

Proposed Amendments
Official Code of Cobb County
Chapter 6
Public Hearing Dates
April 10, 2012 – 9:00 am
April 24, 2012 – 7:00 pm

Cobb County Community Development
P.O. Box 649
Marietta, GA 30061
www.cobbcounty.org

Sec. 6-7. Sunday permits.

A separate permit is required for the Sunday sale of alcoholic beverages for consumption on the premises and by the package for off premise consumption (to the extent allowed by state law).

(Ord. of 10-24-89, § I; Ord. of 5-11-93; Code 1977, § 3-4-15)

Secs. 6-8--6-30. Reserved.

DIVISION 4. HOURS OF OPERATION

Sec. 6-221. Generally.

(a) Sale by the package for off-premises consumption.

(1) Spirituous liquors. Spirituous liquors by the package shall not be sold or dispensed except between the hours of 8:00 a.m. and 11:45 p.m. each day on Monday through Saturday and on Sundays between the hours of 12:30 p.m. and 11:30 p.m. (to the extent allowed by state law).

(2) Malt beverages and vinous beverages. Malt beverages and vinous beverages by the package shall not be sold or dispensed except between the hours of 6:00 a.m. of one day and 2:00 a.m. the following day on Monday through Friday, and between the hours of 6:00 a.m. and midnight on Saturday, and on Sundays between the hours of 12:30 p.m. and 11:30 p.m. (to the extent allowed by state law). However a farm winery may sell wine by the package on Sunday in accordance with O.C.G.A. § 3-6-21.2.

(b) Sale by the drink for on-premises consumption and operation of a bottle house. Alcoholic beverages by the drink for on-premises consumption shall not be sold or dispensed and no bottle house shall be operated except between the hours of 8:00 a.m. of one day and 2:00 a.m. of the next day, on Monday through Friday, and between the hours of 8:00 a.m. on Saturday until 2:55 a.m. the following Sunday. All alcohol shall be removed from the patrons within 30 minutes following the service hours. This section shall also apply to private clubs. A business which possesses a valid county pouring license for alcoholic beverages and a valid Sunday sales permit when New Year's Eve is on Sunday shall be authorized to sell, offer for sale, serve and/or permit the consumption of alcoholic beverages upon the license business premises between the hours of 12:00 a.m. (midnight) and 2:30 a.m. on New Year's Day.

(c) Wholesalers. The business hours of any wholesaler licensed under this chapter shall only be from sunup to sundown each day, Monday through Saturday.

(d) ~~Sundays, Christmas Day.~~ Except as otherwise provided in this division, no alcoholic beverages of any kind shall be sold or dispensed, and no licensee for the sale of alcoholic beverages of any kind, or his agents or employees, shall permit his place of business to be open for the sale of alcoholic beverages or to sell alcoholic beverages on ~~Sundays or Christmas Day.~~

(Ord. of 10-24-89, § I; Res. of 12-12-89; Ord. of 9-25-90; Ord. of 5-11-93; Ord. of 10-11-94, § 7; Code 1977, § 3-4-70; Mo. of 12-21-95; Ord. of 7-10-01 (eff. 1-1-02); Ord. of 1-24-06; Amd. of 2-22-11)

State law references: Sale of alcoholic beverages on election days, O.C.G.A. § 3-3-20. Sec. 6-222. Sundays.

A Sunday sales permit is required for the sale of alcoholic beverages on Sundays. The following conditions are applicable to such sales:

(1) The establishment holds a valid county alcoholic beverage pouring or package license.

(2) Alcoholic beverages may be sold and served for consumption on the premises on Sundays from 12:30 p.m. until 12:00 midnight in any licensed establishment which derives at least 50 percent of its total annual gross food and beverage sales from the sale of prepared meals or food, and in any licensed establishment which derives at least 50 percent of its total annual gross revenues from the rental of rooms for overnight lodging; and must qualify as a restaurant or hotel with a valid unlimited health permit. However,

the requirement that an establishment derive 50 percent of its total annual gross food and beverage sales from the sale of prepared meals or food shall not apply to farm wineries. Spirituous liquors, malt and vinous beverages may be sold by the package on Sundays between the hours of 12:30 p.m. and 11:30 p.m. (to the extent allowed by state law).

(3) Applicants for Sunday sales permits shall complete an application form furnished by the business license office, supplying such information as may be requested. Prior to issuance of the permit, the applicant must make available records for determining whether the applicant for pouring sales meets the requirements of subsection (2) of this section. After the permit is issued the permit may be denied or revoked by the business license division manager for failure to conform or failure to produce satisfactory evidence of conforming. The decision of the business license division manager may be appealed to the license review board.

(4) Annual Sunday sales permit renewals shall be made in the same manner and during the same time periods as other alcoholic beverage license renewals.

(5) Sunday sales permits are not transferable.

(6) The fee for issuance of the Sunday sales permit may be established and/or changed from time to time by the board of commissioners, and a schedule of fees shall be available in the offices of the board of commissioners and in the business license office.

(7) The Sunday sales permit shall be subject to the revocation procedures of sections 6-147 and 6-148, and shall be automatically revoked if the alcoholic beverage license is revoked.

(8) When any application for a Sunday sales permit has been denied for location, no application for a Sunday sales permit may be made for the same location for a period of 12 months from the date of filing of the application which was denied.

(Ord. of 10-24-89, § I; Ord. of 9-25-90; Ord. of 5-11-93; Ord. of 10-11-94, § 12; Code 1977, § 3-4-71; Ord. of 7-10-01 (eff. 1-1-02))

State law references: Sunday sales, O.C.G.A. § 3-3-7.

Sec. 6-223. Election days.

Pursuant to O.C.G.A. § 3-3-20, the sale of alcoholic beverages is authorized on any election days.

(Ord. of 10-24-89, § I; Ord. of 5-11-93; Code 1977, § 3-4-72)

Secs. 6-224--6-235. Reserved.