



**CITY COUNCIL  
ATLANTA, GEORGIA**

**22-O-1205**

**AN ORDINANCE BY COUNCILMEMBER ALEX WAN AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE SALE OF PACKAGED ALCOHOLIC BEVERAGES ON SUNDAYS FROM 11:00 A.M UNTIL 12:00 A.M (MIDNIGHT) AT CERTAIN LICENSED RETAIL ESTABLISHMENTS, SUBJECT TO REFERENDUM APPROVAL; TO REGULATE AND PROVIDE FOR THE CALLING OF A SPECIAL ELECTION AND TO CALL A SPECIAL ELECTION THEREON; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages for the public health, safety and welfare; and

WHEREAS, currently, retail merchants licensed to sell distilled spirits by the package, and licensed to sell wine or malt beverages by the package are only allowed to engage in the sale of such packaged alcoholic beverages Sunday from 12:30 p.m. and 11:30 p.m.; and

WHEREAS, during its 2020 session, the Georgia General Assembly passed House Bill (HB) 879 which relates to alcoholic beverages so as to provide that governing authorities of counties and municipalities may authorize sale of packaged alcoholic beverages during certain times on Sundays subject to the passage of a referendum; and

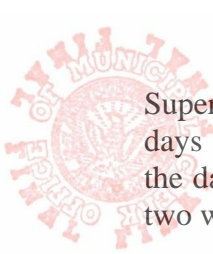
WHEREAS, specifically, HB 879 allows the City of Atlanta to authorize the sale of distilled spirits and wine and/or malt beverages by licensed retail merchants, on Sundays between the hours of 11:00 a.m. and 12:00 a.m. midnight; and

WHEREAS, it is the desire of the Atlanta City Council to amend the City of Atlanta Code of Ordinances to authorize such extended Sunday alcohol sales subject to and effective only upon the passage of a referendum authorizing such.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1: That there shall be called and there is hereby called a special election to be held in all precincts in the City, on the 8<sup>th</sup> of November 2022, for submitting to the voters of the City of Atlanta the question of authorizing Sunday sales of alcoholic beverages by licensed retail merchants on Sundays between the hours of 11:00 a.m. and 12:00 a.m. Midnight.

Section 2: That the Municipal Clerk/Election Superintendent shall “call” said referendum by publishing notice of the referendum in a newspaper of appropriate general circulation no less than ten (10) nor more than sixty (60) days after the date of approval of this Ordinance. The Municipal Clerk/Election



Superintendent shall thereafter set the date of the election for a day not less than 30 nor more than 60 days after the date of the issuance of the call. The Municipal Clerk/Election Superintendent shall cause the date and purpose of the election to be published in the official organ of the county once a week for two weeks immediately preceding the date thereof.

Section 3: That the ballot submitting the question of the extension of the hours of retail sale of alcoholic beverages between the hours of 11:00 a.m. and 12:00 a.m. Midnight shall have printed the word “YES” and the word “NO” in order that each voter may vote in either the affirmative or the negative as to the question propounded, and shall have written or printed thereon the following:

“( )    YES                      Shall the governing authority of the City of Atlanta be authorized to  
   permit and regulate Sunday sales of malt beverages, wine,  
   and distilled spirits by the drink from 11:00 A.M. to 12:00 Midnight                      ( )    NO  
and by the package from 11:00 A.M. to 12:00 Midnight?”

Section 4: That the ballot shall have printed the word “YES” and the word “NO” in order that each voter may vote in either the affirmative or the negative as to the question propounded. The polls in each of the precincts within the City shall be opened at 7:00 a.m. and closed 7:00 p.m. on the day fixed for the election, and the election shall be held at the regular and established places for holding elections in the City. The election shall be held in accordance and in conformity with the Constitution and laws of the United States and the State of Georgia.

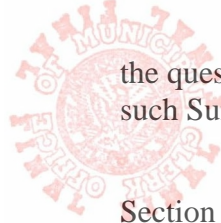
Section 5: That effective upon the passage of the referendum, Chapter 10, Article II, Division 5, Section 10-209 subsections (a) and (b) of the City of Atlanta Code of Ordinances shall be amended such that it shall read as follows (with permanent deletions in strikethrough font and permanent additions in underline font):

Sec. 10-209. - Hours of operation.

