

**CITY OF RINGGOLD
STATE OF GEORGIA**

ORDINANCE NO. 2021 – 0712-01

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF RINGGOLD, GEORGIA BY AMENDING CHAPTER 6 CAPTIONED “ALCOHOLIC BEVERAGES” BY THE ADDITION OF DEFINED TERMS IN SECTION 6-1, AND BY THE ADDITION OF A NEW ARTICLE II, DIVISION 2 CAPTIONED “GEORGIA FARM WINERY TASTING ROOMS”; 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 the following defined terms in Section 6.1:

“Commissioner” shall have the meaning set forth and further defined in O.C.G.A. § 3-1-2(5).

“Georgia Farm Winery” shall have the meaning set forth and further defined in O.C.G.A. § 3-6-21.1(a)(2).

“Samples” means a tasting of an individual wine in an amount of not more than two ounces, which may be given complimentary or for a fee.

“Tasting Room” shall have the meaning set forth and further defined in O.C.G.A. § 3-6-21.1(a)(3).

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 Article II, Division 2 captioned "Georgia Farm Winery Tasting Rooms" which shall read as follows:

DIVISION II - GEORGIA FARM WINERY TASTING ROOMS

6-70.

License authorized. A Georgia farm winery may, subject to the provisions of this article, provide samples of its wine and the wine of any other Georgia farm winery for consumption on the premises, and may also sell such wine in closed packages for consumption off the premises, in a tasting room at a location that is one of the locations authorized by O.C.G.A. § 3-6-21.1(b). The license authorized by this article shall be limited to Georgia farm winery tasting rooms licensed by the state in accordance with O.C.G.A. § 3-6-21.1 et seq., and the licensee shall be permitted to perform only those acts which are allowed by such statutes. No license or opportunity for a license is hereby created authorizing any other use, and sales of controlled beverages at retail by persons other than Georgia farm wineries shall continue to be prohibited in all zoning districts of the city other than the community convenience commercial district. No Georgia farm winery shall be permitted to sell wine on Sundays except for the sale of packaged wine at retail between the hours of 12:30 p.m. and 11:30 p.m.

6-71.

Unlawful activities. No person shall engage in the dispensation or sale of wine in a tasting room without first complying with the rules and regulations set out in this division. Any person violating the rules and regulations set forth herein shall be subject to revocation of any license issued hereunder and punishment as prescribed by the city. In addition to the rules and regulations herein set forth, each licensee doing business in the city under this division shall comply with all laws of the state, federal laws, and rules and regulations of the state revenue commission relating to the sale and distribution of controlled beverages in the state, and any violation of same shall subject said licensee to immediate suspension or revocation of any license issued hereunder, and also shall subject said licensee to criminal prosecution by the proper authority as provided by law and the ordinances of the city.

6-72.

- (a) *Prohibited persons.* No license shall be granted to an applicant for a license to dispense and sell wine in a tasting room within the city if such applicant is a prohibited person as set forth in section 6-43, which prohibitions are specifically incorporated herein by reference.
- (b) *Owner of Farm Winery.* Any applicant for a license to dispense and sell wine in a tasting room within the city must be the owner of a Georgia farm winery

6-73.

Application. An application for the sale of wine in a tasting room shall be made on forms furnished by the city and in accordance with Section 6-41 and shall be accompanied by the documents required by section 6-42. Such application shall also be accompanied by proof satisfactory to the city that the Georgia farm winery which the applicant represents has been issued a farm winery license by the Commissioner.

6-74.

Compliance with other provisions of this Chapter. Each licensee of a tasting room shall be subject to all provisions of this Chapter applicable to sales of controlled beverages at retail and to all provisions of this Chapter applicable to sales of controlled beverages for consumption on premises, and shall pay the fees applicable to licenses for the sale of controlled beverages at retail as well as the fees applicable to licenses for the sale of controlled beverages for consumption on premises.

Section 3.

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

Section 4.

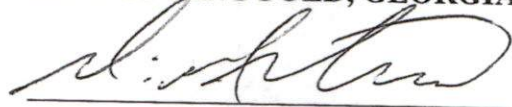
It is hereby declared to be the intention of the Mayor and Council of the City of Ringgold that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise 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 5.

The adoption date of this Ordinance shall be July 12, 2021. The effective date of this Ordinance shall be its adoption date

SO ORDAINED, this 12th day of July, 2021.

CITY OF RINGGOLD, GEORGIA



NICK MILLWOOD, MAYOR

ATTEST:



CITY CLERK