

RESOLUTION 19-04

A RESOLUTION TO AUTHORIZE A REFERENDUM REGARDING THE SALE OF DISTILLED SPIRITS BY THE DRINK WITHIN THE CITY OF CONCORD TO BE VOTED UPON DURING THE NOVEMBER, 2019, ELECTION; TO RATIFY ANY AND ALL ACTIONS TAKEN CONSISTENT WITH THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL INCONSISTENT PROVISIONS; AND FOR OTHER PURPOSES.

WITNESSETH:

WHEREAS, the City of Concord, Georgia ("City") is a public body, corporate and politic, duly chartered as a municipal corporation and existing under the laws of the State of Georgia; and

WHEREAS, the City is vested with the power and responsibility under state law to protect the health, safety, and welfare of its citizens; and

WHEREAS, O.C.G.A. § 3-4-90 grants municipalities the power, if approved by referendum; to issue licenses to sell alcoholic beverages by the drink for consumption only on the premises where sold; and

WHEREAS, the City Council intends to notify the Superintendent of Elections ("Superintendent") of the need for an election by forwarding a copy of this resolution calling for a referendum; and

WHEREAS, it shall be the Superintendent's duty to issue the call and set the date for an election for the purpose of submitting the question of whether or not the City shall be authorized to issue licenses for the sale of distilled spirits by the drink; and

WHEREAS, pursuant to O.C.G.A § 3-3-92, the ballot shall print the following question:

[] YES Shall the governing authority of the City of Concord, Georgia, be authorized to issue licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises?

[] NO

; and

WHEREAS, the Superintendent shall set the date of the referendum election and issue the notice of call and public notice in accordance with O.C.G.A. § 21-2-540.

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONCORD, GEORGIA, AS FOLLOWS:

1. **Notification of Authorization.** The City hereby notifies the Elections Superintendent to call for an election and authorizes the Superintendent to submit for vote the question of whether or not the City shall be authorized to issue licenses for the sale of distilled spirits by the drink in the City at the election on November 5, 2019.

2. **Ratification.** Any actions heretofore taken in compliance with the terms of Section 1 of this resolution are hereby ratified.

3. **Severability.** In the event any portion of this resolution shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this resolution which shall remain in full force and effect as if the invalid or unconstitutional section, sentence, clause or phrase were not originally part of the resolution.

4. **Repeal of Inconsistent Provisions.** Except as otherwise provided herein, all resolutions or parts of resolutions in conflict with this resolution are hereby repealed.

5. **Effective Date.** This resolution shall become effective immediately upon its adoption by the Mayor and Council of the City of Concord.

This 13 day of August, 2019.

THE CITY OF CONCORD, GEORGIA

BY: _____

John Strickland
John Strickland, Mayor

Attest:

Sharon Casey

Sharon Casey, City Clerk

(SEAL)



Report

