



25 the existing subsection (3) of subsection (b) of Section 3-37 (Same – Off-premises  
26 consumption).

27 **Section 2.** That Article II (Licenses) of Chapter 3 (Alcoholic Beverages) of the Code of  
28 Ordinances, City of College Park, Georgia is hereby amended by deleting in its entirety the  
29 existing subsection (7) of subsection (a) of Section 3-39 (Same – Sales by the drink).

30 **Section 3.** That Article II (Licenses) of Chapter 3 (Alcoholic Beverages) of the Code of  
31 Ordinances, City of College Park, Georgia is hereby amended by striking through the  
32 existing text of Section 3-40a (Same—Farm winery licenses) and inserting the following  
33 text, in lieu thereof, to read and to be codified as follows:

34 “Section 3-40a. – Same – Farm winery licenses.

35

36 (a) The annual license fee for the sale of wine produced by a Farm Winery  
37 by that same Farm Winery at retail for off-premises consumption shall be in  
38 an amount to be determined by mayor and council, from time to time, by  
39 resolution.

40 (b) The annual license fee for the sale, by the drink, by a Farm Winery, of  
41 wine produced by that same Farm Winery shall be in an amount to be  
42 determined by mayor and council, from time to time, by resolution.

43 (c) The annual license fee for both the sale, by the drink and at retail for  
44 off-premises consumption, by a Farm Winery, of wine produced by that same  
45 Farm Winery shall be in an amount to be determined by mayor and council,  
46 from time to time, by resolution.

47 (d) A fee, in an amount to be determined by mayor and council, from time  
48 to time, by resolution, shall be paid at the time an original application is  
49 filed, to cover investigative costs, which shall be credited against the first  
50 annual license fee upon grant of a license. This fee is not refundable.

51 (e) A Farm Winery shall not be required to obtain separate licenses for off-  
52 premises consumption or sales by the drink under Secs. 3-37 or 3-39.”

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54 **Section 4.** That Article II (“Licenses”) of Chapter 3 (“Alcoholic Beverages”) of the  
55 Code of Ordinances, City of College Park, Georgia is hereby amended by striking through  
56 the existing text of subsection (e) of Section 3-49 and inserting the following text, in lieu  
57 thereof, to read and to be codified as follows:

58 “(e) Any applicant for a license for the sale of wine by a Farm Winery shall pay  
59 the applicable annual license fee and a one-time administrative/investigative fee  
60 established by mayor and council, by resolution, from time to time.”  
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62 **Section 5.** The preamble of this Ordinance shall be considered to be and is hereby  
63 incorporated by reference as if fully set out herein.

64 **Section 6.** This Ordinance shall be codified in a manner consistent with the laws of  
65 the State of Georgia and the City.

66 **Section 7.** (a) It is hereby declared to be the intention of the Mayor and Council  
67 that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,  
68 upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and  
69 constitutional.

70 (b) It is hereby declared to be the intention of the Mayor and Council that, to the  
71 greatest extent allowed by law, each and every section, paragraph, sentence, clause or  
72 phrase of this Ordinance is severable from every other section, paragraph, sentence, clause  
73 or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor  
74 and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,  
75 clause or phrase of this Ordinance is mutually dependent upon any other section,  
76 paragraph, sentence, clause or phrase of this Ordinance.

77 (c) In the event that any phrase, clause, sentence, paragraph or section of this  
78 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or  
79 otherwise unenforceable by the valid judgment or decree of any court of competent  
80 jurisdiction, it is the express intent of the Mayor and Council that such invalidity,  
81 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not  
82 render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases,

83 clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent  
84 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the  
85 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

86 **Section 8.** All ordinances and parts of ordinances in conflict herewith are hereby  
87 expressly repealed.

88 **Section 9.** The effective date of this Ordinance shall be the date of adoption unless  
89 otherwise stated herein.

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91

ORDAINED this 17<sup>th</sup> day of October, 2016.

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CITY OF COLLEGE PARK, GEORGIA

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Jack P. Longino, Mayor

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100 ATTEST:

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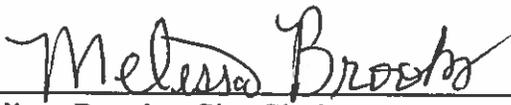
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\_\_\_\_\_  
Melissa Brooks, City Clerk

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APPROVED BY:

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\_\_\_\_\_  
Steven M. Fincher, City Attorney