(a)    Packaged distilled spirits. Retail merchants licensed to sell distilled spirits by the package, shall be allowed to engage in the sale of such distilled spirits between the hours of 8:00 a.m. and 12:00 a.m. midnight ~~11:45 p.m.~~ Monday through Saturday and on Sunday from 11:00 a.m. to 12:00 a.m. midnight ~~12:30 p.m. and 11:30 p.m.~~

(b)    Packaged wine or malt beverages. Retail merchants licensed to sell wine or malt beverages by the package, shall be allowed to engage in the sale of such beverages 24 hours a day, Monday through Saturday and on Sunday from 11:00 a.m. to 12:00 a.m. midnight ~~12:30 p.m. and 11:30 p.m.~~ Notwithstanding this sub-subsection, a licensed farm winery tasting room located within a special entertainment district may sell packaged wine on Sunday from 12:30 p.m. until 12:00 midnight, as permitted by O.C.G.A. § 3-6-21.2.

Section 6: Section 5 of this Ordinance shall have no legal force, or effect, and the City of Atlanta Code of Ordinances shall not be amended as described therein, if not more than one-half of the votes cast on



the question put to the voters pursuant to the referendum authorized by this ordinance are for approval of such Sunday hours.

Section 7: All ordinances or parts thereof in conflict with this ordinance are hereby waived to the extent of the conflict.

Section 8: That the Municipal Clerk is instructed to retain all legislative history references in the codified version of Chapter 10, including Editor's notes, and shall not delete any such references, but shall amend them to include this ordinance.

A true copy,

  
A. Vanessa Waldon  
Deputy Clerk

ADOPTED by the Atlanta City Council  
APPROVED per City Charter Section 2-403

MAY 16, 2022  
MAY 25, 2022



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ATLANTA, GEORGIA**

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**Workflow List:**

Atlanta City Council	Completed	03/07/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	03/14/2022 2:00 PM
Atlanta City Council	Completed	03/21/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	03/28/2022 2:00 PM
Atlanta City Council	Completed	04/18/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	04/25/2022 2:00 PM
Atlanta City Council	Completed	05/02/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	05/09/2022 2:00 PM
Atlanta City Council	Completed	05/16/2022 1:00 PM

**HISTORY:**

03/07/22 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 3/14/2022 2:00 PM</b>
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03/14/22 Public Safety & Legal Administration CommitteeHELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE [UNANIMOUS]</b>	<b>Next: 3/21/2022 1:00 PM</b>
<b>MOVER:</b>	Dustin Hillis, Chair, District 9	
<b>SECONDER:</b>	Michael Julian Bond, Post 1 At-Large	
<b>AYES:</b>	Hillis, Bond, Boone, Norwood, Overstreet, Waites	
<b>ABSENT:</b>	Byron D Amos	

03/21/22 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/28/2022 2:00 PM</b>
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03/28/22 Public Safety & Legal Administration CommitteeHELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 4/18/2022 1:00 PM</b>
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04/18/22 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 4/25/2022 2:00 PM</b>
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04/25/22 Public Safety & Legal Administration Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/2/2022 1:00 PM</b>
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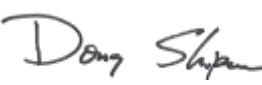

05/02/22 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/9/2022 2:00 PM</b>
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05/09/22 Public Safety & Legal Administration Committee FAVORABLE ON  
SUBSTITUTE

<b>RESULT:</b>	<b>FAVORABLE ON SUBSTITUTE [UNANIMOUS]</b>	<b>Next: 5/16/2022 1:00 PM</b>
<b>MOVER:</b>	Dustin Hillis, Chair, District 9	
<b>SECONDER:</b>	Mary Norwood, District 8	
<b>AYES:</b>	Hillis, Amos, Bond, Boone, Norwood, Overstreet, Waites	

<b>RESULT:</b>	<b>ADOPTED ON SUBSTITUTE BY CONSENT VOTE [13 TO 0]</b>
<b>MOVER:</b>	Alex Wan, Councilmember, District 6
<b>SECONDER:</b>	Howard Shook, Councilmember, District 7
<b>AYES:</b>	Bond, Westmoreland, Waites, Winston, Farokhi, Dozier, Wan, Shook, Norwood, Hillis, Boone, Overstreet, Lewis
<b>AWAY:</b>	Byron D Amos, Liliana Bakhtiari

Certified by Presiding Officer	Certified by Clerk
<p><b>CERTIFIED</b></p> <p>5/16/2022</p> <p>ATLANTA CITY COUNCIL PRESIDENT</p> 	<p><b>CERTIFIED</b></p> <p>5/16/2022</p> <p>MUNICIPAL CLERK</p> 
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

**ADOPTED BY COUNCIL**

**05/16/2022**



**22-O-1205**

**Adopted by the Atlanta City Council  
May 16, 2022**

**APPROVED**

**MAY 25 2022**

**WITHOUT SIGNATURE  
BY OPERATION OF LAW**

**MAYOR'S ACTION**