

Exhibit A

Section 1.11 Enforcement of this Ordinance

(a) Any violation of this Ordinance, excluding sales to underage persons, shall subject the licensee to the following progressive actions by the Board of Commissioners, except for those violations and occurrences set forth in Section 1.10 above that provide for immediate suspension or revocation upon notice and hearing;

(1) The first violation shall result in a warning letter.

(2) The second violation within a consecutive twenty-four month period shall result in license suspension for a period of not less than thirty (30) days nor more than ninety (90) days.

(3) The third violation within a consecutive twenty-four month period shall result in a license suspension for a period of not less than ninety (90) days nor more than six (6) months.

(b) Sales to underage persons or violations of Section 50-5 related to the sale of unregulated marijuana or opiate substitutes or unregulated steroid substitutes, violations of Sections 50-6(b),(g),(h) or (i) related to the sale of non-traditional tobacco paraphernalia, or violations of Section 50-7 related to the sale of alternative nicotine products and/or vape juice shall subject the licensee to the following progressive actions by the Board of Commissioners, except for those violations and occurrences set forth in Section 1.10 above that provide for immediate suspension or revocation upon notice and hearing;

(1) The first violation shall result in a warning letter to be placed in the file, a minimum fine in Magistrate Court of \$500.00, with a mandatory R.A.S.S. (responsible alcohol sales & training) course to be completed by the named licensee. The certificate of course completion must be tendered to Forsyth County within thirty (30) days after finding of guilt either by plea or adjudication at Magistrate Court. Failure to fulfill the mandatory R.A.S.S. training within the thirty (30) days as set forth in this paragraph shall be deemed an independent and distinct violation of this code, a mandatory hearing before the Board will be required and progressive violation (b)(2) shall be considered.(2) The second violation within a consecutive 24-month period shall result in a mandatory hearing before the Board of Commissioners, a license suspension for a minimum period of between 7 and 60 days, and a minimum fine in Magistrate Court of \$750.00

(3) The third violation within a consecutive 24-month period shall result in a mandatory hearing before the Board of Commissioners, revocation of the license absent a showing of mitigation circumstances deemed sufficient in the discretion of the Board of Commissioners to allow retention of the license, and a minimum fine in Magistrate Court of \$1,000.00.

For any license suspension of less than 30 days, the licensee will not be required to remove alcoholic beverages from the premises, but shall be required to secure with lock and chain all

refrigeration units containing alcoholic beverages, and remove non-refrigerated alcoholic beverages to an on premise locked storage area out of view of the public.

Nothing contained in this subsection shall be construed to preclude the Board of Commissioners from suspending or revoking a license or Alcohol Sale Permit for a period exceeding those periods identified in Sections 1.11(a), 1.11(b) or 1.11(d) or from revoking the license or Alcohol Sale Permit if the Board determines in its discretion that such action is necessary and in the best interest of the public health, safety, and welfare of the county.

In all cases except violations identified in Section 1.11(d), the mandatory suspension period may be mitigated by the Board of Commissioners upon presentation of evidence that the licensee established practices and procedures to prevent the violation from occurring and established procedures to properly train and supervise employees to prevent the violation from occurring.

(c) In addition to the available actions to be taken by the Board of Commissioners, individuals who violate this Ordinance shall be subject to criminal citation and prosecution by the Forsyth County Sheriff's Office. Each violation of this Ordinance shall constitute a separate violation subject to separate citation and penalties. The criminal penalties may result in a fine not to exceed \$1,000.00, imprisonment not to exceed sixty (60) days, or both.

(d) Progressive Actions for Violations.

(1) A finding of guilt, either by plea or adjudication, in Magistrate Court of an employee's violation of this Chapter, excluding sales to underage persons, shall subject an employee of a licensed establishment to the following progressive actions;

(A) Regarding a first violation, suspension of the employee's alcohol sale permit for a period of 14 days by the Director. The Director shall provide written notice to the employee of the administrative sanction imposed pursuant to this subparagraph, with the suspension to begin 30 days after the finding of guilt. The employee shall have 30 days from the date of the finding of guilt to appeal the automatic suspension to the Board of Commissioners pursuant to Section 1.12. The appeal must be filed with the Director. In the absence of a timely appeal, the automatic suspension shall commence on the 31st day following the finding of guilt. In the event an appeal is timely filed, the appeal will stay imposition of the suspension until the date of the mandatory hearing before the Board of Commissioners, which shall be scheduled by the Director for the next available agenda following receipt of the appeal. Following the hearing, the Board of Commissioners may institute the suspension, waive the suspension, or take such other action as is warranted.

