



# CITY COUNCIL

Kim Learnard, Mayor  
Suzanne Brown, Mayor Pro Tem | Laura Johnson, Post 1  
Clinton Holland, Post 3 | Michael Polacek, Post 4

SCAN FOR AGENDA  
PACKET



## Revised Work Session Agenda

April 2, 2026 | 6:30 PM  
City Hall

1. **Call to Order**
2. **Pledge of Allegiance and Moment of Silence**
3. **Public Comment**
4. **Agenda Changes**
5. **Minutes**
  - A. **March 19, 2026 City Council Meeting Minutes**
  - B. **March 19, 2026 Executive Session Minutes**
6. **New Agenda Items**
  - A. 2025 Georgia Municipal Association (GMA) Safety Grant & Liability Management Grant (Rashida Cloud)
  - B. Mid-year Cost of Living Adjustment (COLA) and corresponding upward adjustment to the City's pay scale. (Justin Strickland)
7. **Work Session Discussion Items**
  - A. Fire Station 85 – Construction Manager at Risk (CMAR) Procurement (Clint Murphy)
  - B. Peachtree Parkway at Robinson Road Intersection Improvements (David Borkowski)
  - C. North Hill Path (David Borkowski)
  - D. Alcohol Ordinance Amendment and Fee Schedule Update (Michael Polacek)
  - E. **City Council FY27 Budget Goals** (Justin Strickland)
8. **Council/Staff Topics**
9. **Executive Session**
10. **Adjourn**

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This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.  
This meeting will be held in the Frances Meaders Council Chambers at City Hall. Page 1 of 49

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.  
This meeting will be held in Council Chambers at City Hall

**City Council of Peachtree City**  
**Meeting Minutes**  
**Thursday, March 19, 2026**  
**6:30 PM**

**Call to Order**

The City Council of Peachtree City met for a regular meeting on Thursday, March 19, 2026, at City Hall. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Members present were Suzanne Brown, Clinton Holland, Laura Johnson, and Michael Polacek.

**Pledge of Allegiance and Moment of Silence**

**Announcements, Awards, Special Recognition**

None

**Public Comment**

James Clifton said he had conducted a forensic investigation of the missing audio from the Fayette County Development Authority's (FCDA's) presentation at Council's January retreat. He said there were four recordings that corresponded to a morning session on the 29th, an afternoon session on the 29th, a morning session on the 30th, and an afternoon session on the 30<sup>th</sup>. However, he stated, the afternoon session from the January 29th portion of the meeting with the missing audio had a file name date stamp 10 days after the recording actually took place, which the device manufacturer said would only occur if the audio file was re-recorded, altered or edited 10 days later.

Clifton said the FCDA had reached out to him to attempt to sway his opinion about data centers. He also said he believed the City would begin looking for a scapegoat and told recording secretary Martha Barksdale she should get ahead of the accusations by attaining protected status as a whistleblower.

Clifton went on to say that his wife cried herself to sleep at night because of attacks against him on social media, but she also told him to keep fighting, and he pledged that he would not stop.

Phil Crane, another candidate for County Commission, said he understood there were concerns about potential development and the annexation study. He urged Council to try to stop miscommunication by holding a town hall meeting focused on annexation that would let residents be part of the conversation.

Cary Cook was concerned about cart drivers who did not use horns to alert path users that they were passing and asked for enforcement of laws regarding that. He then stated that he hoped the project to install village marking signs would include a sign at Peachtree Parkway and SR 54 at Walgreen's.

Silt was building up close to the drainpipe in the feeder pond to Lake Peachtree near the boat docks, Cook continued, and was driving the water towards the cart paths. He also said he was concerned about a proposal to increase the stormwater fees for

residents and suggested using unrestricted funds instead of adding a cost increase to homeowners.

Krystal Maynor said she owned a mural studio and was very excited to hear about plans for a citywide art program. She had reviewed the master plan and said it seemed well-designed, and she was looking forward to seeing it implemented.

### **Agenda Changes**

None

### **Quarterly Reports**

#### **A. 2025 Annual Report**

The Mayor said this was a department-by-department review of activities in 2025, calling it comprehensive and very, very impressive and urging citizens to check it out on the City website.

Brown stated that she appreciated the report but had not had time to review it and hoped they could have a full conversation at the next meeting. The Mayor agreed.

Johnson said she appreciated having this effort. Holland liked the use of graphics. He asked Police Chief Janet Moon if she would give the names of the Police officers mentioned as receiving awards.

Moon said Det. Taylor was honored for Educating the Public. Lt. Johnson and Sgt. Brown graduated from the Northwestern Police Staff and Command School. The report also remembered K-9 Meidas who had passed away in the past year. Also, Capt. Brad Williams graduated from the FBI National Academy. There was also a photo of School Resource Officer Smiley and a reminder of Snowpocalypse 2025, Moon reported.

Holland commended Moon and her staff, noting that overall crime had dropped by 28.7%, while theft was down 35.2%. Moon said that was thanks to the efforts of the officers in the field.

Johnson also remarked that there had been an increase in school resource officers from three to eight, and she thanked Moon and the Police Department for organizing that so smoothly.

This was the first year that they had condensed all of the quarterly reports into an annual report, Strickland observed. He thanked his executive assistant, Kayla Dennis, for working with all the department heads on this.

### **Minutes**

Holland moved to approve the March 5, 2026 City Council Work Session minutes and the March 5, 2026 Executive Session minutes. Polacek seconded. Motion carried unanimously.

#### **A. March 5, 2026 City Council Work Session Minutes**

APPROVED 5-0

**B. March 5, 2026 Executive Session Minutes**

APPROVED 5-0

**Consent Agenda**

None

**Old Agenda Items**

**A. 03-25-03 Text Amendment to revise land use regulations to permit Cosmetic Tattooing and Microblading**

Planning and Development Director Shayla Reed said this was initiated by Council in March 2025. The Planning Commission had several meetings on it, with their recommendation coming to Council on February 12, when Council deferred it in order for a few changes to be made.

Staff wanted definitions of tattooing and microblading in the ordinance. This text amendment would allow for microblading in General Commercial (GC) and in areas rezoned to GC, along with in Light Industrial (LI), Limited-Use Industrial Districts (LUC), and Limited-Use Industrial (LUI). Reed said there was a typo that said Light Use Industrial instead of Limited, but that would be corrected.

Learnard told Reed she appreciated her thoroughness in creating this text amendment. With this, she said, they had definitions and exact locations that controlled where microblading could be without opening the city up to tattoo parlors. There had been a public hearing on this, and no one spoke in opposition and one business owner spoke in favor, the Mayor stated.

Johnson asked if that business owner on Robinson Road would be allowed to practice under this amended ordinance. Yes and no, Reed replied, noting that this businessowner said she wanted to do cosmetic tattooing, which was not permitted, in addition to microblading, which would be allowed.

Holland moved to approve Old Agenda Item 03-25-03, text amendment to revise land use regulations to permit cosmetic tattooing and microblading. Brown seconded. Motion carried unanimously.

City Clerk Yasmin Julio corrected this to say that cosmetic tattooing should not be included; it was not permitted.

Johnson moved to reconsider that item. Holland seconded.

Holland then moved to approve Old Agenda Item 03-25-03, text amendment to revise land use regulations to permit microblading. Brown seconded. Motion carried unanimously.

**New Agenda Items**

**A. 03-26-03 Public Art Master Plan**

Assistant City Manager Chris Hobby said they had made some minor edits in this plan since he presented it at the March 5 workshop, including a change in terminology from “golf cart path” to “shared use path.” Holland had asked them to change out some of the stock photos used to photos of Peachtree City, and Hobby said they would do that.

Polacek said he believed this public art master plan would create an opportunity for creating village identities, as a citizen had mentioned earlier.

Brown recalled that she had mentioned adding the public art installations to the navigation app and wondered if that needed to be stated in the plan. Hobby said it did not need to be in the plan, but it was something they could, and would, do. He believed the citizen committee would drive some of that. Brown said several citizens had mentioned they wanted the art to be geocached.

At the last meeting, Brown had said she did not believe the City should be selling its bike racks to private businesses. She remarked that she had since learned that the City ordered 30 bike racks at a cost of \$4,932.30, or \$164.41 each, and that was much cheaper than what individual owners would pay for their own racks. She now thought the important thing was just to get the racks in use.

She said she had obtained a list of where the first 30 racks should go, along with the Transportation Advisory Group’s (TAG) suggestion of an additional 34 sites. She thought the City should go ahead and purchase the additional racks.

Brown also mentioned that May would be National Bike Month, and she wanted to see the donated bike repair rack installed before then.

Johnson and Polacek said they were in favor of adopting this plan. Holland said he was glad to see it and that his offer to buy a statue of Flat Creek Floyd still stood.

Johnson moved to approve the Public Art Master Plan, the associated budget amendment, and the associated ordinance to create the Public Art Advisory Group. Holland seconded. Motion carried unanimously.

**B. 03-26-04 Chapters 70 and 78 Ordinance Amendments**

Public Works Director Jonathan Miller said Council was briefed at the previous workshop about the many revisions TAG had done to these chapters, and Council had requested a few corrections to language and a couple of additions, such as the pedal-assisted electric vehicles (PAEVs) and definitions of “on, along,” and “across.” They received an email about a section of MacDuff where a cart had to travel on the road, so they added that. Also, they clarified that Class 3 electric bikes were prohibited.

Johnson said she re-read this, and it was much clearer with the changes.

The unanswered question, Brown remarked, was whether a requirement for insurance on carts should be added. She said she understood why TAG thought it was probably Council's duty to do that. She asked City Attorney Ted Meeker if Council could require that, and he said they could certainly make it a requirement.

Brown asked if that was something they should decide separately from these ordinance changes, and Learnard said she thought it should be separate. Brown agreed, but said they should enter into that discussion soon, especially with all the other micromobility vehicles that were now on the paths.

Holland asked Miller to state the difference between a low-speed vehicle (LSV) and a golf cart.

Miller said an LSV had a restricted mode that could be used to keep in under 20 mph. A motorized cart could only be able to go up to 20 mph. LSVs, because they were registered on the road, could go up to 25 mph on the roads but had to be restricted on the paths. Holland said LSVs had to have insurance because they were street-legal.

Brown asked if a PAEV had been listed as an unauthorized vehicle since March 5? She said Strickland had said PAEVs were not listed as either authorized or unauthorized.

Strickland said they were classified the same as a motorized cart and would be allowed on the paths. They were similar to carts but had pedals that kept them in the electric-assist category. Peachtree City was treating them like carts because they were the same width and had electric motors. Owners would have to register them with the City in order to legally use them on the paths. Brown said they needed to be listed as authorized, and Strickland said they were listed in the current version, and if they were unregistered, they were not authorized.

Holland said pedestrians should walk facing oncoming traffic on both the roads and the paths.

Holland moved to approve New Agenda item 03-26-04, Chapters 70 and 78 ordinance amendments. Brown seconded. Motion carried unanimously.

**C. 03-26-05 Stormwater Utility Rate Update**

Council discussed updating the stormwater utility rates at their retreat and had seen a detailed explanation at their March work session, City Engineer Dave Borkowski stated. The proposed ordinance would increase the rate of the standard equivalent runoff unit (ERU) from \$6.49 to \$14. If Council approved this, Borkowski said they would return at a future meeting to adopt revisions to the Credit Manual. Hope Larisey from Integrated Science and Engineering (ISE) was present to

answer questions, if needed.

Learnard commented that the City was backlogged \$20 million in stormwater projects, and this modification of the rate structure was necessary for environmental reasons and also for public safety, such as keeping roads safe and preventing flooding.

Brown said several people had approached her about this. She noted that there had not been a fee increase in 13 years, and the pipes were older and would all be failing at some point. The additional money would enable the City to perform preventative maintenance and catch the problems before the pipes collapsed.

Citizens had also said they wanted the stormwater fees included as a separate line item on the property tax bills, Brown stated, and she wanted to get that in the ordinance. She said Finance Director Kelly Bush had said that it was possible and would be cheaper than the billing system they were doing at present.

Johnson asked if that was possible to do now, and Strickland said they would have to do an intergovernmental agreement (IGA) with the County. The County Tax Commissioner had said she was amenable to doing this, Bush added. Meeker said the first step would be going to annual billing. The ordinance that was before Council said they would choose the billing method, Borkowski said.

Holland moved to approve New Agenda item 03-26-05, stormwater utility rate update. Johnson seconded. Motion carried unanimously.

