



---

**CITY OF MORROW, GEORGIA**

**October 11, 2011** **7:30 pm**  
**Regular Meeting**

---

**CALL TO ORDER:** Mayor Millirons  
**PLEDGE OF ALLEGIANCE:** All  
**INVOCATION:** Mayor Millirons

1. **ROLL CALL**

2. **APPROVAL OF MEETING AGENDA:**

To add or remove items from the Agenda:

3. **CONSENT AGENDA:**

1. Approval of the September 27, 2011 Regular and Work Session Meeting Minutes.

4. **REPORTS AND PRESENTATIONS:**

1. Financial Update (*Presented by Dan Defnall, Finance Officer*)

5. **FIRST PRESENTATION:**

(Agenda Item 11-10-298)

1. Approval of an Ordinance to Amend the Alcoholic Beverage Code of the City of Morrow, Georgia to provide for Sales off premises for Catered Functions; to provide for Licensing and Penalties; to Repeal Conflicting Ordinances; and for other purposes. (*Presented by City Manager Jeff Eady*)

6. **OLD BUSINESS:** None at this time

7. **NEW BUSINESS:** None at this time

8. **GENERAL COMMENTS:**

Citizens-  
City Manager-  
Mayor and Council –

9. **ADJOURNMENT:**

**AN ORDINANCE TO AMEND THE ALCOHOLIC BEVERAGE CODE OF THE CITY OF MORROW, GEORGIA TO PROVIDE FOR SALES OFF PREMISES FOR CATERED FUNCTIONS; TO PROVIDE FOR LICENSING AND PENALTIES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**BE IT ORDAINED** by the City Council of the City of Morrow, Georgia:

**Section 1.** That Section 9-2-2 of the Code of Ordinances of the City of Morrow, Georgia, as amended, is further amended by adding the following definitions thereto, to be arranged in alphabetical order:

*“Food caterer.* Any person who prepares food for consumption off the premises.

*“Licensed alcoholic beverage caterer.* Any retail dealer who has been licensed pursuant to Article 2 of Chapter 4, Article 2 of Chapter 5, or Article 2 of Chapter 6 of Title 3 of the Official Code of Georgia Annotated.”

**Section 2.** Section 9-2-14 of the Code of Ordinances of the City of Morrow, as amended, is further amended by adopting the following language for that section:

**“Sec. 9-2-14. Off premise licenses for catered events.**

“Any licensed alcoholic beverage retail dealer, whether for package sales or on premise consumption, may apply to the City for an off premise license to serve alcoholic beverages for catered functions. The license shall restrict the holder to sale of beverages authorized by its primary license issued by the City and the State of Georgia. The alcoholic beverage caterer’s license is secondary to and dependent upon the primary license held for the sale of alcoholic beverages within the City. Should the primary alcoholic beverage license of the caterer be suspended or revoked, its off premise license to serve catered functions shall be automatically suspended or revoked for the same duration.”

**Section 3.** Section 9-2-30 of the Code of Ordinances of the City of Morrow, as amended, is further amended by the addition of a new subsection (a)(9), which shall read as follows:

“(a)(9) Sales off premises for catered functions, the sum of two hundred dollars (\$200.00).”

**Section 4.** The Alcoholic Beverage Code of the City of Morrow, as amended, is hereby further amended by adoption of a new Article D-1, which shall read in its entirety as follows:

**“Article D-1**  
**“Regulation of Sales Off Premise for Catered Functions.**

**“Sec. 9-2-55 Event permits.**

“(a) In order to distribute or sell distilled spirits, malt beverages, or wine at an off premise catered function, the licensed alcoholic beverage caterer shall apply to the Mayor and Council for an event permit. The application for the event permit shall include the name of the caterer, the date, address, and time of the event, and the licensed alcoholic beverage caterer’s license number. For alcoholic beverage caterers licensed by the City, no further event permit fee is required, and all alcoholic beverage excise and sales taxes attributed to the sale or use of alcohol at the catered event shall be reported through the alcoholic beverage caterer’s primary alcoholic beverage license.

“(b) For alcoholic beverage caterers licensed by political subdivisions in Georgia other than the City of Morrow, in addition to the information required of Morrow event caterers, the applicant for the event permit shall provide proof of its state and local primary alcoholic beverage license and of a valid licensed alcoholic beverage caterer’s license from its home jurisdiction. The non-local alcoholic beverage caterer shall pay an event permit fee of fifty dollars (\$50.00) per event to cater events within the City of Morrow, and in addition, shall collect and remit local excise and sales taxes on the total quantity of alcoholic beverages brought into the City by the caterer.

**“Sec. 9-2-56. Records and reports.**

“All licensed alcoholic beverage caterers shall maintain all records and reports required by state law and the City, and shall make those records and reports available for inspection by the City upon demand.

**“Sec. 9-2-57. Familiarity with alcoholic beverage regulations.**

“All licensed alcoholic beverage caterers shall be familiar with the alcoholic beverage regulations of the City and all state laws governing the sale and distribution of alcoholic beverages. It shall be the responsibility of the licensed alcoholic beverage caterer to ensure that all agents and employees serving alcoholic beverages under its event permit are familiar with those ordinance requirements and state regulations and shall comply with same.

**“Sec. 9-2-58. Days and times of alcoholic beverage catering.**

“No sales or distribution of alcoholic beverages pursuant to an event permit obtained by a licensed alcoholic beverage caterer shall be made on any day or at any time during which alcoholic beverages may not lawfully be sold within the City.

**“Sec. 9-2-59 Employees of licensed alcoholic beverage caterers.**

“No licensed alcoholic beverage caterer shall employ any person or allow any person under the age of 21 years of age to handle, sell, or distribute alcoholic beverages under its event permit. All employees of licensed alcoholic beverage caterers, whether licensed by the City or by other jurisdictions, shall obtain a city registration, as required by Section 9-2-69 of the Code of Ordinances.

“Sec. 9-2-60. Penalties.

“(a) In addition to the penalties provided in Article E of this Chapter, in the event that a licensed alcoholic beverage caterer licensed by a jurisdiction other than the City of Morrow violates any of the alcoholic beverage regulations of the City or state law, such licensed alcoholic beverage caterer shall not be permitted another event license within the City for a period of twelve (12) months.

“(b) In the event that a licensed alcoholic beverage caterer licensed by the City commits a violation of any regulation of this Chapter or of state law governing the sale, furnishing, or distribution of alcoholic beverages, such violation shall count as a violation on its underlying license issued by the City, and shall be handled in accordance with the provisions of Article E of this Chapter.”

**Section 5.** All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 6.** In the event that any word, phrase, or sentence in this Ordinance is declared invalid by a court of competent jurisdiction, such declaration shall not affect the remaining words, phrases, and sections of this Ordinance, which shall remain of full force and effect.

**Section 7.** This Ordinance shall take place immediately upon its adoption.

**So Ordained** this 25<sup>th</sup> day of October, 2011.

\_\_\_\_\_  
Jim Millirons, Mayor

Attest:

\_\_\_\_\_  
Evyonne Browning, City Clerk

(Seal)

First Reading: October 11, 2011  
Second Reading: October 25, 2011

Approved as to form:

\_\_\_\_\_  
City Attorney