(B) Regarding a second violation, and alcohol sale permit suspension for a period of 180 days by the Director. The Director shall provide written notice to the employee of the administrative sanction imposed pursuant to this subparagraph, with the suspension to begin 30 days after the finding of guilt. The employee shall have 30 days from the date of the finding of guilt to appeal the automatic suspension to the Board of Commissioners pursuant to Section 1.12. The appeal

must be filed with the Director. In the absence of a timely appeal, the automatic suspension shall commence on the 31st day following the finding of guilt. In the event an appeal is timely filed, the appeal will stay imposition of the suspension until the date of the mandatory hearing before the Board of Commissioners, which shall be scheduled by the Director for the next available agenda following receipt of the appeal. Following the hearing, the Board of Commissioners may institute the suspension, waive the suspension, or take such other action as is warranted.

(C) Regarding a third violation, an alcohol sale permit suspension for a period of two (2) years by the Director. The Director shall provide written notice to the employee of the administrative sanction imposed pursuant to this subparagraph, with the suspension to begin 30 days after the finding of guilt. The employee shall have 30 days from the date of the finding of guilt to appeal the automatic suspension to the Board of Commissioners pursuant to Section 1.12. The appeal must be filed with the Director. In the absence of a timely appeal, the automatic suspension shall commence on the 31st day following the finding of guilt. In the event an appeal is timely filed, the appeal will stay imposition of the suspension until the date of the mandatory hearing before the Board of Commissioners, which shall be scheduled by the Director for the next available agenda following receipt of the appeal. Following the hearing, the Board of Commissioners may institute the suspension, waive the suspension, or take such other action as is warranted.

(D) A fourth violation shall result in the permanent revocation of the employee's alcohol sale permit by the Director. The Director shall provide written notice to the employee of the administrative sanction imposed pursuant to this subparagraph with the revocation to begin 30 days after the finding of guilt. The employee shall have 30 days from the date of the finding of guilt to appeal the automatic suspension to the Board of Commissioners pursuant to Section 1.12. The appeal must be filed with the Director. In the absence of a timely appeal, the automatic revocation shall commence on the 31st day following the finding of guilt. In the event an appeal is timely filed, the appeal will stay imposition of the revocation until the date of the mandatory hearing before the Board of Commissioners, which shall be scheduled by the Director for the next available agenda following receipt of the appeal. Following the hearing, the Board of Commissioners may institute the revocation, waive the revocation, or take such other action as is warranted.

(2) A finding of guilt, either by plea or adjudication in Magistrate Court of any employee conducting an underage sale, or violation of Section 50-5 related to the sale of unregulated marijuana substitutes, unregulated opiate substitutes, or unregulated steroid substitutes, ~~or~~ violation of Sections 50-6(b), (g), (h), or (i) related to the sale of non-traditional tobacco paraphernalia, or violation of Section 50-7 related to the sale of

alternative nicotine products and/or vape juice shall subject an employee of a licensed establishment to the following progressive actions;

(A) Regarding a first violation, a minimum fine in Magistrate Court of \$500.00 and an automatic 30 day suspension of the alcohol sales permit, with the suspension to begin 30 days after the finding of guilt. The employee shall have 30 days from the date of the finding of guilt to appeal the automatic suspension to the Board of Commissioners pursuant to Section 1.12. The appeal must be filed with the Director. In the absence of a timely appeal, the automatic suspension shall commence on the 31st day following the finding of guilt. In the event an appeal is timely filed, the appeal will stay imposition of the suspension until the date of the mandatory hearing before the Board of Commissioners, which shall be scheduled by the Director for the next available agenda following receipt of the appeal. Following the hearing, the Board of Commissioners may institute the suspension, waive the suspension, or take such other action as is warranted.

(B) Regarding a second finding of guilt, an automatic 24 month suspension of the employee's alcohol sale permit, with the suspension to begin 30 days after the finding of guilty and a minimum fine in Magistrate Court of \$750.00. A reinstatement fee of \$75.00 shall be paid when the employee seeks the reissuance of an alcohol sale permit. The employee shall have 30 days from the date of the finding of guilt to appeal the automatic suspension to the Board of Commissioners pursuant to Section 1.12. The appeal must be filed with the Director. In the absence of a timely appeal, the automatic suspension shall commence on the 31st day following the finding of guilt. In the event an appeal is timely filed, the appeal will stay imposition of the suspension until the date of the mandatory hearing before the Board of Commissioners, which shall be scheduled by the Director for the next available agenda following receipt of the appeal. Following the hearing, the Board of Commissioners may institute the suspension, waive the suspension or take such other action as is warranted.