**D. 03-26-06 Multiple Police Station Buildings Renovation Design**

This also was discussed at the work session, Borkowski stated, and he asked Council to approve the design work for renovations of multiple Police station buildings to architectural firm GMC in the amount of \$406,090.

Meeker commented that Council might want to consider a change order depending on what happened with the next agenda item regarding 107 Guthrie Way. Borkowski said they could break that cost out, and Meeker commented that it would be best to break it out now and add it back in if needed.

Meeker stated the motion as to approve the agreement subject to a potential change order. So moved, said Brown, and Johnson seconded. Motion carried unanimously.

**E. 03-26-07 Budget Amendment and Purchase of Property at 107 Guthrie Way — Parcel No. 0614 078, 1.03 acres**

A motion was needed to continue this matter indefinitely, Meeker stated, and Holland said, “so moved,” with Brown seconding. Motion carried unanimously.

**Public Hearings**

**A. 03-26-08 Text Amendment to the Lighting Ordinance, Sec. 731.2 of the Land Development Ordinance**

This was initiated by City Council in January. Reed stated, and the Planning Commission worked on it at several meetings. Currently, the lighting ordinance listed only five types of exterior lighting as allowed and did not include light-emitting diode (LED) lighting, although that was the most commonly used type of lighting now.

The revised ordinance listed LED as the preferred lighting type but said that the other types were allowable. The ordinance also stated that exterior lighting should maintain a consistent color temperature.

The Mayor opened the public hearing. No one wished to speak either in favor or in opposition, and she closed the hearing.

Brown said she was surprised they had not updated the ordinance for LED lights before now. Holland said mercury vapor lights, listed as permissible, were banned in many states. Reed said she had not heard of that in Georgia.

Holland moved to approve New Agenda item 03-26-08, text amendment to the Lighting Ordinance, Sec. 731.2 of the Land Development Ordinance. Johnson seconded. Motion carried unanimously.

**Council/Staff Topics**

**A. CARS/CAMS Review**

Staff had been working on these for some time, Julio said. Some of these rules and regulations involved the public, but they were on an internal archiving file that had been open to the public in the past. However, that access was removed for cybersecurity reasons. City staff was trying to consolidate the items that were public-facing and have them listed as ordinances instead of a policy that no one could reference. Julio said she would be bringing them to Council in the future.

**B. Pinegate Water Lines**

Polacek acknowledged the frustration that Pinegate residents were seeing after several recent water outages caused by work from AT&T and now, Georgia Power crews. It had happened again early that week, and Polacek said this was inexcusable. He wanted to reassure residents that the City and the County were doing what they could to solve the problems.

**C. Annexation Townhall**

He also mentioned that he would support a town hall regarding the annexation study and believed that two meetings were promised when Council awarded the contract for the study. In addition to a presentation of the findings, Polacek said he wanted residents to have a chance to ask questions and engage with the consultants.

**D. Open Container/ Entertainment District**

Polacek then noted that Council had received an email from several businesses at The Avenue about creating an entertainment district with open containers allowed. He said he believed Council had discussed this before he took office, and he would like to see it come back on a future agenda.

Learnard asked if Council would agree to that, and Holland said he was fine with it after hearing that the Police had no issues. Strickland then said Polacek's request was sufficient to get it on an agenda. Brown made it know that she was opposed.

**E. Lack of Audible Signs on Paths**

Brown then mentioned the lack of horn use on the paths. She said it was tough to regulate, though.

Holland echoed Polacek's comments about the annexation town hall.

**F. Altitude Trampoline Park**

Learnard said she toured the future site of Altitude Trampoline Park at the old Kmart, and the owner had asked to give a brief presentation to Council.

Council had brought up insurance requirements for motorized carts, Meeker said, but carts were not the only vehicles on the paths. They needed to think about whether to add insurance requirements for other vehicle types.

**Executive Session**

Holland moved to adjourn to executive session at 7:32 p.m. to discuss pending or threatened litigation and the sale, purchase, or lease of real estate. Johnson seconded. Motion carried unanimously.

Brown moved to reconvene in regular session at 7:53 p.m. Holland seconded. Motion carried unanimously.

**Adjourn**

With no more business to discuss, Brown moved to adjourn the meeting. Holland seconded. Motion carried unanimously.

The meeting adjourned at 7:54 p.m.

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Martha Barksdale, Recording Secretary

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Kim Learnard, Mayor

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Justin Strickland, City Manager

**FROM:** Teaa Allston-Bing, Director - Human Resources & Risk Management 03/25/2026  
Kelly Bush, Financial & Administrative Services Director 03/27/2026  
Justin Strickland, City Manager 03/27/2026

**DATE:** April 2, 2026

**SUBJECT:** 2025 Georgia Municipal Association (GMA) Safety Grant & Liability Management Grant

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**Recommendation:**

Accept the awarded GMA Safety Grant in the amount of \$10,000, and the GMA Liability Management Grant in the amount of \$10,000.

**Discussion:**

As a member of GMA's Workers' Compensation Self-Insured Fund (WCSIF), the City of Peachtree City can apply annually for the GMA Safety Grant. This grant aims to provide a financial incentive to assist members in improving their employee safety through the purchase of training, equipment, or services. Our application for this year's grant was to reimburse the City for Fire Helmets, Fire Hoods and Thermal Camera Kits for the Fire Department. Peachtree City met the required criteria and was awarded a maximum of \$10,000.

Additionally, as a member of GMA's property and liability insurance program, the City of Peachtree City is also eligible to apply for the GMA Liability Management Grant annually. The purpose of this grant is to provide a financial incentive to assist members in improving their general public liability loss control efforts through training and the purchase of equipment or services for the Fire Department. Our application for this year's grant was to reimburse a portion of the cost of PowerDMS Software utilized by the Police Department. Peachtree City met the required criteria and was awarded the maximum amount of \$10,000.

**Budget Impact:**

There will be no budgetary impact since these funds are budgeted in the City's general fund.

**Attachments:**

None

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Justin Strickland, City Manager

**FROM:** Kelly Bush, Financial & Administrative Services Director 03/27/2026  
Justin Strickland, City Manager 03/27/2026

**DATE:** April 2, 2026

**SUBJECT:** Mid-year Cost of Living Adjustment (COLA) and corresponding upward adjustment to the City's pay scale.

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**Recommendation:**

Approve the proposed 2% mid-year COLA effective retroactive to the beginning of the current pay period — March 23, 2026, and a 2% upward adjustment to the City's pay scale.

**Discussion:**

Staff is presenting for Council's consideration a proposed mid-year cost of living adjustment (COLA) of 2% for eligible employees. This adjustment is intended to help reduce the current gap between employee compensation and rising cost-of-living pressures, while maintaining the City's ability to attract and retain a qualified workforce. Implementation of the COLA would also result in a 2% upward adjustment to the City's pay scale, ensuring alignment across all positions.

If implemented retroactive to the beginning of the current pay period, the estimated cost of the 2% COLA for the remainder of the fiscal year is approximately \$255,974 within the General Fund. As of this point in the fiscal year, the General Fund has realized approximately \$902,991 in salary savings, primarily attributable to vacancies and timing differences in hiring. These savings far exceed the projected cost of the proposed COLA.

**Budget Impact:**

While the current fiscal year impact can be accommodated within existing budget capacity, the COLA represents an ongoing adjustment that will carry forward into future fiscal years. Staff will incorporate this impact into the development of the next fiscal year's budget.

**Attachments:**

None

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Justin Strickland, City Manager

**FROM:** Angela Egan, Purchasing Manager 03/25/2026  
Kelly Bush, Financial & Administrative Services Director 03/27/2026  
Chris Hobby, Assistant City Manager 03/27/2026  
Justin Strickland, City Manager 03/27/2026

**DATE:** April 2, 2026

**SUBJECT:** Fire Station 85 – Construction Manager at Risk (CMAR) Procurement

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**Recommendation:**

No action is required at this time. This item is presented for informational purposes only.

**Discussion:**

The City issued a Request for Proposals (RFP) in March to solicit qualified contractors for Construction Manager at Risk (CMAR) services for the Fire Station 85 project. A total of fifteen (15) contractors attended the mandatory pre-proposal meeting, and fourteen (14) proposals were received by the submission deadline of March 10, 2026. An evaluation committee is currently reviewing the proposals and scoring them based on technical merit in accordance with the criteria outlined in the RFP. Submittals included firm qualifications, organizational structure, staffing, safety record, and litigation history. Proposers also provided relevant project experience, with an emphasis on projects of similar size, scope, and fire station facilities.

Additionally, each firm submitted its proposed project team and approach to project delivery.

Staff anticipates completing the evaluation process and presenting a recommendation for the award at an upcoming Council meeting.

**Budget Impact:**

Detailed cost information will be presented with the recommendation for award. 2023 SPLOST has adequate funds to allocate for this project.

**Attachments:**

None

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Justin Strickland, City Manager

**FROM:** David Borkowski, City Engineer 03/26/2026  
Kelly Bush, Financial & Administrative Services Director 03/27/2026  
Chris Hobby, Assistant City Manager 03/27/2026  
Justin Strickland, City Manager 03/27/2026

**DATE:** April 2, 2026

**SUBJECT:** Peachtree Parkway at Robinson Road Intersection Improvements

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**Recommendation:**

No recommendation at this time.

**Discussion:**

The 2023 SPLOST project number 34: Intersection Improvements at Peachtree Parkway & Robinson Rd. detailed why this intersection needs improvement. The first step to improving this intersection is to update the original traffic study and verify that this intersection is still experiencing high traffic volumes and long wait times. The next step will be creating a preliminary plan for the intersection improvements and a cost estimate. To this end the Engineering Staff reached out to three firms that have previously worked with the City on transportation projects for proposals to complete these steps. All three firms returned their proposed scope of work and pricing.

The Engineering Staff are in the process of reviewing the proposals and ensuring they are comparable before selecting the best firm to recommend for project award. Based on the initial review of the proposals, this phase of the project is expected to cost less than \$150k. Staff will have a firm recommendation for City Manager approval but wanted to update Council on th process.

**Budget Impact:**

This project is funded from a dedicated SPLOST account which has sufficient funds to cover the costs of this phase.

**Attachments:**

None

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Justin Strickland, City Manager

**FROM:** David Borkowski, City Engineer 03/27/2026  
Kelly Bush, Financial & Administrative Services Director 03/27/2026  
Chris Hobby, Assistant City Manager 03/27/2026  
Justin Strickland, City Manager 03/27/2026

**DATE:** April 2, 2026

**SUBJECT:** North Hill Path

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**Recommendation:**

No recommendation at this time.

**Discussion:**

As part of the 2017 SPLOST the City has developed plans to build a new cart path along N Peachtree Parkway in front of the North Hill Neighborhood. The project was put out to bid in February and after much interest six bids, ranging from \$741,000 to \$1,835,000, were received for construction of this project. The Engineering and Purchasing Staff are currently reviewing the bids and checking references to select the best firm to complete this work.

At the April 16th council meeting staff will share our recommendation for award of this contract. There are adequate funds in the 2017 SPLOST to fund this project.

**Budget Impact:**

This project is budgeted for under 2017 SPLOST project 10. Additional funds will need to be moved to this account to cover the complete cost of construction as the original SPLOST budget is not sufficient.

**Attachments:**

None

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council

**VIA:** Justin Strickland, City Manager

**FROM:** Michael Polacek, Council member 03/26/2026  
Chris Hobby, Assistant City Manager 03/26/2026  
Justin Strickland, City Manager 03/27/2026

**DATE:** April 2, 2026

**SUBJECT:** Alcohol Ordinance Amendment and Fee Schedule Update

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**Recommendation:**

No Action Required as of this time.

**Discussion:**

A version of this ordinance was previously discussed in November 2025. The ordinance amendment originated from an independent request from a commercial plaza within the City:

A shopping center property management team emailed Council requesting the ability to allow patrons to move freely with alcohol throughout specific outdoor areas of the center during regular business hours. The current ordinance limits such open-container privileges to special events, leaving no pathway for a controlled, year-round outdoor service model.

The recommendation would include a 12-month pilot, with an option to extend the ordinance amendment pending council and staff review.

**Budget Impact:**

If approved, each entertainment district license would generate \$500 in annual revenue.

**Attachments:**

1. Chapter\_6\_\_\_ALCOHOLIC\_BEVERAGES

## Chapter 6 ALCOHOLIC BEVERAGES<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 6-1. Authority to regulate alcoholic beverages in city.

