

**CITY OF RINGGOLD
STATE OF GEORGIA**

ORDINANCE NO. 2022 - 0725

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF RINGGOLD, GEORGIA BY (A) AMENDING CHAPTER 6 CAPTIONED "ALCOHOLIC BEVERAGES" BY (i) THE ADDITION OF A NEW SECTION 6-26 CAPTIONED "DEFINITION OF THE ENTERTAINMENT DISTRICT"; (ii) THE ADDITION OF A NEW SECTION 6-27 CAPTIONED "SPECIALTY CUP REQUIRED FOR CONSUMPTION OF ALCOHOLIC BEVERAGES OFF-PREMISES"; (iii) THE ADDITION OF A NEW SECTION 6-28 CAPTIONED "CONSUMPTION OF ALCOHOLIC BEVERAGES OFF-PREMISES"; (iv) THE ADDITION OF A NEW SECTION 6-29 CAPTIONED "RIGHT TO MODIFY"; (v) THE ADDITION OF A NEW SECTION 6-30 CAPTIONED "COURTESY BEVERAGE"; (vi) THE ADDITION OF A NEW SECTION 6-31 CAPTIONED "SPECIAL PERMIT AND SECURITY"; AND (vii) THE ADDITION OF A NEW SECTION 6-32 CAPTIONED "INAPPLICABILITY"; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Ringgold, Georgia is authorized under Article IX, Section II, Paragraph III of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, welfare, and aesthetics of the citizens of the City of Ringgold, Georgia; and

WHEREAS, the duly elected governing authority of the City of Ringgold, Georgia is the Mayor and Council thereof;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF RINGGOLD, GEORGIA AS FOLLOWS:

Section 1.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 6 captioned "Alcoholic Beverages" by the addition of a new Section 6-26 captioned "Definition of the Entertainment District" which shall read as follows:

Sec. 6-26. - Definition of the Entertainment District.

For the purposes of Chapter 6 captioned "Alcoholic Beverages" only, the city's Entertainment District shall comprise the area generally bounded within the following Parcels of Catoosa County: R0100008, R0100010, R0100011, R0100004, R0100005, R0100006, R0100007, R0060221, R006022100A, R0060230, R0060229, R0060189, R0060189, R0060222, R0060223, R0060224, R0060225, R0060160, R0060159, R0060158, R0060157, R0060156, R0060156001, R0060155, R0060154, R0060153, R0060152, R0060151, R0060150, R0060149, R0060148, R0060147, R0060146, R0060145, R0060144, R0060082, R0060083, R0060093, R006009300A, R0060091 as further described in the following Exhibit 6.26. Also, for purposes of this definition, any

licensed establishment fronting a street within the described Entertainment District shall be considered to be located within the defined area.

[EXHIBIT 6.26]

City of Ringgold, Georgia Entertainment District



Section 2.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 6 captioned "Alcoholic Beverages" by the addition of a new Section 6-27 captioned "Specialty cup required for consumption of alcoholic beverages off-premises" which shall read as follows:

Sec. 6-27. - Specialty cup required for consumption of alcoholic beverages off-premises.

- (a) A specialty cup is hereby defined as a clear plastic sixteen (16) ounce cup to which a specialty sticker provided by the city that includes the date of use is attached.
- (b) Those persons desiring to possess or consume off-premises any alcoholic beverages which were purchased from a licensed alcoholic beverage establishment located within the Entertainment District in accordance with the restrictions set forth herein are required to acquire a specialty cup from the alcoholic beverage establishment within the Entertainment District from whom said person purchased the alcoholic beverage.
- (c) Only alcoholic beverage establishments that are licensed and authorized to sell alcoholic beverages within the Entertainment District are authorized to issue specialty cups.
- (d) A person's display of a specialty cup does not relieve alcoholic beverage establishments of their responsibility to determine if a person has attained the age of 21 years before dispensing alcohol to that person in a specialty cup or otherwise.
- (e) Specialty cups are disposable and are intended for single use.
- (f) Alcoholic beverages may only be served in specialty cups by a participating alcoholic beverage establishment in the Entertainment District between the hours of 12:00 p.m. and 10:00 p.m.

Section 3.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 6 captioned "Alcoholic Beverages" by the addition of a new Section 6-28 captioned "Consumption of alcoholic beverages off-premises" which shall read as follows:

Sec. 6-28. - Consumption of alcoholic beverages off-premises.

