

AN ORDINANCE 19-120  
ENTITLED

AN ORDINANCE ESTABLISHING A NEW ALCOHOL BEVERAGES REQUIREMENTS PROVIDING FOR TIME LIMITS ON OPENING FOR BUSINESS; FORFEITURE FOR NON-USE; AND COMPLETION OF NEW CONSTRUCTION; REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. Sec. 6-112 of Article III of Chapter 6 of the Code of Ordinances of the City of Albany hereafter shall read as follows:

**Sec. 6-112. Time limit on opening for business; forfeiture for non-use; completion of new construction.**

(a) Once a license application has been approved by the Mayor and Board of Commissioners, the applicant shall within thirty calendar days of such approval make contact with the Marshal's Office and purchase the license. Failure to timely do so shall serve as an automatic cancellation and forfeiture of the license without any further action by the Mayor and Board of Commissioners.

(b) All licensees must, within 180 days after the approval of the application by the Mayor and Board of Commissioners, open to the general public for business and begin the sale of the product or products authorized by such license. Failure to open the business to the general public and begin the sale referred to herein shall result in the cancellation and forfeiture of the license without any further action by the Mayor and Board of Commissioners. No refund of license fees or occupational taxes shall be made. A licensee unable to comply with this time limit may, within the 180 day time limit, make written request to the City Manager, or her/his designee, for an extension of time not to exceed 90 days.

(c) Notwithstanding subsection (b), if a building in which a retailer of alcoholic beverages intends to operate under this article is, at the time of the application for a license, not in existence or not yet completed, a license may be issued for the location, provided the plans for the proposed building clearly show a compliance with the other sections of this article. No sales or consumption shall be allowed at the approved location/establishment until it has been fully completed in accordance with the plans, a certificate of occupancy has been issued and the business conforms with all the other sections of this article. Such licensee has up to 360 days from the date of the approval of the application in which to begin the sale of product or products authorized by the license. Failure to timely do so shall serve as an automatic cancellation and forfeiture of the license without any further action by the Mayor and Board of Commissioners.

SECTION 2. This new section of City Code Sec. 6-112 shall become effective upon adoption of this Ordinance.

*Serethy Hubbard*  
MAYOR

ATTEST:

*Sonya Tolbert*  
CITY CLERK  
Adopted: *October 10/8/19*



Introduced by Commissioner: *BJ Fletcher*  
Date(s) read: *October 8, 2019*