of draft beer at retail package stores.* The original retail containers of any alcoholic beverage sold by a retail package licensee hereunder shall not be opened on the lot or premises of the location licensed for the sale thereof. The sale of draft beer from a tap in a retail malt beverage package store shall not be sold in less than one-half-gallon quantities.

(p) *Display of license number.* Each licensee for the sale of beverages by the package at retail licensed hereunder shall have printed on the front window of the licensed premises the name of the license together with the inscription, "Oconee County License Retail Number \_\_\_\_\_," in uniform letters, not less than four inches in height. In the case of a catered function, the licensed alcoholic beverage caterer shall have copies of any applicable permit or license available for inspection at the catered function.

(q) *Bringing beverages purchased elsewhere onto premises.* No licensee for the sale of any alcoholic beverage shall authorize or permit any patron or customer to bring onto the premises alcoholic beverages purchased elsewhere, except for the holders of a Class E or Class F license.

(r) *Chilled alcoholic beverages.* It shall be unlawful for a Class B-2, B-3, C-2 or C-3 licensee to have chilled beverages at or near the cash register or any other place where the customer of such establishment consummates their purchase.

(s) *Visibility into interior, lighting of retail package store.* No screens, blinds, curtains, partitions, articles or things which shall prevent a clear view into the interior shall be permitted in the window or from the doors of any retail store for the sale of alcoholic beverages by the package and no booth, screen, partition or other obstruction shall be permitted within the interior of any such store. Each store shall be so lighted that the interior of the store is visible day and night.

(t) *Sales areas, activities.* It shall be unlawful for any licensee to make delivery of any alcoholic beverages licensed to be sold except inside of the premises or area licensed for sale thereof. No package store licensee shall permit the consumption of alcohol on the lot or premises where the licensed establishment is located, nor shall any individual consume the contents of such packages on the lots or premises of the licensed establishment. No Class B-4, Class C-4 and Class D-4 licensee shall allow the consumption of alcohol sold by such licensee outside of the area designated for the serving and consumption of alcoholic beverages as described pursuant to Section 5(w).

(u) *Possession of unlicensed beverages.* All licensees hereunder are forbidden to possess, keep, maintain or otherwise store or keep any alcoholic beverages for which the licensee does not hold a license on the premises so licensed.

(v) *Licensed Premises.* No license shall be issued to any person unless the licensed premises is complete and detailed plans of said building and outside premises are attached to the application. The completed building or the proposed building shall comply with ordinances of the County, regulations of the State Revenue Commissioner, and the laws of the State of Georgia, and shall show all areas where alcoholic beverages may be sold, or in the case of Class B-4, Class C-4, Class D-4

and Class E license, served or consumed. Each such building shall contain sufficient lighting so that the building itself and the premises on all sides of the building are readily visible at all times from the front of the street on which the building is located, so as to reveal all of the outside of said building. Each applicant for a license shall attach to its application evidence of ownership of the building or a copy of the lease if the applicant is leasing the building. All premises for which a Class B-4, Class C-4, Class D-4 and Class E license shall be issued shall afford therein adequate sanitary toilet facilities and shall be adequately illuminated so that all hallways, passage ways and open areas may be clearly seen by patrons. It is contemplated a Class B-4, C-4, Class D-4 and Class E license may allow outdoor seating, but same shall be clearly shown on such plans and must be approved as a part of the license issuance. Such approval may be withheld in the County's discretion even if the license is issued. In the case of a permit for a catered function, the applicant shall designate the areas of service at the intended location and that shall constitute the licensed premises for the duration of the catered function.

Class B-4, Class C-4, Class D-4 and Class E licenses may be issued to a restaurant which is located entirely within an existing building, such as a restaurant within a movie theater or a grocery store. In addition to the other matters required herein, such a restaurant or private club shall provide details in its application as to the method of separation from the surrounding business or businesses.

(w) *Entertainment.* There shall be no live entertainment on any licensed premises which uses sound amplification of any kind outside the walls of the building located on the premises and licensed hereunder, except for Class E licensees. Adult entertainment as defined in "An Ordinance to Control and Regulate Adult Entertainment Establishments" is prohibited at any licensed location as more specifically set out in such ordinance.

