

DEKALB COUNTY PLANNING & SUSTAINABILITY DEPARTMENT

178 SAMS STREET
DECATUR, GEORGIA 30030
www.dekalbcountyga.gov/planning

BOARD OF COMMISSIONERS HEARING DATE: August 26, 2025, 10:00 AM

Agenda No: 2025-1113

Commission Districts: County-wide

SECTIONS OF ALCOHOLIC Beverages ORDINANCE AFFECTED BY AMENDMENTS: Chapter 4, SECTION 4-26 (Inspections of premises), SECTION 4-28 (collection of delinquent sums), section 4-29 (audits), section 4-49 (application), section 4-50 (persons eligible), section 4-52 (EXPIRATION; RENEWAL), section 4-53 (transferability), section 4-54 (display), section 4-55 (suspension or revocation), section 4-56 (alcoholic beverage review board), section 4-60 (fee deposit and investigative and administrative costs), section 4-74 (liability for tax; authority to collect), section 4-75 (determinations, returns and payments), section 4-76 (deficiency determinations), section 4-77 (determination if no return made), section 4-79 (collection of tax; security deposit; refunds), section 4-80 (administration), section 4-101.1 (location restrictions), section 4-103 (advertising), section 4-104 (prohibited types of entertainment, attire and conduct), section 4-108 (happy hour promotions), section 4-109 (locations where sales by the drink permitted; entrance to establishment), section 4-127 (employees), section 4-128 (Sunday sales), section 4-129 (open area and patio sales), section 4-146 (types of retail establishments), section 4-147 (hours of sale and operation), section 4-148 (employees), section 4-149 (Sunday sales), section 4-150 (open area and patio sales), Section 4-164 (Sunday sales), section 4-165 (open area and patio sales), section 4-193 (hours of sale), section 4-194 (employees), section 4-214 (wine tastings), section 4-231 (generally), section 4-232 (excise tax imposed; bond required), section 4-251 (types of establishments), section 4-252 (permits)

REASON FOR REQUEST:

As the Department embarks on a plan to assess and update regulations within its purview, we conducted a review of Chapter 4 (Alcoholic Beverages) of the Code of DeKalb County, as Revised 1988 concerning alcoholic beverage regulations. Several revisions are recommended to ensure the ordinance aligns with Georgia statutes, current operational practices, and supports the county's broader goals for public health, safety, and commercial vitality. The proposed amendments are part of an ongoing effort to streamline policy language, remove outdated provisions, and address regulatory barriers to desired development.

The ordinance has been reviewed to ensure alignment with current policies and administrative practices. These include removing redundant language, updating section titles and fee language, eliminating outdated procedures, clarifying accepted payment methods, and minor grammatical corrections to ensure readability and accuracy.

Additionally, a key policy amendment is recommended regarding distance requirements for alcohol retailers operating in specific zoning districts. Under state law (O.C.G.A. § 3-3-21), DeKalb County has authority to adopt alternative distance requirements for establishments serving alcohol on-site. This amendment would provide an exemption for restaurants located in the following zoning classifications: MU-1, MU-5, MU-4, and MR-2 provided they meet the existing land use definition of a restaurant in the Zoning Ordinance Chapter 27. The proposed change addresses concerns that current distance standards are overly restrictive within MR-2 zones and discourages a mixture of residential and commercial uses supported by the community.

Given that alcohol license renewals begin in October, this proposal is time sensitive and needed prior to October 1, 2025. Therefore, we are requesting that the ordinance revisions be submitted for consideration at the August 12th PECS (Planning, Economic Development and Community Services) Committee meeting.

Timely approval of these changes will support regulatory efficiency, improve the customer service experience, and allow businesses to operate within a more practical and modernized framework, without compromising the county's commitment to public health and safety.

RECOMMENDATION: Approval.