

ORDINANCE NO. 337

AN ORDINANCE TO AMEND CHAPTER 6 OF CODE OF ORDINANCES OF THE CITY OF HAMPTON, GEORGIA, WHICH PROVIDES FOR ALCOHOLIC BEVERAGES; TO AMEND MULTIPLE SECTIONS UNDER ARTICLE I ENTITLED "IN GENERAL"; TO CREATE A NEW SECTION ENTITLED "FACILITY TOURS"; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF HAMPTON HEREBY ORDAINS:

SECTION 1. Code Section Amended. Chapter 6 of the Code of Ordinances of the City of Hampton, Georgia, entitled "Alcoholic Beverages", is hereby amended by deleting Section 6-8 entitled "Disorderly conduct on licensed premises" in its entirety and substituting in lieu thereof a new Section 6-8 to read as follows:

Sec. 6-8. Disorderly conduct on licensed premises.

It shall be unlawful for the holder of a license or any agent or employee of said holder to knowingly permit on the licensed premises any disorderly conduct or breach of the peace.

SECTION 2. Code Section Amended. Chapter 6 of the Code of Ordinances of the City of Hampton, Georgia, entitled "Alcoholic Beverages", is hereby amended by deleting Section 6-11 entitled "Consumption in public" in its entirety and substituting in lieu thereof a new Section 6-11 to read as follows:

Sec. 6-11. Consumption in public.

(a) It shall be unlawful for any person to serve or consume any alcoholic beverage in a street, alley, public parking lot or other parking lot commonly used by the public, or other property held open to the public.

(b) It shall be unlawful to serve any alcoholic beverages by the drink except in establishments having a seating capacity of at least 20 people.

SECTION 3. Code Section Amended. Chapter 6 of the Code of Ordinances of the City of Hampton, Georgia, entitled "Alcoholic Beverages", is hereby amended by deleting Section 6-12 entitled "Carrying beverages upon city property prohibited" in its entirety and substituting in lieu thereof a new Section 6-12 to read as follows:

Sec. 6-12. Carrying beverages upon City property prohibited.

It shall be unlawful for any person to carry any alcoholic beverage into any building owned or leased by the City or upon any property owned or leased by the City.

SECTION 4. Code Section Amended. Chapter 6 of the Code of Ordinances of the City of Hampton, Georgia, entitled "Alcoholic Beverages", is hereby amended to amend Section 6-16 entitled "Pricing" by deleting subsection (b)(1) in its entirety and substituting in lieu thereof a new subsection (b)(1) to read as follows:

(b) No licensee or employee or agent of a licensee shall:

- (1) Offer or deliver any free alcoholic beverage to any person or group of persons, except as provided in Section 6-28.

SECTION 5. Code Section Created. Chapter 6 of the Code of Ordinances of the City of Hampton, Georgia, entitled "Alcoholic Beverages", is hereby amended by creating a new Section 6-28 entitled "Facility Tours" which shall read as follows:

Sec. 6-28. Facility Tours.

Any tour of the premises of any licensed brewery or winery in the City shall be conducted pursuant to the provisions of the rules and regulations promulgated by the Georgia Department of Revenue including, but not limited to, Regulation 560-2-2-.61, as amended.

SECTION 6. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 7.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

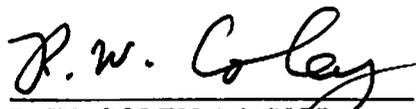
C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 8. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

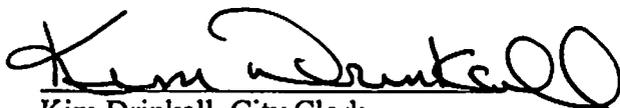
SECTION 9. Effective Date. This ordinance shall become effective ten (10) days after its adoption by the Mayor and City Council of the City of Hampton.

SO ORDAINED this 1st day of December, 2009.

CITY OF HAMPTON, GEORGIA


R. W. COLEY, MAYOR

Attest:


Kim Drinkall, City Clerk

(Seal)

FIRST READING: 11-17-09

SECOND READING\

ADOPTION: 12-01-09