The provisions of this chapter are ordained under and by virtue of the authority granted by:

- (1) O.C.G.A. § 3-4-49, authorizing a municipality voting in favor of the issuance of licenses for the manufacture, possession, distribution and sale by the package of distilled spirits, to adopt all reasonable rules and regulations as may fall within the police powers of the municipality to regulate any such business;
- (2) O.C.G.A. § 3-4-90, authorizing each such municipality to issue licenses, through ordinance, to sell distilled spirits for beverage purposes by the drink, the sales to be for consumption only on the premises;
- (3) O.C.G.A. § 3-4-110, granting such municipality the full power to adopt all reasonable rules and regulations governing the conduct of any such licensee, including but not limited to the regulation of hours of business, types of employees, and other matters which may fall within the police powers of such municipality;
- (4) O.C.G.A. §§ 3-5-40 and 3-5-42, authorizing municipal licenses for the business of manufacturing, distributing and selling malt beverages at wholesale and retail;
- (5) O.C.G.A. § 3-6-40, authorizing municipal licenses for the manufacturing, distributing and selling wine at wholesale and retail; and
- (6) O.C.G.A. § 3-15-2, granting such municipality the full power to adopt other terms, conditions and limitations relating to tasting events.

(Code 1980, § 3-1; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

#### Sec. 6-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alcoholic* means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

*Alcoholic beverage* means all alcoholic, distilled spirits, beer, malt beverage, wine, or fortified wine.

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<sup>1</sup>Cross reference(s)—Drunk or disorderly persons, § 50-8; drinking alcoholic beverages in public, § 50-9; intoxication in parks, § 54-7.

State law reference(s)—Georgia Alcoholic Beverage Code, O.C.G.A. § 3-1-1 et seq.; authority to adopt rules and regulations relating to manufacture, sale and distribution of distilled spirits, O.C.G.A. § 3-4-49.

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*Approved containers* means a tamper evident container that:

- (1) Does not contain openings or straw holes;
- (2) Is sealed in a manner that is visibly apparent if the container has been subsequently opened or tampered with; and
- (3) Has an affixed label or marking that identifies the licensee that prepared and sold the mixed drink.

*Art shop.* A retail business devoted exclusively to providing art education that is limited to instruction in painting, sculpture and similar crafts; or to selling and displaying portraits, paintings, sculptures, art supplies and similar artwork and crafts. An art shop shall not allow activities that would cause the business to be an "adult entertainment establishment" as defined in chapter 10, article II of this Code.

*Broker* means any person who purchases or obtains an alcoholic beverage from an importer, distillery, brewery, or winery and sells the alcoholic beverage to another broker, importer, or wholesaler without having custody or possession of the alcoholic beverage or maintaining a stock of the alcoholic beverage.

*Brown bagging* means the act of patrons entering any restaurant, private club, or other establishment providing food or entertainment in the normal course of business and bringing in and consuming the patron's own alcoholic beverage.

*Brown bag establishment* means any restaurant, private club or other establishment providing food or entertainment in the normal course of business, and in which the owners or their agents knowingly allow patrons to bring in and consume the patrons' own alcoholic beverages.

*Caterer* means any person who prepares food and furnishes beverages, but not alcoholic beverages, for consumption off the premises of a food service facility or restaurant for a special event.

*Close corporation* means a domestic corporation which does not have:

- (1) More than five stockholders;
- (2) A corporation as a shareholder; or
- (3) More than one class of stock.

*Curbside pick-up* means when a licensee furnishes purchased goods to a customer's vehicle within a clearly designated pick-up area located within a paved parking area adjacent to the licensed premises.

*Distilled spirits* means any alcoholic beverage obtained by distillation or containing more than 21 percent alcohol by volume, including but not limited to all fortified wines.

*Entertainment District* means a defined, contiguous, mixed-use or commercial area, approved by the city council, within which licensed establishments and their patrons may possess and consume alcoholic beverages outdoors within a designated boundary.

*Food service establishment* means any establishment holding a valid food service permit from a respective county health department.

*Fortified wine* means any alcoholic beverage containing more than 21 percent alcohol by volume made from fruits, berries or grapes either by natural fermentation or by natural fermentation with brandy added. "Fortified wine" includes but is not limited to brandy.

*Growler* means glass, plastic or other type of container, not less than 12 ounces or more than 64 ounces, used to hold specialty malt beverages such as beer and hard cider, which are dispensed from a tap and sealed airtight before being sold to the customer for off-premises consumption.

*Growler retailer* means a person or entity that holds a current retail package (malt beverage) license from the city for the sale of malt beverages pursuant to subsection 6-36(a)(4) and a valid current alcohol license from

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the state and sells specialty malt beverages in growlers. A growler retailer does not include any retailer that sells distilled spirits or that holds a consumption license from the city.

*Hotel* means a building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential, in which 50 or more rooms are used for the sleeping accommodations of such guests and having one or more public dining rooms, with adequate and sanitary kitchen and a seating capacity of at least 40, where meals are regularly served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or in separate buildings or structures used in connection therewith that are on the same premises and are a part of the hotel operation. Motels meeting the qualifications set out in this definition for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operation of a lounge or restaurant, or both, on their premises; and the holder of such franchise shall be included in the definition of hotel hereunder. If more than one franchise is granted, such franchise will be considered an additional licensee under this chapter.

*Individual* means a natural person not a corporation.

*Interest in license* means an individual's having an interest in a license if he:

- (1) Is the owner of the license.
- (2) Is a co-owner of the license.
- (3) Is a partner in any partnership that owns an interest in a license.
- (4) Is a stockholder in any corporation which owns an interest in a license.
- (5) Shares in any income or corpus of any trust fund having any interest in a license to sell at retail.

*License representative* means, if a license representative is required, a resident of the state and a manager of the business who is on the premises on a regular basis.

*Licensee* for all businesses means that:

- (1) The licensee shall be at least 21 years of age.
- (2) If the business is to be operated by an individual, the licensee shall be that individual.
- (3) If the business is to be operated by a partnership, the licensee shall be an individual who is a partner; or, if all partners are nonindividuals, then the licensee shall be an individual who is an officer of any corporation which is a partner, or an individual who is an officer, manager or agent of any unincorporated entity which is a partner.
- (4) If the business is to be operated by a close corporation, corporation or similar business entity, the licensee shall be either an officer of the corporation or the registered agent of the corporation.
- (5) If the licensee is a resident of the state and a manager of the business who is on the premises on a regular basis, the licensee may also be the license representative of the business. If not, a license representative shall be named in accordance with this chapter.

*Malt beverage* means any alcoholic beverage obtained by the fermentation or 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 14 percent alcohol by volume, and including, but not limited to, ale, porter, brown, stout, lager beer, malt liquor, small beer and strong beer.

*Manufacturer* means any maker, producer, or bottler of an alcoholic beverage and:

- (1) In the case of distilled spirits, any person engaged in distilling, rectifying, or blending any distilled spirits;

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- (2) In the case of malt beverages, any brewery; and
  - (3) In the case of wine, any vintner.

*Minor* means any person under the age of 21 years.

*Mixed drink* means a beverage prepared by combining distilled spirits with nonalcoholic liquid or liquids and that;

- (1) Is prepared on the day of the sale by an employee of the licensee;
- (2) Contains no more than three ounces of distilled spirits; and
- (3) Is sealed in an approved container.

*Package* means a bottle, can, keg, barrel or other original consumer container.

*Permitted location* means a building, premises or location for which a permit is required pursuant to this chapter and shall include a premises and a licensed premises as defined herein.

*Person* means any individual, firm, partnership, cooperative, nonprofit membership corporation, joint venture, association, company, corporation, agency, syndicate, estate, trust, business trust, receiver, fiduciary, or other group or combination acting as a unit.

*Premises* means a definite enclosed area or other outside area with controlled ingress and egress wherein spirituous liquors, alcoholic beverages, malt beverages or wine shall be manufactured; sold and consumed; and/or sold by the package to be consumed elsewhere.

*Private residence* means an occupied house, dwelling or structure in a residential zoning district wherein families reside.

*Retail consumption dealer* means any person who sells alcoholic beverages for consumption on the premises or for curbside pick-up at retail.

*Retail grocery store* means a store which carries groceries as at least 51 percent of its inventory. For purposes of this section, the term "groceries" does not include alcoholic beverages, gasoline, diesel fuel, motor oil, grease or other petroleum products used for the maintenance or operation of motor vehicles.

*Retail package dealer* means any person who sells alcoholic beverages in unbroken packages for consumption off the premises at retail.

*Special event or private function* means any organized activity having as its purpose entertainment, recreation and/or education, such as a festival, party, reception, celebration or assembly which occurs or takes place on private or public property.

*Twenty-one years of age and up special event* means a special event for which the primary intended purpose is consumption or tasting of alcoholic beverages if more than 50 percent of the expected gross revenue will be derived from the sale of alcoholic beverages, to include the sale of tickets that allow access to, or redemption of, alcoholic beverages.

*Wholesaler or wholesale dealer* means any person who sells alcoholic beverages to other wholesale dealers, to retail package dealers, or to retail consumption dealers.

*Wine* means any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruits, berries, grapes, or other natural products by natural fermentation. Wine includes but is not limited to all sparkling wines, champagnes, combinations of such beverages, vermouths, sake, 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.

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(Code 1980, § 3-2; Ord. No. 912, § 1, 11-1-2007; Ord. No. 923, § 1, 12-6-2007; Ord. No. 1051, § 1, 11-8-2012; Ord. No. 1062, § 1, 6-6-2013; Ord. No. 1136, § 1, 11-2-2017; Ord. No. 1177, § 1, 2-20-2020; Ord. No. 1202, § 1, 10-6-2022; Ord. No. 1220, § 1, 6-20-2024; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Cross reference(s)—Definitions generally, § 1-2.

**Secs. 6-3—6-35. Reserved.**

***ARTICLE II. LICENSING<sup>2</sup>***

***DIVISION 1. GENERALLY***

**Sec. 6-36. License required to sell alcoholic beverages.**

- (a) Licenses for the sale of alcoholic beverages shall be issued by the city clerk at an annual license fee to be established by city council resolution for the following:
- (1) Retail consumption dealer (distilled spirits).
  - (2) Retail package dealer (distilled spirits).
  - (3) Retail consumption dealer (malt beverage).
  - (4) Retail package dealer (malt beverage).
  - (5) Retail consumption dealer (wine).
  - (6) Retail package dealer (wine).
  - (7) Wholesale dealer (distilled spirits).
  - (8) Wholesale dealer (malt beverage).
  - (9) Wholesale dealer (wine).
  - (10) Manufacturer (distilled spirits).
  - (11) Manufacturer (malt beverage).
  - (12) Manufacturer (wine).
  - (13) Retail consumption dealer—Additional license.
  - (14) Qualifying location permit (distilled spirits, malt beverages and wine).
  - (15) Special event alcohol permit.
  - (16) Retail consumption dealer (distilled spirits, malt beverage, wine) Frederick Brown, Jr., Amphitheater.
  - (17) Tasting permit (supplemental to retail package dealer for wine, malt beverage and/or distilled spirits).

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<sup>2</sup>State law reference(s)—Local permit or license required for wholesale or retail sales of alcoholic beverages, O.C.G.A. § 3-3-2(a); governing authority to set forth ascertainable standards pertaining to the granting, refusal, suspension or revocation of alcoholic beverage permits or licenses, O.C.G.A. § 3-3-2(b)(1).

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(18) Broker (malt beverage).

(19) Broker (wine).

(20) Broker (distilled spirits).

(21) Entertainment district (distilled spirits, malt beverage, wine).

- (b) Wholesale dealers are not required to pay a license fee pursuant to subsection (a)(7), (8) and (9) of this section unless the wholesaler or his agent delivers alcoholic beverages at the time the order is taken or unless the wholesaler's business is located within the city limits.
- (c) The fee for the retail consumption license issued for the Frederick Brown, Jr., Amphitheater shall be 50 percent of the annual fee established by city council; provided, however, that if the licensee holds another retail consumption license within the city the fee shall be 25 percent of the annual fee established by the city council.
- (d) All licenses issued in this article shall constitute a mere grant of a privilege to carry on such business during the term of the license subject to all the terms and conditions imposed by this chapter and related laws, applicable provisions of this Code, and other ordinances and resolutions of the city relating to such business.
- (e) Both the licensee and the license representative shall be the authorized and duly constituted agent for service of all notices and processes required to be served on or given under this article for any action or proceeding or uses of any nature whatsoever permitted under the provisions of this chapter or under any other provisions of this Code.

