

ORDINANCE 2021-009

1st reading and Introduction: April 5, 2021

2nd reading: April 19, 2021

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**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES RELATING TO THE SALE OF ALCOHOL AT THE FOURTH OF JULY EVENT; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the Mayor and Council previously ordained in its Code of Ordinances that the sale of alcohol at the Fourth of July event was prohibited;

**WHEREAS**, the Mayor and Council desire to amend its Code of Ordinances to allow the sale of alcohol at the Fourth of July event;

**NOW THEREFORE**, the Mayor and Council of the City of Powder Springs hereby ordain that the UDC and the Code of Ordinances shall be and is hereby amended as follows:

**SECTION ONE**

The Code of Ordinances, Section 3-69(d) is amended by removing the words "Fourth of July or" as follows:

**Sec. 3-69. - Prohibited activities.**

(d) Notwithstanding anything herein to the contrary, a person may possess alcoholic beverages at a city-sanctioned event in the City Square so long as any such beverage is contained within a discreet container which would leave no visible indication as to the alcoholic content therein, unless such event is related to the city's ~~Fourth of July or~~ Christmas events, at which no alcoholic beverages shall be allowed.

**SECTION TWO**

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION THREE**

If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

**SECTION FOUR**

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This ordinance shall become effective five (5) days after its adoption by the City Council.

SO ORDAINED, this 19<sup>th</sup> day of April, 2021.

(Y) Albert Thurman I.E. Break  
Albert Thurman, Mayor VOTE

A Henry Lust ABSTAINED  
Henry Lust, Council Member the

Yes Doris Dawkins  
Doris Dawkins, Council Member

"NO" Thelma C. Farmer  
Thelma C. Farmer, Council Member

Yes Patrick Bordelon  
Patrick Bordelon, Council Member

"NO" Patricia Wisdom  
Patricia Wisdom, Council Member

ATTEST:

Kelly Axt  
Kelly Axt, City Clerk