

FORSYTH COUNTY, GEORGIA

ORDINANCE NUMBER 68

**AN ORDINANCE
BY THE BOARD OF COMMISSIONERS
OF FORSYTH COUNTY**

An Ordinance of Forsyth County, Georgia, to amend the requirement that wine and growler tastings be segregated from the premises where such packaged products are licensed to be sold; to remove the requirement that wine tastings are limited to eight days per month; to repeal conflicting ordinances; and for other purposes.

Section 1.

Article II of the Forsyth County Alcoholic Beverages Ordinance is hereby amended by modifying Section 2.6 (codified as Section 6-56 of the Code of Forsyth County, Georgia) in its entirety to read as follows:

“It shall be unlawful for any person to consume any alcoholic beverage on the premises licensed for the sale of malt beverages or wine by the package and it shall be unlawful for any licensee by the package to open for, or break the package for, a purchaser and/or permit the consumption of alcoholic beverages on said premises. This section shall not apply to (1) an outlet licensed for the sale of malt beverages and/or wine by the package, where such outlet has a structurally and visibly defined area or areas that, in the aggregate, satisfy the food sales ratio requirements of section 6-131 and all other requirements of the Forsyth County Alcoholic Beverages Ordinance. Such an outlet may be separately licensed for the sale of malt beverages and/or wine for consumption in such structurally and visibly defined area(s), and (2) **wine tastings as provided in Section 6-59 or growler tastings as provided in Section 6-60 herein.**”

Section 2.

Article II of the Forsyth County Alcoholic Beverages Ordinance is hereby amended by modifying Section 2.9 (codified as Section 6-59 of the Code of Forsyth County, Georgia) in its entirety to read as follows:

“Wine tastings may be conducted at retail package outlets licensed to sell wine and malt beverages, but not distilled spirits, subject to the following restrictions:

~~(1) Wine tastings shall be conducted in a separate room, capable of being rendered completely inaccessible from the remainder of the licensed outlet premises. Such room shall be deemed by Forsyth County to be a separate premises from the remainder of the licensed outlet.~~

~~(2) Wine tastings may occur no more than eight days per month, per outlet.~~

~~(3) Wine tastings shall be limited to two ounces per glass, with no more than eight ounces to be served per day, per person.~~

(2) There shall be no charge for admittance into the licensed premises or for the wine samples.

~~(4) On the day that any wine tasting is to be held, the outlet must, from its opening until its closing, post in a conspicuous location on the outside of the premises a legible written notice stating the following: "A wine tasting pursuant to the Forsyth County Alcoholic Beverages Ordinance will be occurring at this outlet on this date."~~

Section 3.

Article I of the Forsyth County Alcoholic Beverages Ordinance is hereby amended by modifying Section 2.10 (codified as Section 6-60 of the Code of Forsyth County, Georgia) in its entirety to read as follows:

Sec. 6-60. - Growler tastings.

“Growler tastings, limited to malt beverages offered for purchase in Growlers (as that term is defined in section 6-7(e)), may be conducted at retail package outlets licensed to sell Growlers, but not distilled spirits, subject to the following restrictions:

~~(1) Growler tastings shall be conducted in a separate room, capable of being rendered completely inaccessible from the remainder of the licensed outlet premises. Such room shall be deemed by Forsyth County to be a separate premises from the remainder of the licensed outlet.~~

~~(2) Growler tastings shall be limited to two ounces per glass, with no more than eight ounces to be served per day, per person.~~

(2) There shall be no charge for admittance into the licensed premises or for the malt beverage samples.”

Section 4.

Severability

Should any section, subsection, clause, sentence, phrase, or part of this Ordinance for any reason be held, deemed or construed to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions thereof and the Board of Commissioners hereby declares that it would have passed this ordinance, each section, subsection, clause, sentence, phrase, and part thereof irrespective to the fact that one or more sections, subsections, clauses, sentences, phrases, or parts thereof, be declared unconstitutional or invalid.

Section 5.

Effective Date and Repealer Provision

This Ordinance shall become effective immediately upon its adoption and any and all existing or pre-existing Forsyth County alcohol ordinances, amendments, and resolutions in conflict with the terms of this Ordinance are hereby repealed.

[signatures on following page]

Adopted this _____ day of _____, 2016.

RALPH J. AMOS, Chairman

CINDY JONES MILLS, Vice Chairman

BRIAN R. TAM, Secretary

JIM BOFF, Commissioner

TODD LEVENT, Commissioner

Attest:

SONYA BUSH, Clerk to the Board