

AN ORDINANCE TO AMEND THE NEWTON COUNTY ZONING ORDINANCE; TO REPEAL CONFLICTING PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR FURTHER PURPOSES.

WHEREAS, the Newton County Board of Commissioners approved the placement of three referenda questions relating to alcoholic beverage licensing on the ballot in conjunction with the November 6, 2012 general election;

WHEREAS, those referenda questions were approved by the voters on November 6, 2012;

WHEREAS, since the referenda questions were approved, the Newton County Board of Commissioners is authorized to issue licenses for the package sale of malt beverages and wine on Sundays, the sale of distilled spirits by the drink Monday through Saturday, and the sale of distilled spirits by the drink on Sundays;

WHEREAS, on July 3, 2012, the Board of Commissioners adopted a revised Alcoholic Beverage Ordinance with an effective date of January 1, 2013;

WHEREAS, the Alcoholic Beverage Ordinance provides that sales by the drink shall be limited to specified eating establishments and hotels with eating establishments that meet certain food sale ratios in accordance with the Newton County Zoning Ordinance;

WHEREAS, the Board of Commissioners adopted the 2009 Zoning Ordinance on February 17, 2009; and

WHEREAS, the Board of Commissioners desires to amend the Zoning Ordinance to provide for the appropriate locations for by-the-drink sales of alcoholic beverages; and

WHEREAS, the Board of Commissioners has determined that it is in the public health, safety and welfare of its citizens to limit the location of by-the-drink sales to established overlay districts.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners, Newton County, Georgia, and it is hereby ordained by the authority of the Constitution of Georgia (1983), Art. IX, Sec. II, Par. I, II and IV, as follows:

SECTION 1

Division 505 of the Newton County Zoning Ordinance is amended by deleting the following use from the Use Table:

Bar, Night Club																	CU	A	A	A
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SECTION 2

Section 510-325 of the Newton County Zoning Ordinance is amended by inserting the following subsection:

Sec. 510-325 HOTELS, MOTELS & EXTENDED STAY HOTELS

- F. In order to be eligible for an alcoholic beverage license under the Newton County Alcoholic Beverage Ordinance, a hotel or motel meeting the definition of Hotel (as that term is defined by the Newton County Alcoholic Beverage Ordinance) which contains an Eating Establishment (as that term is defined by the Newton County Alcoholic Beverage Ordinance) must be located in the following areas: Tiers 2 and 3 of the Almon/Crowell Road Overlay District or the Town Center Overlay in the Multi-County Mixed Use Business Park District.

SECTION 3

A new Section 510-543 of the Newton County Zoning Ordinance is added as follows:

Sec. 510-543 RESTAURANT

- A. In order to be eligible for an alcoholic beverage license under the Newton County Alcoholic Beverage Ordinance, a restaurant meeting the definition of Eating Establishment (as that term is defined by the Newton County Alcoholic Beverage Ordinance) must be located in the following areas: Tiers 2 and 3 of the Almon/Crowell Road Overlay District or the Town Center Overlay in the Multi-County Mixed Use Business Park District.

SECTION 4

Division 505 of the Newton County Zoning Ordinance is amended by changing the following use in the Use Table:

Restaurant	510-543																	A	A	A	A	A
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SECTION 5

All ordinances or regulations or parts thereof in conflict herewith are hereby repealed.

SECTION 6

This Ordinance shall be in force and take effect on January 1, 2013.

Adopted and approved by the Board of Commissioners on the 18th day of December, 2012, after a public hearing on said date.

NEWTON COUNTY BOARD OF COMMISSIONERS

By: Kathryn G. Morgan
Kathryn G. Morgan, Chairman

Attest: Jackie Smith
Jackie Smith, Clerk

Recommended for approval and adopted by the Newton County Planning Commission on the 27th day of November, 2012, after a public hearing on said date.

NEWTON COUNTY PLANNING COMMISSION

By: Landis Stephens
Landis Stephens, Chairman

Attest: Crystal Dooley
Crystal Dooley, Secretary