- (a) Subject to the restrictions set forth in this Chapter 6 captioned "Alcoholic Beverages" and within the boundaries of the Entertainment District and between the hours of 12:00 p.m. and 10:00 p.m., those persons who have attained the age of 21 years may be allowed to remove specialty cups containing alcoholic beverages from a licensed alcoholic beverage establishment premises and may be allowed to possess and consume alcoholic beverages

anywhere within the Entertainment District, including other alcoholic beverage establishment premises provided, however, that no person shall remove more than one such alcoholic beverage per person from the licensed premises at a time..

- (b) Each alcoholic beverage establishment within the Entertainment District shall have the discretion to choose whether to allow persons to enter its premises with a specialty cup containing alcoholic beverages.
- (c) Each alcoholic beverage establishment within the Entertainment District choosing to allow persons to either leave its premises or to enter its premises with a specialty cup containing alcoholic beverages shall notify the city prior to allowing such actions to occur.
- (d) Persons are not allowed to possess a specialty cup containing an alcoholic beverage while in the passenger area of a motor vehicle, in accordance with O.C.G.A. § 40-6-253.
- (e) Any licensed establishment that allows patrons to leave the establishment with an alcoholic beverage in a specialty cup as provided in this ordinance shall maintain posted inside all exit doors for clear public view a map of the current boundaries of the Entertainment District and a sign of at least 11-inches by 8½-inches that states the following:

"All Patrons leaving this establishment with an alcoholic beverage in an open container do hereby assume full responsibility to consume such alcoholic beverage only if it has been served in a clear, plastic cup not to exceed 16 ounces in size and obtained from an establishment licensed to sell alcoholic beverages within the Entertainment District outlined on the map below. Any individual who leaves the Entertainment District with an alcoholic beverage in an open container is in violation of the City of Ringgold Code of Ordinances and may be subject to a citation, arrest, incarceration, and or fine pursuant to the Code of Ordinances."

Section 4.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 6 captioned "Alcoholic Beverages" by the addition of a new Section 6-29 captioned "Right to modify" which shall read as follows:

Sec. 6-29. – Right to modify.

Notwithstanding anything to the contrary contained in Sections 6-26 through 6-28, Main Street, with approval of the City Manager, may from time to time modify or suspend the hours of operation in the Entertainment District, and may temporarily expand, contract or modify the Entertainment District within the downtown area as defined by the Downtown Development Authority of the City of Ringgold.

Section 5.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 6 captioned "Alcoholic Beverages" by the addition of a new Section 6-30 captioned "Courtesy beverage" which shall read as follows:

Sec. 6-30. – Courtesy beverage.

Some business establishments that are neither retailers nor non-alcohol retail establishments, but include and are not limited to art studios, spas, clothing stores, and salons, customarily offer patrons alcoholic beverages in small amounts, such as a free glass of wine or a malt beverage, to enhance the customer experience. This practice is exempt from the provisions of this chapter, so long as the business establishment does not possess or is not required to possess another license issued under this chapter.

Section 6.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 6 captioned "Alcoholic Beverages" by the addition of a new Section 6-31 captioned "Special permit and security" which shall read as follows:

Sec. 6-31. – Special permit and security.

Organized events in Entertainment District of more than 50 (fifty) attendees are required to apply for a special permit from the City Manager. Together with a permit, such events shall also require 1 (one) of Georgia POST certified personnel to provide security for each 50 (fifty) attendees. Any event projecting greater than 200 attendees, requires coordination with the City of Ringgold Police Department as further requirements for security may be required.

Section 7.

The Code of Ordinances of the City of Ringgold, Georgia is hereby amended by amending Chapter 6 captioned "Alcoholic Beverages" by the addition of a new Section 6-32 captioned "Inapplicability" which shall read as follows:

Sec. 6-32. – Inapplicability.

The provisions in this Chapter allowing the consumption of alcoholic beverages off-premises in the Entertainment District shall not apply during the following City events:

- a) 1890's Days;
- b) Down Home Christmas Parade;
- c) and any other event as designated by the Mayor and Council of the City of Ringgold.

Section 8.

All ordinances and parts of ordinances in conflict with this ordinance are repealed.

Section 9.

It is hereby declared to be the intention of the Mayor and Council of the City of Ringgold that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

Section 10.

The adoption date of this Ordinance shall be July 25, 2022. The effective date of this Ordinance shall be July 25, 2022.

SO ORDAINED, this 25th day of July 2022.

CITY OF RINGGOLD, GEORGIA



NICK MILLWOOD, MAYOR

ATTEST:



CITY CLERK