

### **Sec 32-201.15 License Required**

(a) No alcoholic beverages shall be manufactured, sold at wholesale or retail in the original package or by the drink, except under a license granted by the Town Council and Mayor as provided in this Article unless by the Town or a Town agency or authority through a licensed provider. Provided, however, this prohibition shall not prevent a non-eating establishment from offering beer and/or wine at no charge as an act of hospitality, where it is clearly a secondary function of the business and not a core operation of such establishment.

### **Sec 32-201.46 Removal of a partially consumed bottle of wine.**

(a) Any restaurant which is licensed to sell wine for consumption on premises may permit a patron to remove one unsealed bottle of wine per patron for consumption off premises under the following conditions:

(1) The patron has purchased a meal from the restaurant and consumed a portion of the bottle of wine which has been purchased on the premises with such meal.

(2) The partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee before removal from the premises.

(3) The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently tampered with or opened.

(4) A dated receipt for the meal and the purchase of the bottle of wine shall be provided by the licensee and attached to the container.

### **Sec 32-201.47 Growler Shop.**

(a) *Definition:* Growler means a reusable glass jug used to transport draft beer for off premises consumption that is not to exceed sixty-eight (68) ounces and not less than twelve (12) ounces and is filled with beer from a keg by a licensee or an employee of a licensee holding a license as a retail dealer of malt beverages sold in original packages for consumption off the premises from the Town or holding a license as a Growler Shop subject to this Chapter.

(b) No person shall be permitted to own or operate a Growler Shop without first obtaining a Growler Shop license from the City Clerk pursuant to the same procedures as are set forth in this Chapter, and each Growler Shop license holder shall comply with all other applicable state and local requirements.

(c) The filling of growlers by means of a tapped keg shall not constitute the breaking of a package as contemplated by O.C.G.A. § 3-3-26 or other provisions of this Ordinance, provided that after the growler is filled the growler must be sealed on the licensed premises with a tamper-proof plastic cap and may not thereafter be opened or consumed on the premises. Licensees or employees of the Growler Shop may fill or refill growlers with draft beer at a Growler Shop as

provided herein in a growler not smaller than twelve (12) ounces in volume and not to exceed sixty-eight (68) ounces in volume.

(d) Nothing in this section shall prohibit a Growler Shop from serving food or other non-alcoholic products provided it meets all of the requirements provided in the City Code and is properly permitted by the City.

(e) The annual fee for a Growler Shop license shall be set, and may be revised by, resolution of the Mayor and Council.

**Sec 32-201.48 Growler Malt Beverage Tasting License.**

(a) The holder of a package malt beverage license, with or without a package wine license, but in no event with a package distilled spirits license, shall be eligible for an ancillary growler malt beverage tasting license to provide samples of growler malt beverages offered for sale to customers under the conditions set forth in this section.

(b) Growler malt beverage sampling shall be on limited occasions when a customer requests a sample of a growler malt beverage offered for sale within the premises, or in conjunction with growler malt beverage education classes and sampling designed to promote growler malt beverage appreciation and education.

(c) Growler malt beverage tasting for customers shall only be conducted at a counter area constituting no more than ten percent (10%) of the entire floor area of the premises.

(d) Growler malt beverage sampling for customers shall be limited to no more than one (1) time per day per customer. Samples shall not exceed two (2) ounces, and no customer shall consume more than eight (8) ounces in any two (2) hour period

(e) Only the licensee or an employee shall open, handle, and serve, and samples shall only be poured by the licensee and/or an employee.

(f) No open growler containers shall be removed from the licensed premises.

(g) Not more than two (2) times per week for a period of not to exceed two (2) consecutive hours, the holder of an ancillary growler malt beverage tasting license may conduct educational classes and sampling for class participants. All conditions of sampling set forth in this section shall apply to such classes, except for the limitation on floor areas where the classes can be conducted.

(h) Holders of an ancillary growler malt beverage tasting license shall not charge for samples or tastings, but may accept donations for a charitable organization of their choice.

(i) Growler malt beverage sampling and tasting is only permitted within the designated interior portion of the premises.

(j) The annual fee for an ancillary growler malt beverage tasting license shall be set, and may be revised by, resolution of the Mayor and Council.

**Sec 32-201.4649 Reporting Violations**

**Sec 32-201.4750 Penalties**