(Code 1980, § 3-3; Ord. No. 912, § 2, 11-1-2007; Ord. No. 923, § 2, 12-6-2007; Ord. No. 968, § 1, 2-19-2009; Ord. No. 1039, § 1, 1-5-2012; Ord. No. 1051, § 2, 11-8-2012; Ord. No. 1077, § 1, 5-1-2014; Ord. No. 1136, § 2, 11-2-2017; Ord. No. 1177, § 2, 2-20-2020; Ord. No. 1220, § 1, 6-20-2024; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-37. Contents of application for license.**

- (a) All persons desiring to obtain a license under this chapter for the sale of alcoholic beverages shall apply to the city council upon forms to be prepared and provided by the city clerk. Such applications shall state:
  - (1) The location of the proposed business;
  - (2) The nature and character of the proposed business;
  - (3) If the business is to be operated by an individual, the name and address of that individual;
  - (4) If the business is to be operated by a partnership, the names and addresses of all general partners, the licensee and the license representative;
  - (5) If the business is to be operated by a close corporation, the names and addresses of all officers, directors, stockholders, licensee and license representative;
  - (6) If the business is to be operated by a corporation, other than a close corporation, the name of the corporation, the address of the corporate office, the name and address of the registered agent for service of process for the corporation, and the name and address of the licensee and license representative; and
  - (7) Such other appropriate information as may be required by the governing body or city clerk.
- (b) The truth of the contents of an application for a license shall be sworn to by the licensee and the license representative.

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- (c) The application, when filed with the city clerk, shall be accompanied by a processing fee determined by a fee schedule adopted by the mayor and city council. This processing fee is separate from and shall not be credited to the license fee. If an applicant for licensee or license representative has an unsatisfactory background as determined by the police chief and an application is submitted for a different licensee or license representative, an additional processing fee must be paid. The processing fee will not be refunded if the requested license is not granted.
  - (d) When the license is approved, the license fee must be paid within 30 days and prior to the issuance of the license.
  - (e) If the person applying fails to receive a license from the state, any license fees paid to the city shall be refunded.
  - (f) Only one application form and accompanying documents must be filed for each business premises.

(Code 1980, § 3-4; Ord. No. 719, 7-15-99; Ord. No. 796, 11-21-02; Ord. No. 801, 2-6-03; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-38. Supporting documents to be filed with application.**

Those applying for a license under this article shall submit in support of the application for license the following documents:

- (1) A certificate from a registered land surveyor showing a scale drawing of the location of the proposed premises and the shortest straight line distance from the premises to any church building, alcoholic treatment center building, school building, educational building, school grounds, college building, or college campus located within a radius of 200 yards of the premises.
- (2) The affidavit of each person whose name appears on an application for a license, pursuant to subsection 6-37(2), swearing that such person has not, within five years prior to the date of the application, been convicted of nor entered a plea of nolo contendere to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal drugs.
- (3) A copy of a deed showing the applicant to be the owner of the premises for which the license is sought or a copy of a lease showing any interest the owner of the premises has in the business for which the license is sought. The applicant for a license for retail consumption dealer at the Frederick Brown, Jr. Amphitheater shall be required only to present a copy of the contract that he has to operate as a retail consumption dealer at the amphitheater.
- (4) A certificate of the chief of police of the city certifying that each person named in an application pursuant to subsection 6-37(2) has been investigated and found not to have been convicted of nor to have entered a plea of nolo contendere to any felony or a misdemeanor relating to the sale of alcoholic beverages or illegal drugs within five years prior to the date of the application for a license.
- (5) If the same person is serving as the licensee and the license representative, he shall submit an affidavit certifying that he is at least 21 years of age, a resident of the state and a manager of the business.
- (6) If the licensee is not the license representative, an affidavit from the license representative certifying that he is at least 21 years of age, a resident of the state and a manager of the business.
- (7) Other appropriate information may be required as determined by the city clerk.

Broker license applications are exempt from providing items listed above within subsections (1) and (3).

(Code 1980, § 3-5; Ord. No. 799, 1-16-2003; Ord. No. 1166, § 1, 1-17-2019; Ord. No. 1220, § 1, 6-20-2024; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

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**Sec. 6-39. Prohibited distances—Sale of alcoholic beverages near churches, schools, or other sites.**

- (a) No license shall be issued pursuant to this article for the sale of:
- (1) Any distilled spirits in or within 100 yards of any church building or within 200 yards of any school building, educational building, school grounds, or college campus;
  - (2) Any wine or malt beverages within 100 yards of any school building, school grounds, or college campus. This subparagraph shall not apply at any location for which a license has been issued prior to July 1, 1981, nor to the renewal of such license. Nor shall this subparagraph apply at any location for which a new license is applied for if the sale of wine and beer was lawful at such location at any time during the 12 months immediately preceding such application;
  - (3) Any distilled spirits, wine, or malt beverages within 100 yards of an alcoholic treatment center owned and operated by this state or any county or municipal government therein. This paragraph shall not apply to any business having a license in effect on July 1, 1981;
  - (4) Any distilled spirits, wine, or malt beverages for consumption on the premises within 100 yards of any property containing 300 housing units or fewer owned or operated by a housing authority created by O.C.G.A. tit. 8, ch. 3, art. 1, the Georgia "Housing Authorities Law." This subsection shall not apply at any location for which a license has been issued prior to July 1, 2000, nor to the renewal of such license. Nor shall this subsection apply at any location for which a new license is applied for if the sale of alcoholic beverages for consumption on the premises was lawful at such location at any time during the 12 months immediately preceding such application.
- (b) The distances referred to in subsection (a) of this section shall be measured by the shortest straight line.
- (c) Broker license is exempt from distance requirements.

(Ord. No. 1033, § 1, 7-21-2011; Ord. No. 1220, § 1, 6-20-2024; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 1033, § 1, adopted July 21, 2011, amended section 6-39 in its entirety to read as herein set out. Formerly, section 6-39 pertained to no licenses issued within prohibited distances and derived from the Code of 1980, § 3-6.

**Sec. 6-40. Reserved.**

Editor's note(s)—Ord. No. 1239, § 1, adopted August 21, 2025, repealed § 6-40 which pertained to notice of application advertisement and derived from 1980 Code § 3-7; Ord. No. 719, adopted July 15, 1999; and Ord. No. 968, adopted February 19, 2009.

**Sec. 6-41. Issuance of license by city clerk.**

- (a) Upon approval of the application for license by the council, and the timely payment of the license fee, the city clerk shall issue the appropriate license for the year in which approval was granted.
- (b) If issued to a corporation, the license shall be issued in the name of the corporation, the licensee and the license representative.
- (c) If issued to a partnership, the license shall be issued in the name of all the general partners, the licensee and the license representative.

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- (d) If issued to an individual, the license shall be issued to that individual as licensee and license representative.  
(Code 1980, § 3-8; Ord. No. 719, 7-15-1999; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-42. Renewal of licenses by city clerk.**

- (a) For any new license granted under this article prior to July 1, the licensee shall pay the full annual license fee.
- (b) For any new license granted under this article subsequent to July 1, the license fee shall be reduced by one-half.
- (c) The city clerk shall issue renewal licenses upon payment of the annual license fee, by the last business day in December preceding the year for which the license is sought.
- (d) The city clerk shall send a letter to all license holders on or before December 1 of each year to remind the license holders of renewal deadline for the subsequent year.

(Code 1980, § 3-9; Ord. No. 1001, § 1, 6-3-2010; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-43. Completion of proposed licensed premises.**

- (a) Prior to the construction, renovation or completion of a licensed premises, the city council may allow a license to be issued only if plans for the proposed premises comply with applicable provisions of this chapter.
- (b) However, no sales of alcoholic beverages shall be allowed upon the premises until they are completed according to the plans submitted and unless all other provisions of this chapter are complied with.

(Code 1980, § 3-10; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-44. Time limit for commencement of business in licensed establishment; forfeiture for nonuse.**

- (a) All holders of licenses under this article must within six months after the issuance of the license open the establishment referred to in the license with the exception of the holder of any license for retail consumption at the Frederick Brown, Jr. Amphitheater who must open the establishment at the amphitheater during those events permitted under section 54-7. If the license holder fails to open the licensed establishment or receive a time extension from the city council within the six-month period or, in a case of the license holder for the amphitheater before the next event which would allow the sale of alcohol according to the terms of section 54-7, the license shall be canceled and all fees forfeited.
- (b) Any holder of a license who, after beginning operation, ceases to operate the business for a three-month period automatically forfeits his license; and the license shall be automatically canceled.

(Code 1980, § 3-11; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-45. Wholesale licensees authorized to sell to retail licensees.**

- (a) Wholesale licenses shall be issued only to those persons who are licensed by the state to sell and distribute alcoholic beverages at wholesale.
- (b) Upon payment of the required fee, the city clerk shall issue wholesale licenses if the person applying proves to the clerk's satisfaction that he is licensed to sell at wholesale by the state.

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- (c) Licensed wholesalers of distilled spirits, malt beverages or wine under the provisions of this section may sell at wholesale to any person licensed as provided in this article. Persons licensed under this article may purchase from a licensed wholesaler at wholesale in accordance with their license.

(Code 1980, § 3-12; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-46. Excise tax; report; penalty for failure to file; payment.**

- (a) In addition to the annual license fee required for the sale of alcoholic beverages, there is levied an excise tax computed as follows:
- (1) For distilled spirits, the maximum allowed as provided in O.C.G.A. § 3-4-80;
  - (2) For foreign and domestic wines, the maximum allowed as provided in O.C.G.A. § 3-6-60 except as exempt in O.C.G.A. § 3-6-70; and
  - (3) For malt beverages, the maximum allowed as provided in O.C.G.A. § 3-5-80 except as exempt in O.C.G.A. § 3-5-90.
- (b) The excise tax levied under subsection (a)(1), (2) and (3) of this section shall be paid and collected in the following manner: Except for alcoholic beverages sold directly to consumers on the premises of a licensed manufacturer, taxes shall be paid by the wholesale dealer on or before the 20th day of the month following the calendar month in which the beverages are sold or disposed of within the city by the wholesale dealer. In the case of alcoholic beverages sold directly to consumers on the premises of a licensed manufacturer, the taxes shall be paid by the manufacturer on or before the 20th day of the month following the calendar month in which the beverages are sold or disposed of within the city by the manufacturer. The wholesale dealer or manufacturer, as the case may be, shall also file a report itemizing for the preceding calendar month the exact quantities of alcoholic beverages by size and type of container, sold during the month within the city, except that manufacturers do not have to report alcoholic beverages sold to wholesalers. The wholesale dealer or manufacturer, as the case may be, shall file the report and pay the tax at the office of the city clerk.
- (c) The failure to make a timely report and remittance shall render the defaulting licensee liable for a penalty equal to ten percent of the total amount due during the first 30-day period following the date such report and remittance were due and a further penalty of 25 percent of the amount of such remittance for each successive 30-day period or any portion thereof, during which such report and remittance are not filed or paid.
- (d) The filing of a false or fraudulent report shall render the dealer making the report liable for a penalty equal to 50 percent of the amount of the remittance which would be required under an accurate and truthful report, and shall also constitute grounds for probation, suspension or revocation of such license, and shall also constitute a violation of the ordinances of the city for which the offender may be convicted in the municipal court as provided in the Charter.

