

STATE OF GEORGIA  
HENRY COUNTY  
CITY OF STOCKBRIDGE

ORDINANCE NO. OR 19-501

AN ORDINANCE TO AMEND SECTION 9.04.430 OF THE STOCKBRIDGE MUNICIPAL CODE; 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**, on November 5, 2019, the voters of the City of Stockbridge overwhelming voted to approve a referendum on the “Sunday Brunch Bill” which would allow restaurants to begin serving alcoholic beverages in conjunction with brunch beginning at eleven (11:00) a.m. on Sundays by a vote of 1274 in favor to 645 against;

**WHEREAS**, the governing authority of the City of Stockbridge, Georgia desires to adopt a revised ordinance to reflect the wishes of the voters; 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 9.04.430 of the Stockbridge Municipal Code is hereby deleted in its entirety and replaced with the provisions attached hereto as Exhibit A.

**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 of its enactment.

**ORDAINED** this 26<sup>th</sup> day of November, 2019.

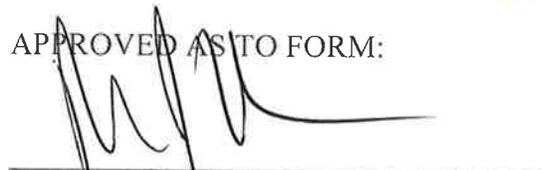
**CITY OF STOCKBRIDGE, GEORGIA**

  
\_\_\_\_\_  
Anthony S. Ford, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Vanessa Holiday, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael Williams, City Attorney

Date Presented to Mayor: 11/27/2019

Date Received from Mayor: 12/2/2019

## EXHIBIT "A"

### 9.04.430 - Sale hours—Hours of operation.

- A. Package sales of alcoholic beverages shall be prohibited between the hours of twelve (12:00) midnight Saturday and twelve-thirty p.m. (12:30 p.m.) Sunday and between eleven-thirty p.m. (11:30 p.m.) Sunday and eight a.m. (8:00) Monday. Notwithstanding, the aforementioned hours set forth herein, package sales of alcoholic beverages shall be prohibited on Christmas Day.
- B. Except as provided in this section, retail consumption dealers shall only be permitted to engage in the sale of alcoholic beverages between the following hours:
- |                     |   |                     |
|---------------------|---|---------------------|
| 11:00 a.m. Sunday   | — | 2:00 a.m. Monday    |
| 8:00 a.m. Monday    | — | 2:00 a.m. Tuesday   |
| 8:00 a.m. Tuesday   | — | 2:00 a.m. Wednesday |
| 8:00 a.m. Wednesday | — | 2:00 a.m. Thursday  |
| 8:00 a.m. Thursday  | — | 2:00 a.m. Friday    |
| 8:00 a.m. Friday    | — | 2:00 a.m. Saturday  |
| 8:00 a.m. Saturday  | — | 2:00 a.m. Sunday    |
- C. Notwithstanding the provisions set forth in subsection B of this section, a retail consumption dealer at a licensed establishment which derives at least fifty percent (50%) of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served, and in any licensed establishment which derives at least fifty percent (50%) of its total annual gross income from the rental of rooms for overnight lodging, shall be permitted to sell alcoholic beverages for consumption on the premises on Sundays from eleven (11:00) a.m. until twelve (12:00) midnight.
- D. Each retail consumption dealer shall remove from its service areas within normal access to the public, members and guests, any and all cans, bottles, glasses, mugs, pitchers, cups or other containers for alcoholic beverages on its premises after two (2:00) a.m. on any day.
- E. Notwithstanding the provisions set forth in subsections B, C and D of this section, retail consumption dealers shall be permitted to sell alcoholic beverages for consumption on the premises on New Year's Day between the hours of twelve (12:00) midnight and two (2:00) a.m. Each retail consumption dealer shall remove from its service area within normal access to the public, members, and guests, any and all cans, bottles, glasses, mugs, pitchers, cups, or other containers for alcoholic beverages on its premises after two (2:00) a.m. on New Year's Day.
- F. It is lawful for all licensees to sell alcoholic beverages on all election days not otherwise prohibited by state law.
- G. The hours of operation for wholesalers operating within the city shall be from eight (8:00) a.m. to six (6:00) p.m. Monday through Saturday.