

Item 10

STATE OF GEORGIA
CITY OF MCDONOUGH

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF MCDONOUGH, GEORGIA; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF MCDONOUGH AS FOLLOWS:

SECTION 1.

A NEW ORDINANCE IS ADOPTED:

"Consumption of alcohol on City rights-of-ways.

- (a) Except for the area and circumstances specified in *subsection (b) herein*, it shall be unlawful for any person to possess an alcoholic beverage in an open container, either on their person, in a motor vehicle or otherwise on the streets, sidewalks, parks, or other public places within the City of McDonough.
- (b) Within the "Downtown Entertainment District" as that area is defined on a map prepared and maintained by the City Community Development Department, *the following regulations apply:*
 - (1) Any party holding a license for the sale of alcoholic beverages for consumption on the premises ("licensee") may sell one alcoholic beverage in a paper or plastic cup for removal from the premises; provided, however, that the alcoholic beverage shall be served only in a cup purchased by the licensee from the McDonough Tourism office, and further provided, that the licensee may dispense no more than one alcoholic beverage per person, and no person shall remove more than one alcoholic beverage from the premises;
 - (2) Any alcoholic beverage dispensed pursuant to this section shall not exceed 16 fluid ounces in size, and no person shall possess an open container containing an alcoholic beverage other than one purchased from a licensee as provided in item (1) above; and
 - (3) The possession of alcoholic beverages under this ordinance shall be lawful only on Mondays-Saturdays between the hours of 12:00 noon and 11:00 p.m."

Section 2

If any ordinance, or part thereof, of the City of McDonough is in conflict herewith, this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

This ordinance shall become effective on _____. So approved this ____ day of _____, 2020.

CITY OF MCDONOUGH, GEORGIA

Billy Copeland, Mayor

Attest:

Approved as to form:

Janis Price, City Clerk

James E. Elliott, Jr., City Attorney