(Code 1980, § 3-13; Ord. No. 794, 10-17-2002; Ord. No. 906, § 1, 9-6-2007; Ord. No. 1136, § 3, 11-2-2017; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-47. License transfers, change licensee, or license representative or relocation of business.**

- (a) Retail alcoholic beverage licenses may be transferred from one owner to another with the approval of the city manager provided:

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- (1) The business has existed at the same location and licenses have not been transferred for more than one year;
  - (2) All existing alcoholic beverage licenses issued to the existing owner for that location shall be transferred;
  - (3) All provisions of section 6-37 shall be completed by the new owner except for subsection (d) provided license fees are current; and
  - (4) All provisions of section 6-38 shall be completed by the new owner except for subsection (a) provided such information was previously supplied by the existing owner or previous owners and has not changed.
- (b) All requests for a change in licensee or license representative must be approved by the city manager and shall provide all appropriate information or supporting documents required under sections 6-37 and 6-38 as outlined in an approved form to be supplied by the city clerk for that purpose.
  - (c) So long as there is no change in ownership, a temporary license representative may be appointed by the licensee for a period not to exceed 45 days, subject to the following conditions:
    - (1) The temporary license representative makes application by providing all appropriate information or supporting documents required under sections 6-37 and 6-38 as outlined in an approved form to be supplied by the city clerk for this purpose;
    - (2) The application is approved by the city manager prior to the issuance of an amended license;
    - (3) There shall be no residence requirement for a temporary license representative; and
    - (4) There shall be no extension of the 45-day period of operation for any temporary license representative without approval of the city manager.
  - (d) All business relocations must be approved by the city manager, and the licensee and license representative shall provide all appropriate information and supporting documents as required under sections 6-37 and 6-38. Requirements of section 6-40 relating to advertising must be met. Additional license fees shall not be required if fees are current.
  - (e) Any violation of this section shall constitute due cause for probation, suspension or revocation of the license or licenses granted by the council.
  - (f) Broker license is non-transferable.

(Code 1980, § 3-14; Ord. No. 798, 1-16-2003; Ord. No. 964, § 1, 12-18-2008; Ord. No. 1220, § 1, 6-20-2024; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-48. Standards to be applied by city council in granting licenses.**

The standards to be applied by the city council acting in his or her judicial capacity to grant or deny a license shall include whether, in the best judgment of the council, the applicant, based on all information obtained in the application process, possesses the qualities of sound judgment and discretion necessary for one who dispenses alcoholic beverages to the public generally.

(Code 1980, § 3-14.1; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

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**Sec. 6-49. Applicants meeting standards will be granted license; reason for denial to be given in writing.**

All applicants for a license meeting the ascertainable standards of this chapter will be granted the license or licenses requested, and the council in applying the facts to the licensing criteria will act in a judicial capacity. Whenever an application for a license is denied by the council, the reasons for such denial shall be stated in writing and entered upon the minutes.

(Code 1980, § 3-15; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-50. State alcohol licenses required.**

- (a) All holders of licenses under this article must obtain the appropriate state alcohol licenses within 90 days from the date the city license is granted. Written proof must be provided to the city clerk within 90 days. Failure to obtain the required state licenses will result in a forfeiture of the city license on the first business day following the 90 days granted above. If the state declines to approve the request for an alcohol license, the city will return all fees paid with the exception of the application fee.
- (b) All holders of city licenses must keep their state license in good standing. Any failure to keep the state license in effect will result in an immediate forfeiture and loss of the city license.

(Code 1980, § 3-16; Ord. No. 1001, § 2, 6-3-2010; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-51. Permitted location for special events at which alcoholic beverages are served or sold.**

- (a) No alcoholic beverages shall be sold, dispensed, distributed, poured or served at any location, premises, or building in the city except as set out in this chapter unless otherwise provided for under this chapter.
- (b) The owner or lessee of a location at which alcoholic beverages are to be furnished and served by the drink at a private function or special event by a person at a location not otherwise required to be licensed pursuant to this chapter, or at a location at which alcoholic beverages are to be sold by the drink or by the package at a special event, shall first obtain a qualifying location permit designating such location as a "permitted location." Such qualifying location permit shall be good for the calendar year in which it is issued and may be renewed annually as set forth in this chapter. Thereafter, the person organizing the private function or special event to be held at a permitted location must apply for and obtain a "special event alcohol permit" as set forth in section 6-52. The cost of such permits shall be as set forth in section 6-36. The requirements of sections 6-37 and 6-38 shall be met by an applicant for a permitted location license. This section shall not apply to areas licensed as an Entertainment District pursuant to Sec. 6-56, which shall be regulated independently of qualifying location and special event permits.
- (c) To qualify as a "permitted location," the location, premises or building shall not be located nearer to an alcoholic treatment center and therefore be considered to be a "prohibited location" as set out in section 6-39, or shall not fail to meet all requirements of the building inspector, the fire marshal, the city engineer, and the planning director for an on-premises pouring outlet, and shall possess a permit as a "permitted location" pursuant to this chapter. The applicant for a qualifying location permit shall submit a plat of survey prepared by a state registered land surveyor showing the distances set forth in this chapter with the application for the qualifying location permit.

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- (d) It shall be unlawful for any person to furnish or sell and serve alcoholic beverages by the drink at a private function or special event at a permitted location unless food is also served at the private function or special event.
  - (e) Alcoholic beverages furnished or sold and served by the drink at a private function or special event may be consumed only on the premises; and may not be removed from the premises in an open container.
  - (f) It shall be unlawful for any alcoholic beverages to be sold at a private function or special event, i.e. "no cash bar" sales will be permitted, unless the permitted location also holds an on premises consumption license for alcoholic beverages.
  - (g) Locations, premises or buildings for which an on-premises consumption license has been issued pursuant to this chapter shall be deemed a "permitted location" under this section without further application; however, alcoholic beverages may not be sold or dispensed from the area or premises licensed for the sale and dispensing of alcoholic beverages on Sundays in violation of this chapter; provided, however, that if an on premises consumption licensee provides a separate room, not accessible to the regular public or customers of the licensed establishment, where the alcohol is purchased, furnished and served not by the on premises consumption licensee but by the person holding the private function or special event may qualify as a permitted location for the serving of alcoholic beverages in accordance with this section.
  - (h) Alcoholic beverages sold by the package at a special event may not be consumed on the premises. Special event alcohol permits for package sales shall be issued for beer and wine only, and shall not include spirituous liquors.
  - (i) For "21 years of age and up special events," as defined in section 6-2, hosted on city-owned property, shall require the applicant to submit a plan to contain the event area by a physical barrier with designed control of ingress and egress. The plan must be approved by the city manager or designee before the special event permit will be approved.
  - (j) The "permitted location" licensee shall be responsible for any violation of this chapter which occurs at the "permitted location" whether by the licensee's employees or agents, a caterer or their employees or agents, or a lessee or invitee of the licensee, their lessee or invitees or any of their employees or agents except at designated city-owned "permitted locations" provided within this section, at which time the "special event alcohol permittee" as set forth in section 6-52 shall be responsible for any violation of this chapter which occurs at the city-owned "permitted location."
  - (k) The times for sales of alcoholic beverages set forth in section 6-123 except that serving without sale of alcoholic beverages at a special event at a permitted location for a special event not otherwise required to be licensed or licensed hereunder for the sale of alcoholic beverages for consumption on the premises only shall be permitted on Sunday between the hours of 12:30 p.m. and 12:00 midnight.
  - (l) The following city-owned facilities shall be recognized as "permitted locations" and shall not require a [entertainment district license or an annual qualifying location permit](#):
    - (1) Drake Field.
    - (2) Shakerag Knoll (malt and wine only).
    - (3) The Gathering Place (Senior Center).
    - (4) Frederick Brown Jr. Amphitheater.
    - (5) Peachtree City Dog Park.
    - (6) William Davis BMX Track.
    - (7) McIntosh Place.
    - (8) Luther Glass Park/Three Ponds.

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(9) Kedron Fieldhouse.

(Ord. No. 923, § 2, 12-6-2007; Ord. No. 1077, § 2, 5-1-2014; Ord. No. 1177, § 2, 2-20-2020; Ord. No. 1187, § 1, 2-18-2021; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-52. Special event alcohol permits.**

- (a) In order to serve wine, and/or beer and malt beverages, and/or distilled spirits at a private function or special event, or to sell wine and/or beer and malt beverages at a special event at a permitted location, the person organizing the private function or special event shall be required to:
- (1) Apply to the city for a "special event permit." The application shall include the name and business address of any caterer providing food service for the private function or special event, the date, time and location of the event, which location must be a permitted location as set forth in this chapter or otherwise exempt as set forth under this chapter.
  - (2) Pay the cost of such permit as set forth in section 6-36; provided, however that special event permits for events that are less than five consecutive days in duration and held at qualified locations that are owned by governmental entities shall be five percent of the annual permit fee.
  - (3) For 21 years of age and up special events to be hosted on city-owned property, the applicant shall submit a plan to contain the event area with a physical barrier with controlled points of ingress and egress. The plan must be approved by the city manager or designee before the special event alcohol permit is approved.

If the application meets all of the requirements of this chapter, the city clerk shall issue the special event permit. If the city clerk finds that the application does not meet the requirements of this chapter and denies the special event permit, the applicant may appeal in writing to the city council within five days of the date of the denial.

- (b) The "special event alcohol permit" shall be maintained at the site of the private function or special event during the hours alcoholic beverages are served.
- (c) Special event alcohol permits issued for "21 years of age and up special events" shall require no persons under the age of 21 be allowed within the permitted location.
- (d) The city manager or designee shall be authorized to revoke any special event alcohol permit for a special event on city-owned property if it is determined continued alcohol sales may endanger the health, welfare or safety of the public.
- (e) The "special event alcohol permit" licensee shall be responsible for any violation of this chapter which occurs at the event whether by the licensee's employees or agents, invitee of the licensee or invitee of the invitee of the licensee.

(Ord. No. 923, § 2, 12-6-2007; Ord. No. 1077, § 2, 5-1-2014; Ord. No. 1177, § 2, 2-20-2020; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 1177, § 2, adopted Feb. 20, 2020, amended the title of § 6-52 to read as herein set out. Former § 6-52 was titled, "Special event permits."

### **Sec. 6-53. Exceptions.**

- (a) The fee requirements of this chapter shall not apply to a private function held for business development purposes or charitable purposes at which alcoholic beverages are served by a person or organization not otherwise required to be licensed pursuant to this chapter to members and invited guests of such persons or

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organization holding the event at a permitted location or at a location not otherwise required to be permitted pursuant to this chapter, provided that the event is not open or accessible to the general public.

- (b) The requirements of this chapter shall not apply to a private function held at a private residence at which alcoholic beverages are purchased and served by a person not otherwise required to be licensed pursuant to this chapter to invited guests of such person, provided that the person holding the event purchases the alcoholic beverages and receives no payment from invited guests, and the event is not open or accessible to the general public.

(Ord. No. 923, § 2, 12-6-2007; Ord. No. 1077, § 2, 5-1-2014; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-54. Alcoholic beverage tasting permits.**

- (a) *Permit types and eligibility.* The city may issue tasting permits for the sampling of malt beverages, wine, or distilled spirits to:
- (1) Retail package stores licensed by the city and state for the sale of the relevant alcoholic beverage type by the package.
  - (2) Grocery stores licensed by the city and state for the sale of the relevant alcoholic beverage type by the package, including grocery stores that sell motor fuel.
- (b) *Prohibited locations for acquiring tasting permits.*
- (1) Businesses that sell motor fuel but that are not grocery stores.
- (c) *General conditions for all tasting events.* Notwithstanding any other provision of this Code, and in accordance with O.C.G.A. § 3-15-2, retail package dealer licensees authorized under subsection (a) may conduct up to 52 tasting events per calendar year, subject to the following:
- (1) *Location and time.* A tasting event shall take place only on the licensed premises and only at times when such alcoholic beverages may be lawfully sold on such premises.
  - (2) *Frequency and duration.* Only one tasting event per day may be held on the licensed premises, and each tasting event shall not exceed four hours in duration.
  - (3) *Type of alcoholic beverage.* Only one type of alcoholic beverage (malt beverages, wine, or distilled spirits) may be served at a tasting event. Multiple brands of that type may be offered, provided that no more than four packages are open at any one time.
  - (4) *Maximum quantities served.*
    - a. Malt beverages: no more than eight ounces per consumer per event.
    - b. Wine: no more than five ounces per consumer per event.
    - c. Distilled spirits: no more than one and one-half ounces per consumer per event.
  - (5) *Inventory.* Only alcoholic beverages the licensee is authorized to sell on the premises, and which are part of the licensee's inventory, may be offered.
  - (6) *Food service.* Only food lawful to sell on the licensed premises may be served, and it must be offered at no cost to consumers.
  - (7) *Right to refuse.* Any operator or employee of the licensee may refuse to serve any brand, type, or quantity of alcoholic beverage to any consumer.
  - (8) *Notification.* The licensee shall notify the city clerk's office prior to holding a tasting event.

