

AN ORDINANCE AMENDING CHAPTER 16 OF THE CITY OF DUNWOODY CODE OF ORDINANCES BY ALLOWING CERTAIN ALCOHOL CONSUMPTION IN CITY PARKS

WHEREAS, the City of Dunwoody has heretofore adopted an ordinance for Offenses and Violations, as set forth in Chapter 16 of the Code of the City of Dunwoody (the “Code”); and

WHEREAS, the provisions of the Offenses and Violations Ordinance currently prohibit any consumption of alcohol in City Parks except by one specific organization; and

WHEREAS, the Mayor and City Council have determined that it may be appropriate to amend the ordinance to allow certain non-profit organizations to sponsor programs in City Parks where alcohol may be consumed.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain:

Section 1: The Offenses and Violations ordinance, Chapter 16 of the City of Dunwoody Code of Ordinances, is hereby amended by replacing Article 1, *Section 3(b)* to read as follows:

Section 3: Alcohol related offenses

(b) *Drinking in public.* It shall be unlawful for any person to drink any vinous, malt or other alcoholic beverage while on any streets, sidewalks, alleyways, parking areas or other open areas operated and controlled by the City, or while in or on the grounds of any MARTA station. Further it shall be unlawful for any person to drink any vinous, malt or other alcoholic beverage while in any city park except at a group function for which a permit has been issued by the city manager or designee. The City Council and Mayor shall set by resolution the fee and criteria for the issuance of such permit.

A licensee may prepare and serve alcoholic beverages to be consumed within an outdoor dining area as part of the operation of a sidewalk café. Open containers of alcoholic beverages shall only be transported into or out of outdoor dining areas by the licensee’s working employees as part of their work duties.

Section 2: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of _____, 2009.

Approved:

Ken Wright, Mayor

STATE OF GEORGIA
COUNTY OF DEKALB

ORDINANCE 2008-XX-XX

ATTEST:

Approved as to Form and Content:

Joan C. Jones, Acting City Clerk

Brian Anderson, City Attorney

(Seal)