

ORDINANCE NO. 47

AN ORDINANCE TO AMEND MULTIPLE SECTIONS OF THE CITY OF MOLENA'S ALCOHOLIC BEVERAGES ORDINANCE; 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 MOLENA HEREBY ORDAINS:

SECTION 1. **Sections Amended.** The City of Molena, Georgia's ordinance regulating the sale and pouring of alcoholic beverages is hereby amended by making the following changes:

New Section Added:

Section 1.3. Sale of distilled spirits by the drink.

No person shall sell distilled spirits for beverage purposes by the drink for consumption of their premises in the City of Molena without first obtaining a license from the city. The same rules and regulations applicable to licenses for beer and wine shall apply

New Section Added:

Section 2.6.3. Distilled spirits.

There is imposed an excise tax upon the sale of distilled spirits by the drink, which tax shall be three percent (3%) of the charge to the public, members or guests for the beverages. Each licensee shall collect, report and remit the tax in the manner described in Section 2.

New Section Added:

Section 3.1.3. Distilled spirits.

This license shall authorize the licensee to sell distilled spirits for beverage purposes by the drink for consumption only at licensee's premises.

New Subsection Added:

Section 3.2. Annual license fees.

- (3) Distilled spirits, pouring -- \$500.00

Current Section Amended:

Section 3.4. License location; sign restrictions; food requirements; packages exceptions.

The provisions of Section 3.4 shall apply to beer, wine and distilled spirits.

SECTION 2. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 3.

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.

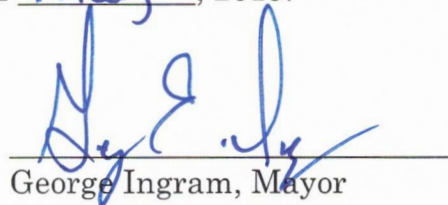
C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council 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 4. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. Effective Date. This ordinance shall become immediately upon its adoption by the Mayor and City Council of the City of Molena.

SO ORDAINED this 13 day of may, 2019.


George Ingram, Mayor

ATTEST:


Tausha Grose, City Clerk

(SEAL)

FIRST READING: April 8, 2019

SECOND READING/ADOPTION: may 13, 2019