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- (9) *Storage of open packages.* Any open package containing alcoholic beverages not licensed for on-premises consumption shall be kept locked in a secure room or cabinet except when in use during a tasting event.
  - (10) *Manufacturer/wholesaler representatives.* Representatives and salespersons of manufacturers or wholesalers may attend a tasting event but may not host, pour, or provide anything of value to consumers, the licensee, or licensee employees.
  - (11) *Additional local requirements.* The city may impose additional conditions, limitations, or restrictions on tasting events as necessary to protect the public health, safety, and welfare.
- (d) *Application, renewal, and revocation.*
- (1) A tasting permit application shall be submitted to the city on forms provided by the city.
  - (2) The one-time application fee shall be equal to the established fee for a change in license.
  - (3) A tasting permit shall automatically renew with the renewal of the related alcoholic beverage license, unless revoked or suspended by the city.
  - (4) The city may revoke, suspend, or impose conditions on a tasting permit for violations of this Code, state law, or other regulations governing alcoholic beverages.

(Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 1239, § 1, adopted August 21, 2025, repealed §§ 6-54 and 6-55, and enacted a new § 6-54 as set out above and later amended, and renumbered the existing § 6-56 as § 6-55. Former § 6-54 pertained to wine tastings and derived from Ord. No. 1039, adopted January 5, 2012 and Ord. No. 1077, adopted May 1, 2014. Former § 6-55 pertained to growler sampling permits and derived from Ord. No. 1051, adopted November 8, 2012.

### **Sec. 6-55. Manufacturers.**

- (a) It shall be unlawful to operate an establishment governed under the provisions of this article without first obtaining a license from the city clerk and paying such fees and taxes as may be required by the ordinances, rules and regulations of the city.
- (b) Notwithstanding any other provision of this chapter 6, tastings and direct-to-consumer sales, including both on-premises and off-premises sales, from the licensed premises shall be permitted in accordance with state law, as amended from time to time.
- (c) Notwithstanding any other provision of this chapter 6, and in addition to on-premises sales and package sales, a licensed brewer may furnish or sell growlers directly to consumers in accordance with state law, as amended from time to time.
- (d) Notwithstanding any other provision of this chapter 6, licensed manufacturers may sell or furnish alcohol directly to consumers on Sundays between the hours of 12:30 p.m. and 1:59 a.m., without having to satisfy any food sales requirement.

(Ord. No. 1136, § 4, 11-2-2017; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Secs. 6-56 Entertainment District License**

The purpose of the Entertainment District License is to encourage and support vibrant mixed-use and pedestrian-friendly developments that promote local dining, shopping, and entertainment while maintaining the responsible consumption of alcoholic beverages within designated public areas. This section establishes the framework for the

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licensing and operation of Entertainment Districts as permanent, managed areas for open-container alcohol service.

a) License required.

- 1) A property owner, management entity, or authorized representative of a shopping center or mixed-use development may apply for an Entertainment District License.
- 2) Once approved, the Entertainment District License shall permit patrons to possess and consume alcoholic beverages outdoors within the defined district boundaries at all times allowed under Sec. 6-123 (Hours of Sale).
- 3) Only alcoholic beverages purchased from licensed establishments within the district may be consumed within the boundaries.

b) Eligibility.

To qualify for an Entertainment District License, the applicant must demonstrate that:

- 1) The development includes at least three businesses licensed for on-premises alcohol consumption.
- 2) The property includes shared outdoor pedestrian areas that encourage public gatherings and entertainment.
- 3) Adequate lighting, restrooms, and pedestrian circulation are provided.
- 4) The property owner or management entity agrees to provide continuous maintenance, security, and management oversight of the district.
- 5) The design and proposed boundaries are approved by the city manager and city council.

c) Operational standards.

- 1) Alcoholic beverages may only be possessed or consumed in approved, non-glass containers displaying the name or logo of the licensed establishment or district.
- 2) Patrons shall not remove alcoholic beverages from the district boundaries.
- 3) Each participating establishment must hold a valid on-premises consumption license and comply with all city and state alcohol regulations.
- 4) The property owner or managing entity shall provide sufficient security and waste management and shall coordinate directly with city law enforcement on district operations.
- 5) Hours of sale and consumption shall follow Sec. 6-123.

d) Signage.

The licensee or managing entity of an Entertainment District shall install and maintain visible signage at pedestrian and path exit and access points to the district. Such signs shall read:

“Leaving Entertainment District – Open Containers of Alcohol Prohibited Beyond This Point.”

Signage shall be of sufficient size and placement to be clearly visible to all patrons and comply with any design or placement standards established by the city. The Entertainment District licensee or managing entity shall bear the cost of signage.

- e) License term and renewal. The Entertainment District License shall be valid for one calendar year and may be renewed annually, provided that compliance with this section and all applicable laws is maintained.

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f) Revocation. The city may suspend, revoke, or refuse renewal of an Entertainment District License for repeated or serious violations of this chapter, state law, or any public safety concerns.

g) Relationship to other licenses. Establishments operating within an approved Entertainment District shall maintain their individual alcohol licenses under Sec. 6-36. The Entertainment District License is supplemental and may be issued in addition to other permits authorized by this chapter.

**Sec. 6-57—6-70. Reserved.**

*DIVISION 2. SUSPENSION, REVOCATION, PROBATION*

**Sec. 6-71. Penalty schedule.**

- (a) Within three days following a court appearance of a licensee, license representative, employee or owner of a licensed establishment in municipal court for violation of this chapter, the police chief shall submit to the city clerk an investigation report of the violation. The report will include the details of the violation and the specific section of this chapter and/or other city ordinance, or state laws that have been violated and the sentence imposed by the court.
- (b) The city clerk shall review the investigation report and the official records of the licensee and recommend to the chief administrative officer to either probate, suspend and/or probate, or revoke the license of the violator based on the penalty schedule in this section; except that no license shall be placed on probation, suspended or revoked unless there is due cause.
- (c) The chief administrative officer shall not be required to strictly adhere to the progressive penalties in the penalty schedule and is authorized to invoke a more or less severe penalty based on the circumstances of the violation, to include forwarding the violation directly to the city council for an administrative hearing. The chief administrative officer shall schedule the penalty period not earlier than 14 days following written notification of the penalty to the licensee.

Penalty Schedule

1st violation: six-month probation.

2nd violation: seven-day suspension of license and one year probation.

3rd violation: as determined by the council at an administrative hearing.

Notwithstanding anything stated in this section, the chief administrative officer may, if the circumstances of any violation or potential violation warrant immediate action, refer that violation or potential violation to the city council for a hearing pursuant to section 6-74.

- (d) If there is a violation during a probation period, the licensee shall be penalized as designated in the next step of the penalty schedule plus an additional seven-day penalty period. Exception: Should a licensee not incur a violation during a 24-month period, the next violation shall be subject to the first violation penalty.

(Code 1980, § 3-70; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-72. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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*Due cause* consists of the violation of any laws or ordinances of the state or the city regulating the sale or use of alcoholic beverages or illegal drugs, or violation of any regulations made pursuant to authority granted for the purpose of regulating such activities, or violation of any state or federal law, or violation of any city ordinance related to the sale or use of alcoholic beverages or illegal drugs.

(Code 1980, § 3-71; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Cross reference(s)—Definitions generally, § 1-2.

### **Sec. 6-73. Appeal.**

A licensee may appeal within ten days the action of the chief administrative officer to the city council and request a public hearing on the violation. Such hearing shall be held within 30 days following receipt of a written request from the licensee. Upon receipt of an appeal requesting a public hearing, the chief administrative officer shall delay the penalty pending the outcome of the public hearing.

(Code 1980, § 3-72; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-74. Hearing to be conducted by city council.**

The city council is authorized to conduct a hearing at any time when the council is on notice of a violation or potential violation of any local, state or federal regulation or law by a licensee, license representative, employee or owner of a licensed establishment in the city when such actual or potential violation would not constitute due cause for revocation, suspension or probation of the license. The licensee should be prepared to prove or show evidence of all business practices and procedures instituted to ensure compliance with this chapter and state law. The council inquiry may include, but is not limited to:

- (1) Employment standards of the licensee.
- (2) Employee direction/supervision.
- (3) Sales procedures.
- (4) Training program (initial, recurrent, verification).
- (5) Enforcement check reports.
- (6) Previous violations.
- (7) Any other ordinance deemed relevant to the violation that is the subject of the hearing.

(Code 1980, § 3-73; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-75. Procedure; right to counsel; cross examination of witnesses.**

- (a) When a hearing is to be conducted by the city council, notice shall be sent to either the licensee or license representative personally or by certified mail at least 15 days, but not more than 45 days prior to hearing date. Notice shall state the time, place and purpose of the hearing. The times shall be counted from the date of receipt of notice by the licensee or license representative.
- (b) The licensee shall be entitled to have counsel present at any hearing brought to inquire into suspension, revocation or probation of a license, and shall have the right to cross examine witnesses against him, and to produce evidence in his own behalf.

(Code 1980, § 3-74; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

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**Secs. 6-76—6-105. Reserved.**

**ARTICLE III. OPERATING REGULATIONS AND RESPONSIBILITIES**

**Sec. 6-106. Sales on licensed premises.**

Only those individuals who are agents, clerks or employees of the licensee shall handle, sell or serve alcoholic beverages on a licensed premises.

(Code 1980, § 3-29; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-107. Sale to intoxicated person forbidden.**

Alcoholic beverage licensees and their agents, clerks and employees are prohibited from selling, bartering, exchanging, giving, providing or furnishing any alcoholic beverage to any person who is in a noticeable state of intoxication.

(Code 1980, § 3-30; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-108. Possession of opened alcoholic beverage containers on streets and cart paths prohibited; exceptions.**

No person shall have in their possession any opened or unsealed alcoholic beverage container in any motor vehicle on public streets and cart paths in the city, except for the removal of partially consumed bottles of wine as permitted by O.C.G.A. § 3-6-4.

(Code 1980, § 3-30.1; Ord. No. 974, § 1, 6-18-2009; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 974, § 1, adopted June 18, 2009, changed the title of section 6-108 from "Possession of opened alcoholic beverage containers on streets and cart paths prohibited" to "Possession of opened alcoholic beverage containers on streets and cart paths prohibited; exceptions." The historical notation has been preserved for reference purposes.

**Sec. 6-109. Furnishing alcoholic beverage to persons under 21 years of age.**

- (a) Alcoholic beverage licensees and their agents, clerks and employees are prohibited from furnishing, or causing to be furnished, any alcoholic beverage to persons under 21 years of age.
- (b) No one under 21 years of age shall purchase, consume or knowingly have in his possession any alcoholic beverage except as permitted in this section.
- (c) No one under 21 years of age shall misrepresent his age in any manner for the purpose of obtaining illegally any alcoholic beverage.
- (d) The prohibition contained in subsection (a) of this section shall not apply when a person under 21 years of age misrepresents his age for the purpose of obtaining an alcoholic beverage, and furnishes identification document issued by a governmental agency, which includes a photograph of the person, and which shows the person's date of birth prior to the date of purchase to be equal to or more than 21 years of age.

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- (e) The prohibitions contained in this section shall not apply to the consumption of or furnishing of alcoholic beverages which are to be used for medical purposes pursuant to a prescription of a physician duly authorized to practice medicine in this state or which are to be consumed and used at a religious ceremony.

(Ord. No. 794, 10-17-2002; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 794, adopted October 17, 2002, repealed and reenacted § 6-109 to read as herein set out. Formerly, § 6-109 pertained to furnishing alcoholic beverages to minors and derived from the Code of 1980, § 3-31.

### **Sec. 6-110. Minimum age for taking alcoholic beverage orders or check-out.**

- (a) No person may allow or require any person under 18 years of age to take an order for alcoholic beverages for on-premises consumption or to accept alcoholic beverages for check-out for off-premises consumption.
- (b) No person under 18 years of age may take an order for alcoholic beverages for on-premises consumption or accept alcoholic beverages for check-out for off-premises consumption.

(Code 1980, § 3-32; Ord. No. 794, 10-17-2002; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 794, adopted October 17, 2002, changed the title from "minors" to "minimum age for taking alcoholic beverage orders or check-out." The provisions of § 6-110 remained unchanged.

### **Sec. 6-111. Wholesale licensee prohibited from owning retail license.**

Any person having any financial interest in a wholesale license for the sale of alcoholic beverages shall be prohibited from having any interest in any other license under the terms of this chapter.

(Code 1980, § 3-33; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-112. Discrimination by wholesalers prohibited.**

A wholesaler may not discriminate between retail dealers as to quantity, quality or brands sold to the retail dealer, nor use any business technique so as to control the retail dealer's business and pricing policy or in any way interfere with the free enterprise operation of the retail dealer.