(C) Regarding a third finding of guilt, the automatic permanent revocation of the employee's alcohol sale permit, with the suspension to begin 30 days after the finding of guilt, and a minimum fine in Magistrate Court of \$1,000.00. The employee shall have 30 days from the date of the finding of guilt to appeal the automatic revocation to the Board of Commissioners pursuant to Section 1.12. The appeal must be filed with the Director. In the absence of a timely appeal, the automatic revocation shall commence on the 31st day following the finding of guilt. In the event an appeal is timely filed, the appeal will stay imposition of the revocation until the date of the mandatory hearing before the Board of Commissioners, which shall be scheduled by the Director for the next available agenda following receipt of the appeal. Following the hearing, the Board of Commissioners may institute the revocation, waive the revocation, or take such other action as is warranted.

(D) Should the licensee have committed the actual underage sale transaction, or violation of Section 50-5 related to the sale of unregulated marijuana or opiate substitutes or unregulated steroid substitutes, ~~or~~ violation of Sections 50-6(b), (g)(h) or (i) related to the sale of non-traditional tobacco paraphernalia, or violation of Section 50-7 related to the sale of alternative nicotine products and/or vape juice, the administrative sanction shall be processed in accord with subsection (B) above.

(E) A person shall be deemed ineligible to apply for or retain any license for the sale of alcoholic beverages so long as that individual's alcohol sales permit is suspended, revoked or the individual is otherwise ineligible for an alcohol sale permit.

(F) The progressive sanctions contemplated in this subsection, as well as the time periods for the identified sanctions, shall remain in full force and effect irrespective of whether an individual works for different alcohol vendors, it being the intent of this subsection that the progressive sanctions and time periods hereunder may not be avoided by merely changing employment.

(3) Employees shall have a right of appeal to the Board of Commissioners pursuant to Section 1.12. A failure of any employee to attend a scheduled hearing, after requesting same, before the Board of Commissioners shall result in the automatic suspension of the employee's permit for the longer of 90 day or the maximum duration otherwise authorized by this subsection.

(e) Sworn officer of the Forsyth County Sheriff's Office, the Director, or his/her designee shall have the authority to inspect the outlet and premises licensed under this Ordinance during the hours when the outlet is open for business. These inspections shall be made for the purpose of verifying compliance with the requirements of this Ordinance and state law. This section is not intended to limit the authority of any other county, state or federal officer to conduct inspections authorized by other provisions of law.

(f) In order to insure that the licensed premises are kept clean, and are in full compliance with all ordinance and regulations of Forsyth County and the State of Georgia, the additional following representatives are authorized to inspect regularly the licensed premises;

(1) Representatives of the Forsyth County Health Department shall have the authority to inspect regularly the licensed outlet and premises to determine if the licensed outlet is in compliance with all Forsyth County and State of Georgia health rules and regulations and report any violations to the Director.

(2) The Forsyth County Fire Department shall have the authority to inspect regularly the licensed outlet and premises to determine if the licensed outlet is in compliance with all Forsyth County and State of Georgia fire regulations and report any violations to the Director.

(3) The county has the right to have an inspector inspect regularly the licensed outlet and premises to determine if the licensed outlet is in compliance with all technical codes of the county and report any violations to the Director.

(g) Every licensee shall keep and preserve records of all alcoholic beverages purchased and sold by the licensee. The records shall be kept for a period of three years from the date of purchase and sale and should at all times be open to audit and/or inspection by the Director or any designated county employee or any outside agent or agents for the county upon approval of such outside agent or agents by the Director. Further, all licenses for the sale of distilled spirits by the drink and for the sale on alcoholic beverages on Sundays shall keep and preserve records of all food and non-alcoholic beverages purchased and sold by said licensees. Such records shall be kept for three years from the date of purchase and sale and shall be at all times open for audit and inspection by the Director and the Forsyth County Sheriff, and/or any designated county and Sheriff's Office employee and/or any outside agent or agents of the county upon approval of said outside agent or agents by the Director. In the event an audit is called for by the Director, the Director shall notify the licensee of the date, time and place of the audit.