

STATE OF GEORGIA
COUNTY OF HALL

A RESOLUTION TO AMEND THE CODE OF ORDINANCES OF HALL COUNTY
WITH REGARD TO MALT BEVERAGES AND WINE

WHEREAS, Hall County has developed a comprehensive ordinance governing licensing, taxing, and regulating the sale and consumption of malt beverages and wine found in Chapter 5.30 of the Official Code of Hall County, Georgia; and

WHEREAS, the Board of Commissioner's wishes to amend and revise portions of Chapter 5.30 of the Official Code of Hall County, Georgia governing the sale and consumption of malt beverages and wine pertaining to the procedures related to license renewals, the payment of transfer fees and the days and hours of authorized sales; and

WHEREAS, the Board of Commissioners has determined that the following amendments and revisions to the Official Code of Hall County, Georgia concerning license renewals, the payment of transfer fees and the days and hours of authorized sales of malt beverages and wine in unincorporated Hall County are in the best interest of the residents and businesses of Hall County and promote the health, safety, and general welfare of the said residents and businesses; and

NOW, THEREFORE, the Board of Commissioners does hereby amend the Official Code of Hall County, Georgia as follows:

1.

Section 5.30.080 License renewal and transfer subsection C is hereby amended by deleting the aforementioned subsection in its entirety and by inserting in lieu thereof a new Section 5.30.080 License renewal and transfer subsection C which provides as follows: "Upon change of a license

holder or owner (unless the owner is a corporation and stock is traded publicly or listed on a major stock exchange) the license shall be transferred and will remain in effect for no longer than 90 days or until the transfer is granted or refused under this chapter, whichever shall occur first. Payment of the transfer fee shall be the same as the fee for a new license and shall be due at the time of application. The new license shall not be subject to a public hearing. If the transfer is not completed within 90 days of the license holder/ owner changing, the license shall immediately be temporarily suspended until such time as a new license holder or registered agent is appointed. Reinstatement fees as indicated in section 5.30.050(I) shall apply. A time extension for the transfer may be granted at the director's sole discretion based upon extenuating circumstances.”

2.

Section 5.30.120 Hours of Operation subsection A is hereby amended by deleting the aforementioned subsection in its entirety and by inserting in lieu thereof a new Section 5.30.120 Hours of Operation subsection A which provides as follows: “The hours of sale of packaged malt beverages and wines shall be between 7:00 a.m. to 11:45 p.m. Monday through Saturdays, and 12:30 p.m. to 11:30 p.m. on Sundays. The hours of sale of packaged malt beverages and wines on Christmas Eve and Christmas Day, unless Christmas Eve or Day falls on a Sunday, shall be 7:00 a.m. to 11:45 p.m. The hours of sale for consumption on the premises of malt beverages and wine shall be 11:00 a.m. to 12:45 a.m. Monday through Fridays, and 11:00 a.m. to 11:30 p.m. on Sundays. Hours on Saturday, Christmas Eve and Christmas Day shall be 8:00 a.m. to 11:45 p.m., unless Christmas Eve or Day falls on a Sunday.”

3.

Section 5.30.160 Sale on Christmas Day and election day is hereby amended by deleting the aforementioned code section in its entirety and by inserting in lieu thereof a new Section 5.30.160 which provides as follows:

“5.30.160. Sale on Election Day.

A. Alcoholic beverages are authorized to be sold on any election day as defined herein.
(Res. of 4-26-12(2), § 10; Res. of 11-29-12(1), § 10)

Editor's note(s)—Res. of 4-26-12(2), § 10, repealed former § 5.30.160, and enacted a new § 5.30.160 as set out herein. Former § 5.30.160 pertained to sale on Sunday, Christmas Day and election day and derived from Res. of 11-13-97, § 1 and Res. of 9-9-99.”

4.

Section 5.60.080 License renewal and transfer subsection C is hereby amended by deleting the aforementioned subsection in its entirety and by inserting in lieu thereof a new Section 5.60.080 License renewal and transfer subsection C which provides as follows: “Upon change of a license holder or owner (unless the owner is a corporation and stock is traded publicly or listed on a major stock exchange) the license shall be transferred and will remain in effect for no longer than 90 days or until the transfer is granted or refused under this chapter, whichever shall occur first. Payment of the transfer fee shall be the same as the fee for a new license and shall be due at the time of application. The new license shall not be subject to a public hearing. If the transfer is not completed within 90 days of the license holder/ owner changing, the license shall immediately be temporarily suspended until such time as a new license holder or registered agent is appointed. Reinstatement fees as indicated in section 5.30.050(I) shall apply. A time extension for the transfer may be granted at the director's sole discretion based upon extenuating circumstances.”

5.

Section 5.60.120 Hours of Operation subsection A is hereby amended to include Christmas Day and shall provide as follows: “The hours of sale for consumption on the premises of distilled spirits shall be 11:00 a.m. to 12:45 a.m. Monday through Fridays, and 11:00 a.m. to 11:30 p.m. on Sundays. Hours on Saturday, Christmas Eve, and Christmas Day shall be 8:00 a.m. to 11:45 p.m., unless Christmas Eve or Day falls on a Sunday.”

6.

Section 5.60.160 Sale on Christmas Day and election day is hereby amended by deleting the aforementioned code section in its entirety and by inserting in lieu thereof a new Section 5.60.160 which provides as follows:

“5.60.160. Sale on Election Day.

A. Alcoholic beverages are authorized to be sold on any election day as defined herein.
(Res. of 4-26-12(3), § 10)

Editor's note(s)—Res. of 4-26-12(3), § 10, repealed former § 5.60.160, and enacted a new § 5.60.160 as set out herein. Former § 5.60.160 pertained to sale on Sunday, Christmas Day and election day and derived from Res. of 9-14-06, § 1.”

SO RESOLVED, this the _____ day of _____, 2024.

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
Richard Higgins, Chairman

ATTEST:

Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

William J. Linkous III, County Attorney