(Code 1980, § 3-34; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-113. Package sales prohibited in certain establishments; exceptions.**

The sale of alcoholic beverages by the package to be carried off the premises shall be prohibited in any restaurant, cafe, eating place, private club or in any establishment other than in a retail store or grocery store owning a retail license for the sale of alcoholic beverages to be consumed off the premises, except for the removal of partially consumed bottles of wine as permitted by O.C.G.A. § 3-6-4 or as set forth in section 6-122(e) for limited off-premises wine sales by licensed food service establishments

(Code 1980, § 3-35; Ord. No. 974, § 2, 6-18-2009; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 974, § 2, adopted June 18, 2009, changed the title of section 6-113 from "Package sales prohibited in certain establishments" to "Package sales prohibited in certain establishments; exceptions." The historical notation has been preserved for reference purposes.

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**Sec. 6-114. Alcoholic beverage sales for cash only.**

- (a) All sales of alcoholic beverages shall be for cash upon sale. Sales on credit are specifically prohibited.
- (b) The use of a credit card for the purchase of distilled spirits, malt beverages or wine shall not be prohibited provided such retail credit card represents an unqualified obligation to pay without recourse on the part of the person, institution or agency issuing such card.
- (c) Hotels and motels licensed to sell alcoholic beverages shall not be prohibited from billing guests for such alcoholic beverages provided that payment is tendered at the time such guest or guests check out or leave such hotel or motel.
- (d) The sale of alcoholic beverages by private clubs or lodges wherein all members pay all charges on a periodic basis shall not be prohibited provided the receivables from such transactions are promptly placed for collection consistent with sound business practices.
- (e) The running of a "tab" at a licensed consumption premises shall not be prohibited provided the consumer pays all charges prior to departing the premises.

(Code 1980, § 3-36; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-115. Persons prohibited from interest in license.**

No employee of the city may hold an interest in a license issued under this chapter.

(Code 1980, § 3-37; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-116. Responsibility of owner of license.**

- (a) All alcoholic beverage licensees and license representatives shall be responsible for the acts and conduct of their employees, agents, clerks and salespersons while in the discharge of their duties and in the course of their employment.
- (b) Each licensee shall develop and implement comprehensive initial and recurrent training programs for all employees which will effectively impart to employees detailed knowledge of all aspects of state law and city ordinance requirements on the sale of alcoholic beverages. The initial training program shall be administered to each employee prior to the sale of any alcoholic beverages by such employee with recurrent training conducted thereafter on a periodic, as-needed basis.
- (c) Licensee shall provide all employees a personal copy of the training program and require each employee to sign a permanent record maintained by the licensee verifying that all initial and recurrent training has been administered, and specifically including an acknowledgement by each employee of such employee's having read and having an understanding of all requirements of state law and city ordinance requirements on the sale of alcoholic beverages. Such record shall be made available upon request for review by city officials.

(Code 1980, § 3-39; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-117. Sale of alcoholic beverage without city license.**

It shall be unlawful for any person to manufacture for sale, or possess for the purpose of sale, any alcoholic beverage where such person does not have a license from the city to sell or possess for sale such alcoholic beverage.

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(Code 1980, § 3-40; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-118. Delivery by wholesaler to retailer.**

Alcoholic beverages shall be received at or delivered to the retail premises by no means other than by a conveyance owned and operated by wholesale dealer. Transportation of alcoholic beverages by any other means shall be grounds for revocation of retail license or wholesale permit, and shall be punishable by the municipal court as provided by the Charter.

(Code 1980, § 3-41; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-119. Opening of package on premises.**

No retail package dealer may allow or permit the opening of any package or the drinking of the contents on the premises where sold, except as authorized through a valid tasting permit and both the person violating this article, the licensee and the license representative allowing or permitting it to be done shall be guilty of an offense.

(Code 1980, § 3-42; Ord. No. 1039, § 3, 1-5-2012; Ord. No. 1051, § 4, 11-8-2012; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-120. Catering at hotel functions.**

Licensees for on-premises consumption outlets in hotels shall be permitted to cater hotel functions in ballrooms, meeting rooms, reception rooms, or patio areas of such hotel provided such functions are catered in connection with a meeting, conference, convention or similar type of gathering at such hotel.

(Code 1980, § 3-42.1; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-121. In-room service, hotels.**

Any licensee operating a hotel, inn or other establishment that offers overnight accommodations to the public for hire may, if licensed by the state commissioner of revenue, provide in-room service in unbroken packages as "in-room service" is more fully defined and regulated in O.C.G.A. §§ 3-9-10—3-9-12.

(Code 1980, § 3-42.2; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-122. Sale outside licensed premises or removal of alcoholic beverages dispensed on premises.**

- (a) Except as provided herein, it shall be unlawful for any sale of alcoholic beverages to be made outside of the premises licensed for such sale. All alcoholic beverages consumed on the premises of a retail consumption dealer shall be dispensed by that dealer.
- (b) Except as provided herein, any food service establishment which is licensed to sell distilled spirits for consumption on the premises may sell mixed drinks for off-premises consumption in approved containers, provided that such mixed drinks are:
  - (1) Sold to an individual 21 years of age or older who shall be limited to two mixed drinks per entrée ordered;

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- (2) Accompanied by a food order and a sales receipt within a time stamp that indicates the date and time of such purchases;
  - (3) Sold for the personal use and not for resale and picked up in person by the same individual customer to whom the mixed drinks and entrees were sold and from whom the food service establishment received payment; provided, however, that such individual customer shall not include a delivery service or third-party agent; and
  - (4) Furnished with the accompanying food order [of] the customer on the premises or by way of curbside-pick-up.
- (c) For golf club facilities, "licensed premises" includes not only the room wherein alcoholic beverages are sold or served but shall also include the entire building where the room is located and the entire boundary of the golf course except parking lots, alleyways, public streets, public multi-use paths including paths shared with the public, and lakes. Patrons may consume the same on the licensed premises as defined above, and the following provisions shall apply:
- (1) Golf clubs shall clearly mark areas where the course intersects public streets and public multi-use paths with signs reading "Public Way—Open Containers of Alcohol Prohibited."
  - (2) Golf club staff may not sell alcohol within the prohibited distances outlined in section 6-39.
- (d) The Frederick Brown, Jr. Amphitheater permits alcoholic beverages to be brought to the amphitheater by persons attending the activity where alcohol is permitted according to subsection 54-7(1).
- (e) Unopened wine bottle sales by on-premises consumption license holders. Any food service establishment or other retail consumption dealer duly licensed by the city and the state for the sale and service of alcoholic beverages for on-premises consumption may sell unopened bottles of wine for off-premises consumption, subject to the following conditions:
- (1) The establishment shall hold a valid city retail consumption license and corresponding state license authorizing the sale and/or service of wine.
  - (2) Sales shall be limited to unopened, sealed bottles of wine at retail prices, and shall comply with all state laws governing retail alcohol sales, including packaging and age verification requirements.
  - (3) Such sales shall only occur during hours when on-premises sales are otherwise permitted under section 6-123.
  - (4) Nothing herein shall authorize the sale of distilled spirits, malt beverages, or any container other than unopened bottles of wine for off-premises consumption.
  - (5) The licensee remains responsible for ensuring that any off-premises wine sales are properly documented and reported in accordance with section 6-46 (excise tax) and other applicable state laws.

(Ord. No. 923, § 3, 12-6-2007; Ord. No. 1077, § 3, 5-1-2014; Ord. No. 1202, § 1, 10-6-2022; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Editor's note(s)—Ord. No. 923, § 3, adopted December 6, 2007, amended § 6-122 in its entirety to read as herein set out. Formerly, § 6-122 pertained to removal of alcoholic beverages dispensed on premises, and derived from the Code of 1980, § 3-43.

### **Sec. 6-123. Hours of sale; quarterly report of gross sales.**

- (a) No alcoholic beverage may be sold by the package between midnight and 12:30 p.m. on Sunday.
- (b) The sale of alcohol by establishments holding licenses to sell alcohol by the drink must comply with the following criteria:

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(Supp. No. 56, Update 3)

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- (1) No beer, malt beverages, wine, or distilled spirits shall be sold, dispensed, delivered, or given away to any person from 2:00 a.m. until 7:00 a.m. Monday through Saturday.
  - (2) No beer, malt beverages, wine, or distilled spirits shall be sold, dispensed, delivered, or given away to any person and from 2:00 a.m. to 11:00 a.m. on Sunday.
  - (3) Last call for any alcoholic beverage can only comprise of one regular drink per person and any such sale must be completed by 1:55 a.m. All customers of the licensee must leave the premises not later than 2:30 a.m.
  - (4) In order to promote a safe environment and to protect customers, owners, and employees of licensees, all licensees that serve alcoholic beverages between the hours of 12:00 midnight and 2:00 a.m. on any day will be required to install and properly maintain digital video equipment that will be able to record and monitor the primary customer entrance and the primary employee entrance of the licensed premises. This equipment shall be able to view, record, and clearly identify individuals that enter and leave said establishments and shall be capable of producing a retrievable image on film or tape that can be made a permanent record and enlarged through projection or other means.

All establishments with the exception of motels/hotels that serve alcoholic beverages shall be required to monitor and record the parking area closest to the primary entrance of the establishment. In the event that law enforcement needs to review an incident that occurred at the establishment, the law enforcement officer will be given immediate access to view and/or copy the recordings if so requested by said law enforcement officer. Such equipment shall be maintained in proper working order at all times and shall be subject to periodic inspection by the chief of police or his designee. If the police department is called to the licensed premises for an incident, the film or tape recording such event shall immediately be made available to the chief of police or his designee. All films, tapes, or images required by this Code section shall be retained by the licensee, in its original, viewable format, for a period of no less than 30 days after recording.

Those establishments which qualify under subsection (c) of this section may reopen at 11:00 a.m. on Sunday.

- (c) Alcoholic beverages may be sold on Sunday for consumption on premises from 11:00 a.m. to 12:00 midnight in those licensed establishments deriving at least 50 percent of annual gross sales from the sale of food provided food is available with a menu for sale and consumption. Such establishments having more than one license may sell alcoholic beverages in all licensed outlets. Further, any licensed establishment deriving at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging may sell alcoholic beverages on Sunday for consumption on premises from 11:00 a.m. to 12:00 midnight.

The license holder shall provide the city a quarterly report showing the gross sales of food service, gross sales of room rental and gross sales of alcoholic beverages. This report shall be made on a form and in a manner prescribed by the city clerk.

- (d) The sale of alcoholic beverages on election day within 250 feet of a polling place during such time as the polls are open is prohibited.

(Code 1980, § 3-44; Ord. No. 1023, § 1, 3-17-2011; Ord. No. 1037, § 1, 11-17-2011; Ord. No. 1157, § 1, 11-15-2018; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-124. Person not to be issued more than two retail licenses.**

No person shall have an interest in nor be issued more than two package dealer (distilled spirits) licenses.

(Code 1980, § 3-45; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

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### **Sec. 6-125. Right of inspection by mayor or council.**

It shall be the duty of all alcoholic beverage licensees to maintain books and records of gross receipts, invoices of alcoholic beverages received, cost of items and inventory, and to make them readily available for inspection by the mayor or by the council whenever in their judgment such inspection may be necessary.

(Code 1980, § 3-46; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-126. Enforcement.**

- (a) Police or code enforcement officials may conduct periodic enforcement checks of all licensed establishments. Such checks may include but not be limited to:
  - (1) Surveillance by plainclothes and/or uniformed officers to confirm compliance with state law and city ordinance.
  - (2) Purchase of alcoholic beverages by a young adult (21 years of age or older) to determine if identification is being checked to confirm legal age.
  - (3) Administer to employees an on-the-spot written test on this chapter.
  - (4) Attempted purchase of alcoholic beverages by a minor (20 years of age or younger) to ensure compliance with state laws and city ordinances.
- (b) Based on the results of the checks, the police chief or their designee may conclude that employees of the licensee are not following proper alcoholic beverage sales procedures to ensure compliance with the law and/or do not possess adequate knowledge of the law based on the results of the test administered by police or code enforcement officials. When this is the case, the police chief shall ensure that a follow-up check is conducted within 30 days.
- (c) The police chief or their designee shall forward to the city clerk within five working days a report of each enforcement check containing the details of the check, to include sales procedures, identification card checks, test results, etc. Based on the report, the city clerk will either:
  - (1) Meet with the licensee and/or license representative to discuss the report and necessary corrective actions. A copy of the report shall be provided the licensee and also a copy retained in the licensee's official city file.
  - (2) Forward a congratulatory letter to the licensee advising that there appears to be an effective alcoholic beverage sales program in place based on the police enforcement check report. A copy of the letter shall be retained in the licensee's official city file.