(x) *Alcohol promotions.* No Class B-4, Class C-4, Class D-4 or Class E licensee or their agent or employee shall engage in promotions involving alcohol, specifically including, without limitation, any of the following practices in connection with the sale or other disposition of alcoholic beverages:

- (1) The giving away of any ticket, token or any other item that can be exchanged for any alcoholic beverages with the sale of any other alcoholic beverage;
- (2) The sale of two or more alcoholic beverages for a single price, or the sale of one alcoholic beverage with a ticket, token or any other item redeemable for a subsequent alcoholic beverage. Also prohibited hereunder is the sale of all such beverages a customer can or desires to drink at a single price.
- (3) The holder of a Class B-4 Type 2 license may offer a sampling of malt beverages in containers not exceeding four ounces with no more than four different types of malt beverages.

(y) *Evidence of Compliance.* (i) In addition, all holders of a Class B-4, Class C-4 and Class D-4 license, upon written request of the Planning Department, shall remain in full compliance with the definition of restaurant hereinabove and provide satisfactory evidence to the Planning Department that such licensee is in full compliance with the definition of Restaurant hereinabove and of such other matters of compliance with this ordinance as the Planning Department may require. (ii) All holders of a Class E license, upon written request of the Planning Department, shall remain in full compliance with the definition of recreational club hereinabove and provide satisfactory evidence to the Planning Department that such licensee is in full compliance with the definition of

recreational club hereinabove and of such other matters of compliance with this ordinance as the Planning Department may require.

If the Planning Department deems the evidence unsatisfactory to establish compliance, the Planning Department, on behalf of the County, may employ an outside auditor to review the books and financial records of the licensee to determine compliance with this ordinance. The costs for such audit shall be borne by the licensee and payment for same shall be due 30 days after the submittal of an invoice for same by the Planning Department to the licensee.

(z) *Sales to intoxicated persons.* It shall be unlawful to provide alcoholic beverages to any person in a state of noticeable intoxication as provided by O.C.G.A. § 3-3-22.

(aa) *Gambling or games of chance.* There shall be no gambling, betting, games of chance, punch boards, vending machines, slot machines, pin-ball machines, lotteries, or tickets of chances therein or the operation of any schemes for hazarding money or any other thing of value in any licensed premises or any room adjoining same, owned, leased or controlled by the licensee, except that the sale of Georgia Lottery tickets in compliance with O.C.G.A. §50-27-1, *et. seq.*, shall be permitted as provided by such state law.

(bb) *Catered functions.* Notwithstanding any other provision of this ordinance, a catered function may be held within Oconee County at locations which are in compliance with all other provisions of the ordinances of Oconee County, specifically including, without limitation, the Unified Development Code, upon application and receipt of a catered function permit. The applicant for a permit shall be made by the licensed alcoholic beverage caterer who shall be the holder of the permit. The application shall be by written application under oath on the form as provided by the Planning Department. Such application is a public record and open to public inspection as provided by the Georgia Open Records Act. The application shall include (1) an official document from the Internal Revenue Service certifying the non-profit status of the entity sponsoring the catered function, (2) a permit fee of \$50.00, (3) certification that the location is in compliance with Oconee County ordinances, (4) a description of the service areas as set in *Section 5(w)*, (5) if applicable, a copy of the caterer's license from another political subdivision, (6) a copy of the contract between the caterer and the entity sponsoring the event, (7) identification of the location of the event and proof of permission for same to held at that location and (6) such matters as may be reasonably required by the County to aid in its decision on whether to issue a permit or not. The application for the permit must be made at least five business days prior to the date of the event and the permit shall be issued by the Planning Department. If the permit is not approved, the applicant may appeal to the Board of Commissioners by written notice filed with the Planning Department, with the matter to be heard at its next scheduled meeting which is more than 6 days after the filing of the notice.

## **Section 6. EXCISE TAXES, REPORTS AND AUDITS**

(a) *Malt Beverages and Wine Generally.* There is hereby imposed and levied a specific excise tax upon all wholesale dealers in malt beverages and/or wine selling, transferring or dispensing malt beverages and/or wine within Oconee County, as follows:

- (1). Upon all malt beverages: \$0.004166 per ounce of malt beverages (the proportional equivalent of \$0.05 per 12 ounces of malt beverage); except in the case of all malt beverages sold in or from a barrel or bulk container, and being commonly known as tap or draft beer, which shall be subject to an excise tax of \$6.00 for each barrel or bulk container having a capacity of 15 1/2 gallons and at a like rate for fractional parts thereof, or \$12.00 for each

barrel or bulk container having a capacity of 31 gallons and at a like rate for fractional parts thereof.

(2). Upon all wine by the package: \$0.22 per liter, and a proportionate tax at like rates on all fractional parts of a liter.

