

23 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
24 **THE CITY OF HAPEVILLE, GEORGIA**, and by the authority thereof:

25 **Section 1.** **That the City Code, Chapter 5, Alcohol Beverages, Article 6.3,**
26 **Growlers, Sec. 5-6.3-2, General Regulations, is hereby amended by adding a new**
27 **subsection (j) to read as follows:**

28 (j) Temporary Exemption. Nothing within this chapter shall prohibit a licensed growler store
29 from selling beer and wine by the glass, on premises, in a manner which is expressly permitted
30 by the state of Georgia under the Georgia Alcoholic Beverage Code. This exemption shall
31 remain in effect until March 31, 2017 or until the effective date of the City’s pending
32 comprehensive update of Chapter 5 of the City’s Alcohol Beverages Code, whichever occurs
33 sooner.

34 **Section 2.** **That the City Code, Chapter 26, Offenses and Miscellaneous Provisions,**
35 **Article 2, Personal Conduct, Sec. 26-2-20, Brown-bagging, is hereby amended by adding a**
36 **new subsection (d) to read as follows:**

37 (d) Temporary Exemption. Nothing within this section shall prohibit a licensed establishment
38 from engaging in alcohol related activities in a manner which is expressly permitted by the state
39 of Georgia under the Georgia Alcoholic Beverage Code. This exemption shall remain in effect
40 until March 31, 2017 or until the effective date of the City’s pending comprehensive update of
41 Chapter 5 of the City’s Alcohol Beverages Code, whichever occurs sooner.

42 **Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all
43 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
44 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

45 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
46 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
47 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
48 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this

49 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
50 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this
51 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
52 of this Ordinance.

53 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
54 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
55 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the
56 express intent of the Mayor and Council that such invalidity, unconstitutionality or
57 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
58 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or
59 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,
60 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,
61 enforceable, and of full force and effect.

62 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby
63 expressly repealed.

64 **Section 5.** Penalties in effect for violations of the Zoning Ordinance of the City of
65 Hapeville at the time of the effective date of this Ordinance shall be and are hereby made
66 applicable to this Ordinance and shall remain in full force and effect.

67 **Section 6.** The effective date of this Ordinance shall be the date of adoption unless
68 otherwise specified herein.

69 **ORDAINED** this ____ day of _____, 2016.

70 **CITY OF HAPEVILLE, GEORGIA**

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ALAN HALLMAN, Mayor

74 **ATTEST:**

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77 **JENNIFER ELKINS**, City Clerk

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79 **APPROVED AS TO FORM:**

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82 **STEVE FINCHER**, City Attorney
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