*This model ordinance for authorizing brewpubs to sell wine and malt beverages by the package for consumption off the premises is not and should not be treated as legal advice. This model ordinance has been developed in response to Senate Bill 85 from the 2017- 2018 legislative session. You should consult with your legal counsel before drafting or adopting any ordinance and before taking any action based on this model.*

# MODEL BREWPUB PACKAGE SALE ORDINANCE

**ORDINANCE NO.**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF

, GEORGIA TO PROVIDE FOR PACKAGE SALES OF WINE OR MALT BEVERAGES BY BREWPUBS FOR CONSUMPTION OFF PREMISES; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

## *(SB 85 states that a brewpub license holder shall not be prohibited from selling* wine or malt beverages by the package for consumption off premises where so permitted by municipal resolution or ordinance. This model ordinance can be enacted as a stand-alone ordinance or can be used to modify an existing ordinance providing for brewpub exceptions to the three-tier distribution system.)

SECTION ONE

That Section of the (Code of Ordinances), City of

, Georgia, is hereby amended to read as follows:

# Sec. . Exceptions for brewpubs.

1. For all purposes of this section, a “brewpub” shall have the same meaning as provided in O.C.G.A. §3-1-2.
2. No individual shall be permitted to own or operate a brewpub without first obtaining a proper alcohol license from the city pursuant to the same procedures as are set

forth in Section , and each brewpub license holder shall comply with all other applicable state and local license requirements.

## *CHOOSE ONE*

1. In addition to any authorizations provided by state law, brewpubs shall be authorized to sell growlers or other packages of wine and malt beverages for on- premises consumption only.

## *OR*

1. In addition to any authorizations provided by state law, brewpubs shall be authorized to sell growlers or other packages of wine and malt beverages for on- premises consumption and off-premises consumption.

## *(Some cities have included language on growlers in their brewpub* ordinances to explicitly authorize brewpubs to sell growlers of malt beverages. Cities may consider including a provision authorizing growler sales at brewpubs or decline including such a provision if growler sales are either prohibited in the city or addressed in a different area of the city code.)

1. Possession of a brewpub license shall not prevent the holder of such license from obtaining any other license available under this chapter for the same premises.
2. Except as set forth above in this section, a brewpub license holder shall be subject to all provisions of this chapter.

SECTION TWO

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION THREE

This Ordinance shall become effective on , 20 .

**SO ORDAINED**, this day of , 20 .

Approved:

Mayor

ATTEST:

(SEAL)

City Clerk