

STATE OF GEORGIA
CITY OF STOCKBRIDGE

ORDINANCE NO. OR18-463

AN ORDINANCE TO PROVIDE FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to adopt the regulations pertaining the consumption of alcoholic beverages on City property; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. That Section 11.04.110 of the Stockbridge Municipal Code is hereby amended by deleting said section in its entirety and replacing it with the following

"11.04.110 - Possession or consumption of alcoholic beverages in public places.

A. Definitions. As used in this section:

"Alcohol or alcoholic beverage" means and includes all alcohol, distilled spirits, beer, malt beverage, wine or fortified wine.

"City property" means and includes any land, structure, parking area or other realty, or any easement or right-of-way owned, leased, rented or held by the city of Stockbridge, Georgia.

B. It is unlawful for any person to possess or consume any alcoholic beverage upon or within any city property; provided however that it shall be lawful to possess or consume any alcoholic beverage at the Merle Manders Conference Center and the Ted Strickland Community Center if during an event sponsored by the City or during an event for which such facility has been rented for use for a private event.

C. Any person violating this section shall be subject to a monetary fine:

1. Not less than one hundred fifty dollars (\$150.00) nor to exceed two hundred fifty dollars (\$250.00) for the first such violation;

2. Not less than two hundred fifty dollars (\$250.00) nor to exceed three hundred fifty dollars (\$350.00) for the second violation;

3. Not less than three hundred fifty dollars (\$350.00) nor to exceed one thousand dollars (\$1,000.00) for the third and subsequent violations.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and 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 Mayor and 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 phrase, clause, sentence, paragraph or section 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 Mayor and 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 phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. Penalties in effect for violations of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. The effective date of this Ordinance shall be the date it is signed by the Mayor.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

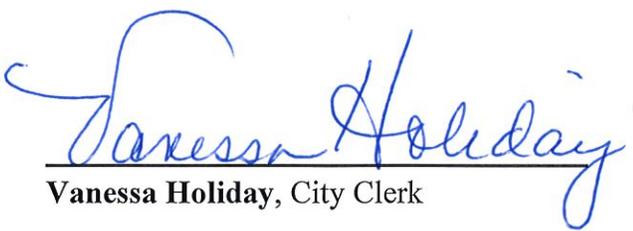
ORDAINED this 14th day of May 2018.

CITY OF STOCKBRIDGE, GEORGIA



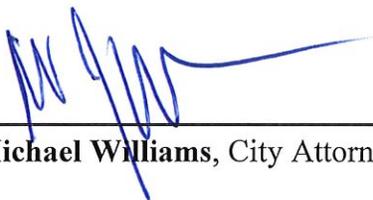
Anthony S. Ford, Mayor

ATTEST:



Vanessa Holiday, City Clerk

APPROVED AS TO FORM:



Michael Williams, City Attorney

Date Presented to Mayor: 5/17/2018

Date Received from Mayor: 5/17/2018