

Attachment 2

Sec. 6-46. - Sales to minors.

- (a) "Minor" shall mean any person under the age of 21 years, or as defined in O.C.G.A. § 3-3-23, or by other state laws.
- (b) It shall be unlawful for a minor to attempt to purchase or for any other person to purchase alcohol for a minor.
- (c) It shall be unlawful for a minor to exhibit fake, forged or borrowed ID to obtain alcohol.
- (d) No person shall make or permit to be made any sale of alcohol to minors. Upon violation, the licensee shall generally be treated as follows: upon a first offense by the licensee, a suspension for seven consecutive days of sales of alcoholic beverages; proof of attendance and successful completion by all sales clerks and servers at the approved alcohol awareness class designated by the city council, such proof to be provided to the city council within 75 days of the first day of the suspension of the license; a \$500.00 civil penalty; and on the first day of the suspension, the posting at the premise's entrance of a sign notifying patrons of the nature and length of the suspension. Upon a second offense by the licensee, within three years of a prior offense, a suspension of 60 consecutive days of sales of alcoholic beverages; proof of attendance and successful completion by all sales clerks and servers at the approved alcohol awareness class designated by the city council, such proof to be provided to the city council within 75 days of the first day of the suspension of the license; a \$1,000.00 civil penalty; removal of all alcoholic beverages from the premises; on the first day of the suspension, the posting at the premise's entrance of a sign notifying patrons of the nature and length of the suspension; and probationary status for one year. Upon a third offense within three years, by the licensee, the license shall be revoked for a period of one full year.
- (e) Upon receipt of letter of notification of penalty, licensee has ten days to file a written request for a hearing to appeal the fine, suspension, attendance at an approved alcohol awareness class, and/or the starting date of suspension of sales.
- (f) If no written request for a hearing is filed within ten days of receipt of notification of penalty letter, the fine and suspension will begin on the eleventh day after the receipt of the notification of penalty letter unless the 11th day is a Saturday, in which case the suspension will begin on the next day of the establishment's operation during which alcoholic beverages would normally be available. Additionally, proof of attendance and successful completion by all sales clerks and servers at the approved alcohol awareness class designated by the city council, to be provided to the city council within 75 days of the receipt of the notification of penalty. Failure to timely present such proof shall be cause for a determination by the mayor and council of non-compliance and a suspension of alcohol sales until the next meeting of the mayor and council after presentation of proof of compliance.
- (g) Schedule if appeal hearing conducted. The fine and/or suspension will commence within five days thereafter, on a date set at the appeal hearing by the mayor and city council. Proof of attendance and successful completion by all sales clerks and servers at the approved alcohol awareness class designated by the city council, such proof to be provided to the city council within 75 days after the hearing. Failure to timely present such proof shall be cause for a determination by the mayor and council of non-compliance and a suspension of alcohol sales until the next meeting of the mayor and council after presentation of proof of compliance.

(Amd. of 8-13-2012(2), § 1)