(Code 1980, § 3-47; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-127. Reserved.**

Editor's note(s)—Ord. No. 1177, § 3, adopted Feb. 20, 2020, repealed § 6-127, which pertained to alcoholic beverage handling permits and derived from Ord. No. 829, adopted May 20, 2004; Ord. No. 943, § 1, adopted May 15, 2008; Ord. No. 987, § 1, adopted Sep. 17, 2009; and Ord. No. 1040, § 1, adopted Jan. 19, 2012.

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**Sec. 6-128. Reserved.**

Editor's note(s)—Ord. No. 1177, § 3, adopted Feb. 20, 2020, repealed § 6-128, which pertained to alcoholic beverage handling permit revocation proceedings and derived from Ord. No. 829, adopted May 20, 2004; Ord. No. 943, § 2, adopted May 15, 2008; and Ord. No. 987, § 2, adopted Sep. 17, 2009.

**Sec. 6-129. Possession to give away in order to induce trade.**

It shall be unlawful for any person to keep on hand for the purpose of giving the same away to induce trade, any fermented beverages made in whole or in part from malt, or any similar fermented beverages, wine or distilled spirits that contain more than one-half of one percent of alcohol by volume.

(Ord. No. 923, § 3, 12-6-2007; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-130. Brown bagging, brown bag establishments prohibited; exceptions.**

- (a) Except as provided herein, "brown bagging" and "brown bag establishments" as defined in this chapter shall be prohibited within the city.
- (b) Exceptions. The foregoing prohibition in subsection (a) of this section is subject to the following specific exceptions:
  - (1) Furnishing of wine by a patron of a restaurant. Any restaurant which is licensed to sell wine for consumption on the premises may permit a patron to bring into the restaurant one unopened bottle of wine for consumption on the premises. In order for this provision to apply, the restaurant must establish a policy for permitting same and must charge a minimum corkage fee of \$10.00 per bottle. Nothing in this section shall be deemed to require a restaurant to allow brown bagging. Any wine not consumed at a restaurant shall be disposed of at the premises and not carried out in an open container except for the removal of partially consumed bottles of wine as permitted by O.C.G.A. § 3-6-4(c). The Frederick Brown, Jr. Amphitheater permits alcoholic beverages to be brought to the amphitheater by persons attending the activity where alcohol is permitted according to subsection 54-7(1).

(Ord. No. 923, § 3, 12-6-2007; Ord. No. 1202, § 1, 10-6-2022; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Secs. 6-131—6-160. Reserved.**

***ARTICLE IV. TAXATION OF BEVERAGES BY THE DRINK<sup>3</sup>***

**Sec. 6-161. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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<sup>3</sup>Cross reference(s)—Taxation, ch. 74.

State law reference(s)—Authority to impose excise tax on sale of distilled spirits by the drink, O.C.G.A. § 3-4-130.

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*Agent* means the license representative.

*Drink* means any alcoholic beverage served for consumption on the premises which may or may not be diluted by any other liquid.

*Monthly period* means the calendar months of any year.

*Purchase price* means the consideration received for the sale of alcoholic beverages by the drink valued in money, whether received in cash or otherwise, including all receipts, cash, credits and property or services of any kind or nature, and also the amount for which credit is allowed by the licensee to the purchaser, without any deduction whatsoever.

*Purchaser* means any person who orders and gives present or future consideration for any alcoholic beverages by the drink.

*Tax* means the tax imposed by this article.

(Code 1980, § 3-80; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

Cross reference(s)—Definitions generally, § 1-2.

### **Sec. 6-162. Tax levied.**

There is imposed and there shall be paid a tax of three percent of the purchase price of every sale of an alcoholic beverage (but not including malt beverages, fermented wines or fortified wines) purchased by the drink in the city. Sales of mixed drinks for off-premises consumption shall be taxed in accordance with O.C.G.A. §§ 3-4-130—3-4-133.

(Code 1980, § 3-81; Ord. No. 1202, § 2, 10-6-2022; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-163. Collection of tax; information to city.**

Every licensee or his agent is authorized and directed to collect the tax imposed in this article from purchasers of alcoholic beverages (but not including malt beverages, fermented wines or fortified wines) by the drink sold within his licensed premises. Such licensee or his agent shall furnish such information as may be requested by the city to facilitate the collection of this tax.

(Code 1980, § 3-82; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-164. Payment of tax by licensee; collection fee.**

- (a) *Due date of taxes.* All taxes collected by any licensee or agent under this article shall be due and payable to the city on or before the 20th day of every month next succeeding each respective monthly period as set forth in this article.
- (b) *Return; time of filing; persons required to file; execution.* On or before the 20th day of the month following each monthly period, a return for the preceding monthly period shall be filed with the city clerk in such form as the city may prescribe, by every licensee or agent liable for the payment of tax under this article.
- (c) *Delivery of return and remittance.* The person required to file the return shall deliver the return, together with the remittance of the net amount of tax due, to the City Clerk, City Hall, Peachtree City, GA 30269.
- (d) *Collection fee allowed licensees or agents.* Licensees or agents collecting the tax shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in

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submitting, reporting and paying the amount due, if the amount is not delinquent at the time of payment. The rate of deduction shall be the same rate authorized by O.C.G.A. § 3-4-133.

(Code 1980, § 3-83; Ord. No. 794, 10-17-2002; Ord. No. 906, § 2, 9-6-2007; Ord. No. 1001, § 3, 6-3-2010; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-165. Deficiency determinations.**

- (a) *Recomputation of tax; authority to make; basis of recomputation.* If the city clerk is not satisfied with the return or returns of the tax or the amount of the tax required to be paid to the city by any person, the city clerk may compute and determine the amount required to be paid upon the basis of any information within his possession or that may come into his possession. One or more than one deficiency determinations may be made of the amount due for one or more than one monthly period.
- (b) *Interest on deficiency.* The amount of the determination, exclusive of penalties, shall bear interest at the rate of one percent per month, or fraction of a month, from the 20th day after the close of the monthly period for which the amount or any portion should have been returned, until the date of payment.
- (c) *Offsetting of overpayments.* In making a determination, the city clerk may offset overpayments; for a period or periods, against underpayments; for another period or periods, against penalties; and against the interest on underpayments. The interest on overpayments shall be computed in the manner set forth in subsection 6-166(c).
- (d) *Penalty; negligence or disregard of rules and regulations.* If any part of the deficiency for which a deficiency determination has been made is due to gross negligence or disregard of rules and regulations, a penalty of 15 percent of the amount of such deficiency shall be added.
- (e) *Penalty for fraud or intent to evade.* If any part of the deficiency for which a deficiency determination has been made is due to fraud or an intent to evade any provision of this article or other authorized rules and regulations, a penalty of 25 percent of the deficiency shall be added, in addition to the 15 percent penalty provided in subsection (d) of this section.
- (f) *Notice of city clerk's determination; service of.* The city clerk or his designated representative shall give to the licensee written notice of his determination. The notice may be served personally or by mail; if by mail, such service shall be addressed to the licensee at his address as it appears in the records of the city clerk. In the case of service by mail of any notice required by this article, the service is complete at the time of deposit in the United States Post Office.
- (g) *Time within which notice of deficiency determination to be mailed.* Except in the case of fraud, intent to evade this article or authorized rules or regulations, or failure to make a return, every notice of a deficiency determination shall be mailed within three years after the 10th day of the calendar month following the monthly period for which the amount is proposed to be determined, or within three years after the return is filed, whichever period should last expire.

(Code 1980, § 3-84; Ord. No. 794, 10-17-2002; Ord. No. 1001, § 4, 6-3-2010; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-166. Determination if no return made.**

- (a) *Estimate of gross receipts.* If any licensee fails to make a return, the city clerk shall make an estimate of the amount of the gross receipts of the licensee, or as the case may be, of the amount of the total sales in the city which are subject to the tax. The estimate shall be made for the periods in respect to which the licensee failed to make the return and shall be based upon any information which is or may come into the possession

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of the city clerk. Upon the basis of this estimate, the city clerk shall compute and determine the amount required to be paid to the city, adding to the sum thus determined a penalty equal to 15 percent. One or more determinations may be made for one or for more than one period.

- (b) *Manner of computation; offsets; interest.* In making a determination, the city clerk may offset overpayments for periods against the interest, penalties or underpayments. The interest on underpayments shall be computed in the manner set forth in subsection (c) of this section.
- (c) *Interest on amount found due.* The amount of the determination, exclusive of penalties, shall bear interest at the rate of one percent per month, or fraction of a month, from the 10th day of the month following the monthly period, for which the amount or any portion should have been returned, until the date of payment.
- (d) *Penalty for fraud or intent to evade.* If the failure of any person to file a return is due to fraud or an intent to evade this article or rules and regulations, a penalty of 25 percent of the amount required to be paid by the person, exclusive of penalties, shall be added in addition to the 15 percent penalty provided in section 6-167.
- (e) *Giving of notice; manner of service.* Promptly after making his determination, the city clerk shall give to the person written notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

(Code 1980, § 3-85; Ord. No. 794, 10-17-2002; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-167. Penalties and interest for failure to pay tax.**

Any person who fails to pay the tax imposed in this article to the city or fails to pay any amount of such tax required to be collected and paid to the city within the time required shall pay a penalty in the amount of 15 percent of the tax plus interest on the unpaid tax or any portion of the tax as set forth in section 6-166(c).

(Code 1980, § 3-86; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

### **Sec. 6-168. Administration; enforcement; rules; records; confidentiality of reports.**

- (a) *Authority of the city clerk.* The city clerk shall administer and enforce the provisions of this article for the levy and collection of the tax imposed by this article.
- (b) *Rules and regulations.* The city clerk shall have the power and authority to make and publish reasonable rules and regulations not inconsistent with this article or other laws of the city and the state, or the constitution of this state or the United States for the administration and enforcement of the provisions of this article and the collection of the taxes under this article.
- (c) *Records required from licensee; form.* Every licensee for the sale of alcoholic beverages by the drink in the city shall keep such records, receipts, invoices and other pertinent papers in such form as the city clerk may require.
- (d) *Examination of records; audits.* The city clerk or any person authorized in writing by the city may examine the books, papers, records, financial reports, equipment and other facilities of any licensee liable for the tax in order to verify the accuracy of any return made, or if no return is made by the licensee, to ascertain and determine the amount required to be paid.
- (e) *Authority to require reports; contents.* In the administration of the provisions of this article, the city clerk may require the filing of reports by any person or class of persons having in such person's possession or custody information relating to the sales of alcoholic beverages which are subject to the tax. The reports shall be filed with the city clerk and shall set forth the price charged for each sale, the dates of such sales, and such other information as the city clerk may require.

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(Supp. No. 56, Update 3)

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(Code 1980, § 3-87; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

**Sec. 6-169. Penalties.**

Any person found guilty of violating any of the provisions of this article shall be deemed guilty of a misdemeanor offense and upon conviction in the municipal court shall be punished as provided in section 1-11. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person, and shall be punished accordingly.

(Code 1980, § 3-88; Ord. No. 1239, § 1, 8-21-2025; Ord. No. 1243, § 1, 12-11-2025)

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**MEMO TO:** Mayor and City Council  
**VIA:** Justin Strickland, City Manager  
**FROM:** Justin Strickland, City Manager 03/29/2026  
**DATE:** April 2, 2026  
**SUBJECT:** City Council FY27 Budget Goals

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**Recommendation:**

Discuss goals for the FY27 Budget

**Discussion:**

As we did last year, staff is asking Council to discuss broad goals for the Fiscal Year 2027 budget. The City's fiscal year runs from October to September and departments begin inputting their budgets in April. The City Manager and Finance Director review the budgets in May over the course of an entire week, while meeting with each department. The Manager's Proposed Budget is usually released in early June with a Council Work Shop in mid-June and the Public Hearing in mid-July. The goal for this meeting is to make sure that staff formulates the budget around Council goals.

**Budget Impact:**

None at this time.

**Attachments:**

None