(b) *Distilled Spirits by the Drink Generally.* There is imposed and levied a specific excise tax of three percent of the charge to the public for each such beverage sold.

(c) *Brewpubs.* There is imposed and levied a specific excise tax upon all beer and malt beverages produced by a brewpub in an amount of Six Dollars per one-half barrel and of Twelve Dollars per barrel.

(d) *Cumulative.* The taxes shall be in addition to all other taxes and/or license fees heretofore or hereafter imposed and to be paid and collected as provided by this Ordinance.

(e) *Payment.* (1) The excise tax provided for in subparagraph (a) hereinabove shall be imposed upon and shall be paid by the wholesale dealer (duly licensed by proper authorities under the laws of Georgia) in malt beverages and/or wine selling, transferring or dispensing such malt beverages and/or wine within Oconee County. The taxes shall be paid by such wholesale dealer on or before the twentieth day of the month following the calendar month in which the beverages are sold, transferred or dispensed within Oconee County. Each wholesaler responsible for the payment of the excise tax shall file a report on or before the twentieth day of each month with the Planning Department showing for the preceding calendar month the exact quantities of malt beverages and/or wine, by size and type of container, constituting a beginning and ending inventory for the month, sold, transferred or dispensed within Oconee County. The wholesaler shall remit the tax imposed hereunder to Oconee County on or before the twentieth day of the month next succeeding the calendar month in which such sales or transfers were made.

(1) The excise taxes provided for in subparagraph (b) hereinabove shall be imposed upon and shall be paid by the D-4 licensee and Class E licensee selling distilled spirits by the drink within Oconee County. The taxes shall be paid by such licensee on or before the twentieth day of the month following the calendar month in which the beverages are sold within Oconee County. Each Class D-4 and Class E licensee shall file a report on or before the twentieth day of each month with the Planning Department showing for the preceding calendar month the exact number of drinks sold and the charge for same within Oconee County. Such licensee shall remit the tax imposed hereunder to Oconee County on or before the twentieth day of the month next succeeding the calendar month in which such sales or were made.

(3) The excise taxes provided for in subparagraph (c) hereinabove shall be imposed upon and shall be paid by the B-4 licensee operating a brewpub within Oconee County. The taxes shall be paid by such licensee on or before the twentieth day of the month following the calendar month in which the beverages are produced within Oconee County. Each Class B-4 Type 2 licensee shall file a report on or before the twentieth day of each month with the Planning Department showing for the preceding calendar month the exact amount of production of malt beverages within Oconee County. Such licensee shall remit the tax imposed hereunder to Oconee County on or before the twentieth day of the month next succeeding the calendar month in which such sales or were made.

(f) *Untaxed beverages.* No wholesale or retail dealer in malt beverages and/or wine in Oconee County shall offer for sale or transfer for gift any malt beverages and/or wine unless the excise tax levied herein has been paid on the items sold, dispensed or otherwise transferred. No

retailer in malt beverages or wine shall purchase any such items except from a wholesale dealer duly licensed by proper authority of the laws of Georgia, unless under the provisions of a Class B-4 Type 2 license.

(g) *Wholesale sales.* No wholesale malt beverage or wine dealer shall sell malt beverages or wine at retail at the same location where malt beverages or wine is sold at wholesale.

(h) *Violations.* If any licensee or dealer subject to the provisions of this section shall willfully violate the same, or fail or refuse to comply with the provisions thereof, such dealer shall be punished as provided herein below and shall be subject to such license being revoked, suspended, put upon probation, if issued by Oconee County, or other penalty imposed.

(i) *Penalties.* The Planning Department may issue execution against the responsible party for failure to pay any excise tax when due. As a penalty for failure to pay any tax imposed hereunder on time and as provided hereby, there shall be added thereto a penalty of 10 percent of the amount of such tax, plus interest at the legal rate for any payment made after its due date and there shall be added an additional penalty of 5 percent of the amount of such tax for each week the payment remains unpaid.

(j) *Procedures.* The Planning Department shall establish such procedures as may be required for administration of the provisions of this Ordinance and such schedules for inspections and enforcement as may be deemed necessary.

(k) *Audits and Inspections.* The County Finance Director or her designee is authorized to establish procedures and schedules for conducting financial audits or inspections of the books and records of any establishment licensed under this chapter. The Code Enforcement Officer or designee shall be authorized to enter upon the premises of any licensee at responsible hours to make any inspection of books, records or inventory deemed necessary to ensure compliance with this section.

