

AN ORDINANCE TO AMEND SUBPART A – GENERAL ORDINANCES OF THE CODE OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, to AMEND CHAPTER 10 ALCOHOLIC BEVERAGES, ARTICLE II, DIVISION 1, SECTION 10-33(d)–LICENSE REQUIRED: TIME LIMIT FOR COMMENCEMENT OF OPERATION; SECTION 10-38–PRELIMINARY APPROVAL REQUIRED OPERATION; SECTION 10-39(B)–DENIAL OF LICENSE APPLICATION: GRANTING; SECTION 10-41–MORAL CHARACTER OF LICENSEE:GRANTING; SECTION 10-51(D)–TRANSFER OF LICENSES PROHIBITED: CHANGE OF LOCATION; SECTION 10-51(G)–TRANSFER OF LICENSES PROHIBITED: CHANGE OF LOCATION; SECTION 10-52(D)–SPECIAL PROVISIONS ON REVOCATION OR SUSPENSION; SECTION 10-63(A)–CONSIDERATIONS FOR GRANTING APPLICATIONS FOR ALCOHOLIC BEVERAGE HANDLING PERMITS; SECTION 10-63(B)–CONSIDERATIONS FOR GRANTING APPLICATIONS FOR ALCOHOLIC BEVERAGE HANDLING PERMITS; SECTION 10-66(B)–CONSIDERATIONS FOR GRANTING APPLICATIONS FOR ALCOHOLIC BEVERAGE HANDLING PERMITS; SECTION 10-68(E)–OFF-PREMISES SALE OF ALCOHOLIC BEVERAGES FOR CATERED FUNCTIONS; TO PROVIDE FOR REPEAL OF CONFLICTING PROVISIONS; TO PROVIDE FOR AN ADOPTION DATE; AND FOR OTHER PURPOSES.

WHEREAS, Rockdale County comprehensively regulates fees pursuant to its general police powers, and other authority derived from applicable local laws, the Constitution of the State of Georgia, state and federal statutory authority, and other sources; and

WHEREAS, Chapter 10, Sections 10-33(d), 10-38, 10-39(b), 10-51(d), 10-51(g), 10-52(d), 10-63(a), 10-63(b), 10-68(e) of the Code of Rockdale County, Georgia regulate the issuance of licensing of alcohol sales; and

WHEREAS, the Board of Commissioners desires to proactively address the time it takes to issue an alcohol license; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rockdale County, Georgia, and it is hereby ordained by the authority of same as follows:

Section I

That Section 10-33(d) License required: time limit for commencement of operation; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia, as amended by adding ‘the chair of’ and ‘or their designee’ in two (2) locations, and replacing ‘its’ with ‘their’ in one location of the text “All licenses issued under this article must, within 90-days after the issuance of a county license, open for business. Failure to open for business shall constitute a forfeiture and cancellation of the issued license, and no refund of license fees or business taxes shall be made. Any applicant unable to comply with the time limit of this section may make written request to the chair of the board of commissioners or their designee for an extension of time for good cause not to exceed 90-days, and the chair of the Board of Commissioners or their designee at their discretion may grant or deny the request.”

Section II

That Section 10-38 – Preliminary approval required operation; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “All applications shall be approved or disapproved by the sheriff or his designee as a condition to action thereon and issuance of a license by the chair of the board of commissioners or their designee. Before the sheriff approves or disapproves an application, he shall make or cause to be made a complete and exhaustive investigation of the police, criminal and administrative record of the applicant. If the sheriff determines that the applicant has no record that is in violation of this article, he shall approve the application.

Section III

That Section 10-39(b) – Denial of license application: granting; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “Otherwise, the director of the department of planning and development may issue any county license provided for in this article after a motion to that effect is approved by the chair of the board of commissioners or their designee.”

Section IV

That Section 10-41 – Moral character of licensee: granting; (Subpart A - General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “No person, partnership or corporation shall be granted a license under this article unless it shall appear to the satisfaction of the chair of the board of commissioners or their designee that the person applying, the partner applying on behalf of the partnership, or the agent applying on behalf of the corporation, shall have met the requirements of this Chapter. If an applicant, inclusive of the partner applying on behalf of the partnership or the agent applying on behalf of the corporation, has been convicted, pled guilty, or entered a plea of nolo contendere to a crime involving moral turpitude or an offense involving the sale of narcotics or the sale of alcohol to a minor within a period of two years prior to the filing of the application, the application for a license under this article may be denied.”

