

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 325

AN ORDINANCE to amend Chapter 4 of the of the Code of the City of Lookout Mountain, Georgia (the “City Code”), to authorize the sale of malt beverages and wine at retail by private clubs, to modify certain locational and siting considerations for the sale of controlled beverages, and for other purposes.

BE IT ORDAINED by the Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

SECTION 1. Chapter 4, Article II, Sections 4-47(b) and (c) of the City Code are amended in their entirety to read as follows:

(b) *Location.* No license for the sale of controlled beverages at retail shall be granted to any person unless the entire premises of the proposed location is situated within the community convenience commercial district or the proposed licensee is a private club whose retail sales are limited to malt beverages and wine, and:

(1) In the case of the sale at retail of malt beverages and wine, is situated more than one hundred (100) yards from any school or school house;

(2) In the case of the sale at retail of liquor is situated more than fifty (50) yards from the property line of any church and more than two hundred (200) yards from the property line of any school ground or college campus, the measurement in either case to be by way of the nearest traveled road, street, or highway to the nearest property line of the church, school or college campus, as the case may be.

(c) *Number of locations.* Only one (1) license for the sale of controlled beverages at retail shall be issued to any one (1) person in the city, and each license shall cover only one (1) premises. Notwithstanding the foregoing, the operator or manager of a private club having more than one (1) premises may apply for and obtain a license to sell malt beverages and/or wine at retail at each premises where those controlled beverages are to be sold, and a separate license shall be required for each such premises.

SECTION 2. Chapter 4, Article II, Section 4-48(g) of the City Code is amended in its entirety to read as follows:

(g) *Sale on Premises Only.* No licensee shall sell or deliver any controlled beverages to any person except on the premises of the licensee. Except in the case of sales of malt beverages or wine by a duly licensed private club, such controlled beverages shall be only be sold for consumption off the premises of the licensee.

SECTION 3. Chapter 4, Article II, Section 4-74 of the City Code is amended by

deleting the current subsection (1) and substituting the following in its place:

(1) *Sale on premises only.* No licensee shall sell or deliver any controlled beverages to any person except on the premises of the licensee. Except in the case of sales of malt beverages or wine by a duly licensed private club, such controlled beverages shall only be sold for consumption on the premises.

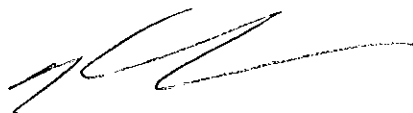
SECTION 4. Savings Clause. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be thereby affected since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

SECTION 5. Repealer. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 6. Part of Code of Ordinances. It is the intention of the Council of the City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City, and the Sections of this Ordinance may be renumbered to accomplish such intention.

SECTION 7. Effective Date. This Ordinance shall be effective ten (10) days after its adoption and approval by at least three (3) members of the Council of the City of Lookout Mountain, Georgia, after two (2) readings at least one (1) week apart.

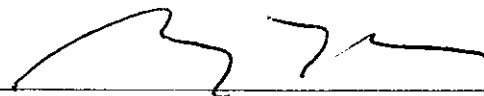
APPROVED on first reading on March 25, 2020.



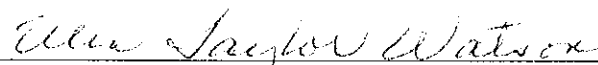
Member of City Council



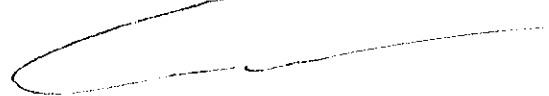
Member of City Council



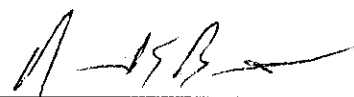
Member of City Council



Member of City Council



Member of City Council



Mayor of Lookout Mountain, Georgia

APPROVED AND ADOPTED on second reading on April 9, 2020.



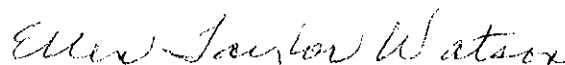
Member of City Council



Member of City Council



Member of City Council



Member of City Council



Member of City Council



Mayor of Lookout Mountain, Georgia

ATTEST:



City Clerk