(l) *Monthly Reports.*

(1) Every retail dealer of distilled spirits by the drink, including farm wineries, and licensed alcoholic beverage caterers, shall file a monthly report with the Planning Department no later than the 10th day of each month, on such forms as it may prescribe, setting forth the licensee's gross sales derived from the sale of distilled spirits by the drink, excluding malt beverages, for the preceding calendar month. Gross sales shall include all credit card sales.

(2) All wholesale dealers shall keep true and correct records of all sales and shipments and shall render a sworn statement of the records and shall file a monthly report with the Planning Department no later than the 10th day of each month, on such forms as the Planning Department may prescribe.

(m) *Attribution to Wholesaler.* Every retailer shall maintain sufficient audit records to attribute all alcoholic beverage items for sale to a purchaser from a wholesaler licensed to do business in the county.

(n) *Production.* Every brewpub shall file a monthly report with the Planning Department no later than the 10th day of each month, on such forms as the County may prescribe, including a copy of the most recent filing of the license holder with the state department of revenue, setting forth all alcoholic beverages produced during the preceding calendar month, and including beginning and ending inventories. The report shall indicate the total production of alcoholic

beverages during the report period and the proper tax remittance for such production. Failure to properly complete or submit the required reports shall subject the licensee to a late filing penalty in the amount of \$500.00 for each deficient reporting period.

(o) *Duty To Report and Maintain Records.* It shall be the duty of every such licensee required to make a report and pay any tax levied pursuant to this chapter, to keep and preserve suitable records of the sales taxable pursuant to this article, and such other books or accounts as may be necessary to determine the amount of tax due. It shall be the duty of every licensee to keep and preserve such records for a period of three years.

## **Section 7. VIOLATIONS; UNLAWFUL ACTIVITIES**

(a) *Violations.* It shall be a violation of this Ordinance for any licensee to permit any person, including the licensee, to engage in any activity on the premises for which the license is issued or within the place of business, which is in violation of the laws or regulations of the state or federal government or any ordinance of Oconee County.

(b) *Penalties.* Any person holding any license issued pursuant to this Ordinance or any employee or agent of such person who violates any provision of this Ordinance, or directs, consents to, permits, or acquiesces in such violation either directly or indirectly shall, by such conduct, subject the license to suspension, revocation or probation upon conditions. In addition, a maximum civil fine of \$1,000.00 may be imposed on the licensee or permittee for each violation. In considering the amount of the civil fine, if any, the administrative hearing officer shall consider the following factors:

- (1) The gravity of the violation;
- (2) Any previous violations for which a fine was not assessed or for which the administrative hearing officer reduced an assessed fine;
- (3) The costs to Oconee County related to compliance or enforcement efforts undertaken by Oconee County in pursuing the case; and
- (4) The costs incurred by Oconee County in order to mitigate a condition remaining as the result of the violation.

(c) *Consequences of civil fines and actions against licenses.* The imposition of a civil fine under the provisions of this section shall not prevent the suspension, revocation, or non-renewal of the license or the taking of punitive or remedial action for any other violation of the ordinances of Oconee County or for subsequent violations of this section. No license shall be renewed if any civil fines imposed pursuant to this section have not been paid by the licensee prior to renewal. Any action taken by the administrative hearing officer to suspend or revoke a license issued hereunder, shall not preclude, and may be in addition to, any criminal prosecution by a proper authority as provided by the laws and ordinances of the County, the State of Georgia, or the United States. Whenever any action is taken by the administrative hearing officer to suspend or revoke any license issued hereunder, the administrative hearing officer shall provide written notice to the licensee of the action taken and state the reasons therefor. The licensee shall have fifteen days following notification of such action to request a hearing before the governing authority. The licensee shall be entitled at such hearing to present evidence and cross-examine opposing witnesses.

(d) *Enforcement actions.* The Oconee County Sheriff is authorized to conduct any enforcement actions necessary to determine compliance with this ordinance.

(e) *Permits.* For the purposes of Section 7 and 8, permits shall be considered to be licenses and permittees to be licensees.

## **Section 8. ADMINISTRATIVE HEARING OFFICER**

There is hereby created the position of administrative hearing officer whose term and duties shall be as set out below:

(a) *Appointment.* The administrative hearing officer shall be appointed by the Board of Commissioners. The initial appointment shall run until the first Tuesday in January 2009. Thereafter, the term of office of the administrative hearing officer shall run for a term of four years. The salary of the hearing officer shall be as set by the Board of Commissioners and shall be comparable to that paid the Magistrate of Oconee County. The administrative hearing officer shall be an attorney who is a member in good standing of the State Bar of Georgia.

