

ORDINANCE 2017-023

1<sup>st</sup> reading: 08/21/17

2<sup>nd</sup> reading: 09/18/17

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**AN ORDINANCE AMENDING THE CODE OF ORDINANCES RELATIVE TO THE DISTANCE REQUIREMENTS APPLICABLE TO CERTAIN FACILITIES HOLDING AN ALCOHOLIC BEVERAGE LICENSE; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

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**WHEREAS**, the Mayor and Council of the City of Powder Springs wish to amend the existing Code of Ordinances to amend the distance requirements applicable to facilities located within 100 feet of the town square or at locations zoned Central Business District; and

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

SECTION ONE

The Code of Ordinances is amended by deleting Section 3-120 in its entirety and substituting the following:

It is the policy of the city that, in keeping with the purposes of this article, any premises proposed for license for the sale of alcoholic beverages shall be at a suitable distance from a school, church, and residence, except for locations within one hundred (100) feet of the City Square or for locations zoned Central Business District ("CBD"), which shall be exempt from the distance requirements of this chapter. Notwithstanding anything herein to the contrary, all distance requirements mandated by state law, including but not limited to O.C.G.A. § 3-3-21, shall be observed.

SECTION TWO

If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

SECTION THREE

This ordinance shall become effective immediately upon its adoption by the City Council.


SO ORDAINED, this 18<sup>th</sup> day of September, 2017.

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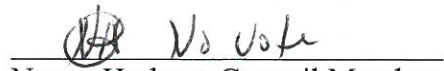
1<sup>st</sup> reading: 08/21/17

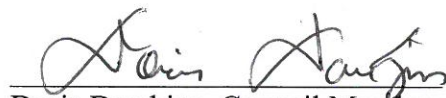
2<sup>nd</sup> reading: 09/18/17

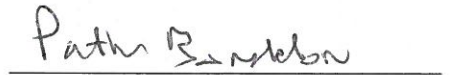
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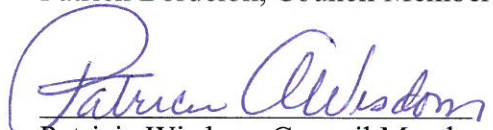
  
Albert Thurman, Mayor

  
Cheryl Sarvis, Council Member

  
Nancy Hudson, Council Member

  
Doris Dawkins, Council Member

  
Patrick Bordelon, Council Member

  
Patricia Wisdom, Council Member

Attest:

  
Kelly Axt, City Clerk