

AN ORDINANCE TO AMEND THE ALCOHOLIC BEVERAGE ORDINANCE FOR THE CITY OF JASPER, GEORGIA; TO AUTHORIZE THE MANUFACTURE OF MALT BEVERAGES AND BEER BY AN AUTHORIZED BREWER WITHIN THE CITY OF JASPER, GEORGIA; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR THE LICENSE FEES FOR AN AUTHORIZED BREWER LICENSE; TO PROVIDE FOR REGULATIONS THAT REGULATE THE OPERATION OF A BREWERY BY AN AUTHORIZED BREWER WITHIN THE CITY OF JASPER, GEORGIA;

WHEREAS, The City Council of the City of Jasper, Georgia, has adopted an alcoholic beverage ordinance to allow the sale of distilled spirits, malt beverages, and beer and wine, but with said sales regulated by the provisions of the City of Jasper Alcoholic Beverage Ordinance;

WHEREAS, The City Council of the City of Jasper, Georgia finds that it is in the interest of the City and its citizens to allow authorized brewers to manufacture malt beverages and beer within the city limits of the City of Jasper, Georgia, and thereby promote the economy of the City and tourism to the City; and

WHEREAS, The City Council of the City of Jasper, Georgia therefore finds that it is appropriate to amend the alcoholic beverage ordinance to allow the manufacture of malt beverages and beer by authorized brewers within the City of Jasper, Georgia; and

NOW THEREFORE, BE IT ORDAINED, AND IT IS HEREBY ORDAINED by the Authority of the City Charter and general law, as follows:

SECTION 1. AMENDMENT TO THE CODE OF THE CITY OF JASPER REGARDING THE

SALE OF ALCOHOLIC BEVERAGES.

The Code of the City of Jasper, Georgia, regarding the sale of alcoholic beverages is hereby amended by modifying and adopting some new provisions regulating the sales of alcoholic beverages within the City of Jasper, Georgia and which shall read as follows:

A. SECTION _____ DEFINITIONS is hereby amended by deleting the term, "Manufacturer" in its entirety, and substituting in lieu thereof, the following:

"Manufacturer" Means any maker, producer, or bottler of an malt beverage or beer.

"Brewery" means a place where malt beverages are manufactured or brewed.

"Brewer" means a manufacture of malt beverages.

The manufacturer of alcoholic beverages and distilled spirits is not allowed in the City, except as provided for in this ordinance or any amendment thereto.

B. SECTION _____ . TYPES OF LICENSES TO BE ISSUES is hereby amended by adding the following additional license:

- 1) Authorized brewer license.

C. SECTION _____ (a). FEES, under "OTHER LICENSES," has added the following additional license fee:

Authorized Brewer License \$ 1,500.00

D. The code is further amended by adding a new ARTICLE ____ : License Authorized Brewer, and which shall read as follows:

ARTICLE ____ : LICENSED AUTHORIZED BREWER.

SECTION ____ .LICENSED AUTHORIZED BREWER.

(a) There is hereby created a license for the business of operating a brewery, to manufacture malt beverages and beer, and which shall be in conformance with the laws of the State of Georgia pursuant to O.C.G.A§3-5-20, et seq. as amended and this Article. In order to operate as a brewer within the City of Jasper, Georgia, the brewer shall be required to provide a copy of any brewery license issued as to the brewery by the Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, and any State of Georgia brewer license, when issued. Applicant may receive and authorized brewer license from the City of Jasper, Georgia, prior to the issuance of the federal or state license, or both, but may not operate the brewery until such time as the applicant has received the applicable federal and state licenses, and provide a copy of said licenses to the City of Jasper, Georgia.

b) Under this Article, the licensee shall be authorized to carry on the business of manufacturing malt beverages and beer within the incorporated limits of the City of Jasper, Georgia. The licensee shall follow all federal and state requirements regarding the operation of a brewery, including but not limited to the payment of any excise taxes assessed by said authorities. Failure of the licensee to operate the brewery in accordance with the federal and state requirements shall be due

cause for the City of Jasper, Georgia to suspend or revoke, or both the authorized brewer license upon compliance with the procedures as set forth in the City of Jasper's Alcohol License Ordinance. An authorized brewer license shall only be revoked for due cause. Due Cause for the revocation of a brewer's license shall consist only of violation of the laws regulating the manufacture of malt beverages and of regulations made pursuant to authority lawfully granted for the purpose of regulating the manufacture of malt beverages or other violations of Georgia Law. Every unrevoked license authorizing the manufacture of malt beverages, whether issued by the State or by any other duly authorized licensing authority, shall be renewable to the holder of the license as a right upon the payment of fees and taxes lawfully assessed and fixed for the issuance of licenses of that kind and character.

(c) An applicant to receive an authorized brewer license shall be required to submit an application for said license based upon the malt beverages for sale by the package application, but shall indicate thereon that applicant is applying as a brewer, and is required to meet the same requirements regarding application information, the submission of the application, distant prohibitions, and other such package requirements as provided by the Code except Brewers may serve their product on site. Brewers do not have to meet food sale requirements to obtain and operate a brewery.

(d) 1. An authorized brewer holding a valid brewer license from the City of Jasper, Georgia, and which has provided a copy of the annual permit issued to the brewer by the Georgia Department of Revenue Commissioner and the appropriate Federal Department of the Alcohol & Tobacco.

2. Reserved
3. Reserved
4. Reserved
5. Reserved
6. Reserved
7. Reserved

SECTION 2. COMPLIANCE WITH ALL OTHER CITY OF JASPER ORDINANCES.

Any applicant or holder of a brewery license must comply with any and all other ordinances and zoning requirements, as amended.

SECTION 3. CONTINUATION OF ALL OTHER PROVISIONS OF THE ALCOHOLIC BEVERAGE ORDINANCE, AS AMENDED.

All other terms and provisions of the alcoholic beverage ordinance, as amended, are continued in full force and effect, as if they were restated herein.

SECTION 4. EFFECTIVE DATE.

The effective date of this ordinance shall be upon its passage by the City Council.

So Ordained this _____ day of _____, 2018.

Jasper City Council

By: _____
Mayor

Council Person

Council Person

Council Person

Council Person

Council Person

Attest:

City Clerk