

ORDINANCE NO. _____

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF CLARKSTON
TO ALLOW CERTAIN “QUALIFIED CONVENIENCE STORES” TO OBTAIN A NEW
LICENSE TO SELL PACKAGED ALCOHOL.**

WHEREAS, City Ordinance No. 405, adopted December 6, 2016, amended Section 3-58 of the City Code such that new licenses for the retail sale of alcoholic beverages by the package may not be obtained by convenience stores or similar businesses; and

WHEREAS, it has come to the attention of the City Council that one or more new convenience stores were engaged in the development process at the time that Ordinance No. 405 was adopted and that such store(s) were developed with the reasonable expectation that, upon completion, such store(s) would be able to obtain a license to sell alcohol by the package; and

WHEREAS, the City Council hereby finds that such convenience store(s) have suffered a hardship as a result of the application of Ordinance No. 405 and the Council desires to relieve such hardship.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Clarkston as follows:

Section 1. The term “Qualified Convenience Store,” as used in this ordinance, shall mean a convenience store that meets each of the following criteria:

- 1.) It obtained a land-disturbance permit from the City for development of the store on or before December 6, 2016; and
- 2.) It obtained a business license from the City to operate a convenience store on or before September 21, 2017; and
- 3.) The store has been continuously operating as a convenience store from September 21, 2017 through the date of the adoption of this Ordinance.

SECTION 2. Notwithstanding the provisions of City Code § 3-53(b) a new license for the package sale of beer, malt beverages and/or wine shall be issued for a “Qualified Convenience Store” location if the applicant for a license otherwise satisfies the applicable regulations and criteria of Chapter 3 of the City Code.

SECTION 3. A license issued pursuant to Section 2 of this Ordinance may be renewed and/or transferred only in strict conformance with the terms of City Code § 3-54.

SECTION 4. This ordinance shall become effective immediately upon its adoption by the City Council and signature by the Mayor.

SECTION 5. This ordinance is not intended to repeal any other ordinance, but only to modify Ordinance No. 405. This ordinance is not intended to be codified.

SO ORDAINED, this ____ day of _____, 2017.

ATTEST:

**CITY COUNCIL,
CITY OF CLARKSTON, GEORGIA**

By _____
Tracy Ashby, City Clerk

Ted Terry, Mayor

Approved as to Form:

Stephen G. Quinn, City Attorney