

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND CHAPTER 6, ARTICLE II OF THE CODE OF
ORDINANCES OF SANDY SPRINGS (ALCOHOLIC BEVERAGES; VENDORS)
TO REPEAL SECTION 6-111 AND TO AMEND SECTION 6-135.**

WHEREAS, the Mayor and City Council of the City of Sandy Springs are charged with the protection of the public health, safety, and welfare of the citizens of Sandy Springs; and

WHEREAS, the State of Georgia authorizes the City of Sandy Springs to exercise regulations where it sees fit to maintain the safety and welfare of the citizens; and

WHEREAS, the City Council has on several previous occasions identified and documented the negative secondary effects of adult entertainment and alcohol and hereby incorporates all such previous findings and legislative record materials concerning such negative effects; and

WHEREAS, the Mayor and City Council find that from time to time it is appropriate to amend sections of the Code of Ordinance to correct, clarify, or update its provisions; and

WHEREAS, it has been determined that certain provisions regarding alcoholic beverage licensees should be updated.

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby ordain as follows:

Section 1. Section 6-111 of The Code of the City of Sandy Springs, Georgia, is hereby repealed.

Section 2. Section 6-135 of The Code of the City of Sandy Springs, Georgia, is hereby amended to read as follows:

Sec. 6-135. - Prohibited acts; sexual display on licensed premises.

- (a) No licensee shall permit the sale of alcoholic beverages to any person who is in a state of noticeable intoxication or allow persons who are noticeably intoxicated to congregate on the licensed premises.
- (b) No licensee shall permit any gambling, betting, lottery, or other device for the hazarding of any money or other thing of value on the licensed premises, except that this prohibition shall not apply with respect to a properly licensed bingo game.
- (c) No licensee shall permit on the licensed premises any disorderly conduct or breach of the peace.
- (d) No licensee shall suffer or permit any person to engage in live conduct exposing to public view the person's genitals, pubic area, vulva, anus, anal cleft or cleavage or buttocks, or any portion of the female breast below the top of the areola on the licensed premises.
- (e) No licensee shall allow any person to engage in sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual act prohibited by law, on the licensed premises.
- (f) Exception. Nothing contained in subsection (d) of this section shall apply to the premises of any theatre, concert hall, art center, museum, or similar establishment primarily devoted to the arts or theatrical performances, where the performances that are presented are expressing matters of serious literary, artistic, scientific, or political value.

Section 3. Should any court of competent jurisdiction declare any word, phrase, clause, sentence, paragraph, or section of this Ordinance invalid or unconstitutional, such declaration shall not affect the

validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

Section 4. It is the intention of the Mayor and City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 5. This Ordinance is effective February 7, 2012.

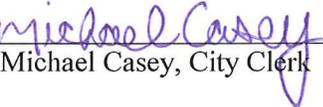
APPROVED AND ADOPTED this the 7th day of February, 2012.

Approved:



Eva Galambos, Mayor

Attest:



Michael Casey, City Clerk

(Seal)