Section V

That Section 10-51(d) – Transfer of licenses prohibited: change of location; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “In case of death of any person owning a license, or any interest therein, the license may, with the approval of the chair of the board of commissioners or their designee, and subject to the terms of this article, be transferred to the administrator, executor or personal representative of the deceased person, or to the heirs at law of the deceased person, if such heirs meet all of the other qualifications contained in this article. The license of the deceased person shall be held by the administrator, executor, or personal representative of the deceased person only for time necessary to complete administration of his estate and to dispose of the license or the interest therein, but in no event to exceed 12 months.”

Section VI

That Section 10-51(g) – Transfer of licenses prohibited: change of location; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text

“A licensee may take in partners or additional stockholders; however, any additional partners or new stockholders must be approved by the chair of the board of commissioners or their designee as provided under this article.”

Section VII

That Section 10-52(d) – Special provisions on revocation or suspension; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and ‘or their designee’ in one (1) location of the text “If **the chair of** the board of commissioners **or their designee** revokes or suspends any license for the sale of alcohol granted under this article, no new license under this article shall be granted by the county for the sale of malt beverages, wine and/or distilled spirits for the period of six months after the date of revocation or suspension to that licensee.”

Section VIII

That Section 10-63(a) – Considerations for granting applications for alcoholic beverage handling permits; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the Chair of’ and replacing ‘or his/her designee’ with ‘or their designee’ in two (2) locations of the text “The chair of the board of commissioners or their designee shall issue the license unless the applicant does not meet the requirements of this Chapter 10. In making such determination, the chair of the board of commissioners or their designee shall consider the following matters in connection with each application for an alcoholic beverage handling permit, which said considerations are deemed to be in the public interest and welfare, as follows:”

Section IX

That Section 10-63(b) – Considerations for granting applications for alcoholic beverage handling permits; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the Chair of’ and replacing ‘or his/her designee’ with ‘or their designee’ in two (2) locations of the text “

Section X

That Section 10-66(b) – Considerations for granting applications for alcoholic beverage handling permits; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and replacing ‘or his/her designee’ with ‘or their designee’ in one (1) location of the text “Any alcoholic beverage handling permit issued hereunder shall expire one year from the date of issuance, unless earlier rescinded by the board of commissioners. All persons holding alcoholic beverage handling permits and seeking to renew such permits shall submit an application to renew their permits in advance of the expiration date on forms prescribed by the department of planning and development. Upon receipt of the background check information, the county shall have 30 calendar days to review such completed renewal application. Handling alcohol without a valid permit is expressly prohibited. In the event that the county does not issue a decision on the completed renewal application within this time period, then the application fee shall be refunded to the applicant and shall be waived with respect to the present renewal application only.

Section XI

That Section 10-68(e) – Off-premises sale of alcoholic beverages for catered functions; (Subpart A General Ordinances, Chapter 10 – Alcoholic Beverages, Article II – Sale, Division 1) of the Code of Rockdale County, Georgia as amended by adding ‘the chair of’ and replace ‘or his/her designee’ with ‘or their designee’ in one (1) location of the text “The sheriff’s office and the department of planning and

development or their designees shall review the applicant's application and supporting documentation. Based upon the requirements set forth in this section, the chair of the board of commissioners or their designee shall either approve or deny, in writing, said alcoholic beverage special event application."

Section XII

That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section XIII

Should any court of competent jurisdiction declare any section of this ordinance invalid or unconstitutional, such declaration shall not affect the validity of the ordinance, or any part thereof, which is not specifically declared to be invalid or unconstitutional.

This Ordinance shall become effective upon adoption. This 14th day of October, 2025.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

By: JaNiece Van Ness
JaNiece Van Ness, Chair & CEO

By: Tuwanya C. Smith
Tuwanya C. Smith, Post I

By: not present
Dr. Doreen Williams, Post II

Attest:

By: Jennifer Rutledge
Jennifer Rutledge, County Clerk

Approved as to form:

By: M. Qader A. Baig
M. Qader A. Baig, County Attorney

First Reading: 9/16/2025

Second Reading: 10/14/2025