

**AMENDMENT TO
THE CODE OF BARTOW COUNTY, CHAPTER 44
BARTOW COUNTY MALT BEVERAGE AND WINE LICENSE ORDINANCE**

AN ORDINANCE OF THE COUNTY COMMISSIONER OF BARTOW COUNTY SITTING FOR COUNTY PURPOSES **FOR THE PURPOSE OF AMENDING THE CODE OF BARTOW COUNTY, CHAPTER 44, THE BARTOW COUNTY MALT BEVERAGE AND WINE LICENSE ORDINANCE; AMENDING PROVISIONS RELATING TO AFFIDAVITS AND REPORTS PROCEDURES;** AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE COMMISSIONER OF BARTOW COUNTY HELD ON THE 12th DAY OF DECEMBER, 2008.

WHEREAS, Bartow County readopted a Malt Beverage and Wine License Ordinance on the October 10, 2007; and

WHEREAS, the Bartow County Commissioner finds that it is in the best interest of the citizens of Bartow County, Georgia that the Malt Beverage and Wine License Ordinance be updated and amended in a manner consistent with the Georgia Alcoholic Beverage Code;

WHEREAS, the Commissioner deems it in the best interest of the citizens of Bartow County to update procedures, rules and regulations governing the licensing and sale of packaged malt beverages and wine and for consumption on premises at restaurants and private clubs; the manufacturing of malt beverages and wine and to provide for penalties for violations of said ordinance.

NOW THEREFORE BE IT ORDAINED by the Commissioner of Bartow County, by virtue of the authority vested in him by law and pursuant to Title 3 of the Official Code of Georgia, that the Code of Bartow County, Chapter 44, the Bartow County Malt Beverage and Wine License Ordinance is hereby amended as follows

I. In Section 44-64, subparagraph (7) is deleted and replaced with the following:

Section 44-64. General Application Requirements and Procedures.

- (7) Each application for a license (except an application for a special event license) under this Ordinance shall be accompanied by a certified check or money order for the full amount of the license fee, plus an investigative fee in the amount of \$100.00 (\$50.00 for renewal of licenses where no changes have occurred) to defray investigative and administrative costs. Should the applicant be denied a license or should the applicant withdraw the application prior to its being submitted to the Commissioner, no part of the fee is refundable.

II. In Section 44-71, a new subsection (d) is added as follows:

Section 44-71. Renewal of Licenses.

- (d) Failure to comply with mandatory provisions of this Ordinance, including but not limited to failure to submit required reports under Sec. 44-163, shall be grounds for non-renewal of the license.

III. In Section 44-163, a new subsection (e) is added as follows:

Section 44-163. Gross Sales Requirements.

- (e) Late Fees/Suspension & Revocation. Failure to submit an affidavit, sales form or other report required by this section within the time specified will result in late fees as follows: 1) \$50 after two consecutive months; 2) \$100 after five consecutive months; 3) six consecutive months shall be grounds for suspension and/or revocation of the license. Upon the submittal of the appropriate affidavit, report or form required under this ordinance, along with the payment of any and all applicable fees and/or fines, said license may be re-instated. Said fees apply per late affidavit.

IV. In Section 44-191, a new subsection (16) is added as follows:

Section 44-191. Grounds for revocation or suspension.

- (16) Failure to submit affidavits, sales forms or reports required by Sec. 44-163 or to pay any late fees assessed in Sec. 44-163.

SO ADOPTED, this 12th day of December, 2008, to be effective immediately, the public health, safety and welfare demanding.

Attest:

BARTOW COUNTY, GEORGIA

by: _____
Kathy Gill, Clerk

by: _____
Clarence Brown, Commissioner