(b) *Duties.* The duties of the administrative hearing officer shall be the hearing of all issues under this Ordinance which would determine the granting, denial, probating, suspending or revoking of any license or permit granted hereunder.

(c) *Jurisdiction.* The jurisdiction of the hearing officer over the licenses or permits shall be in addition to and concurrent with that of the Magistrate Court of Oconee County, except that the hearing officer is specifically prohibited from awarding any punishment involving imprisonment. The administrative hearing officer may award civil fines where same are specifically provided.

Jurisdiction and procedures for administrative hearing officer:

(1). The administrative hearing officer shall have jurisdiction over:

(a). Any action against any licensee holding a license hereunder. Said action shall be brought by the County Attorney, the Code Enforcement Officer, the Sheriff's department, or the Planning Department; and

(b). Any claim by any citizen aggrieved by an administrative decision arising from this Ordinance.

(2). Any hearing before the administrative hearing officer shall be on a date and time certain which shall be reflected on the summons issued by the attorney or by the Clerk of the Magistrate Court on behalf of any aggrieved citizen.

(3). The notice of administrative hearing shall contain a place, date and time certain and shall be served on responding party more than five days before any scheduled hearing. The notice of administrative hearing shall be served as follows:

(a). By certified mail return/receipt requested; or

(b). By leaving a copy thereof at the licensed business location with an employee working therein (and in the case of an alcohol licensee, said notice shall also be sent by regular mail to the agent set out on the license or listed on the license application); or

(c). By personal service on the responding party or on an agent authorized by law or by appointment to receive service of process. All service shall be by an authorized person in the Oconee County Code Enforcement Office or by any authorized Oconee County Deputy Sheriff.

(4). The administrative hearing officer shall have the authority to hear evidence and subpoena witnesses on behalf of Oconee County or the aggrieved citizen and shall generally conduct the hearings in accordance with the requirements of due process as required by the United States Constitution and the Constitution of the State of Georgia. The administrative hearing officer shall entertain any and all evidence relevant to the matter without regard to evidentiary rules regarding hearsay.

(5). The standard of review to be used in cases of a citizen aggrieved by an administrative decision is: arbitrary and capricious.

(6). The standard of review to be used in cases of an action against a licensee or permittee is: preponderance of the evidence.

(7). The administrative hearing officer may promulgate any rules of procedure not in conflict with this Ordinance or other law.

(e) *Pro hac vice.* Whenever, from any cause, the administrative hearing officer is unable to be in attendance, or is disqualified in any case, it shall be the duty of the administrative hearing officer to appoint a hearing officer pro hac vice to preside over the hearing in place and stead of the administrative hearing officer, and all actions of the appointee shall be binding as if performed by the administrative hearing officer.

(f) *Other duties.* The Board of Commissioners may provide for the administrative hearing officer to hear civil violations of other County ordinances.

## **Section 9: MISCELLANEOUS**

(a) *Severability.* In the event any provision of this Ordinance is in conflict with any state or federal law or with any rule, regulation or order of any state or federal agency having jurisdiction over the subject matter of this Ordinance, it is hereby deemed to be the intention of the Board of Commissioners that the state or federal law, rule, regulation or order, as the case may be, shall prevail over any such provision, and the remaining portion of this Ordinance shall be deemed to be, and continue, in full force and effect.

(b) *Repealer.* The existing Oconee County Alcoholic Beverages Ordinance covering the same matters as embraced in this Ordinance is hereby amended by the changes made and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, effective upon the adoption of this Ordinance, so that the effective Oconee County Alcoholic Beverages Ordinance is as stated herein.

(c) *Short Title.* This Ordinance may be known and cited as the Oconee County Alcoholic Beverages Ordinance.

(d) *Effective Date.* This Ordinance shall become effective and shall be enforced from and after January 1, 2025, the public welfare demanding it.

Adopted and ordained after a first reading on the 28<sup>th</sup> day of October, 2025, and adoption this 4<sup>rd</sup> day of November, 2025.

**Board of Commissioners of Oconee  
County, Georgia**

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John Daniell, Chairman

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Mark Thomas, Commissioner

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Chuck Horton, Commissioner

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Mark Saxon, Commissioner

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Amrey Harden, Commissioner

Attest:

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Holly Stephenson, County Clerk

(County Seal)