*This model reporting ordinance for disciplinary actions against bar licensees is provided only for general informational purposes and to assist Georgia cities in ensuring that notification to Georgia Department of Revenue is accomplished within 45 days of any disciplinary action being taken by a municipality against a person issued a license by the municipality to operate a bar. The ordinance is not and should not be treated as legal advice. This model ordinance has been developed in response to House Bill 152 from the 2015-2016 legislative session. You should consult with your legal counsel before drafting or adopting any ordinance and before taking any action based on this model.*

**MODEL BAR DISCIPLINARY ACTION ORDINANCE**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, GEORGIA TO PROVIDE FOR NOTIFICATION TO THE GEORGIA DEPARTMENT OF REVENUE UPON THE MUNICIPALITY TAKING DISCIPLINARY ACTION AGAINST ANY PERSON ISSUED A LICENSE TO OPERATE A BAR; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

***(If your city does not issue alcohol licenses to a licensed retailer of alcoholic beverages for consumption on the premises who derives 75 percent or more total gross annual revenue from such sales then your municipality is not required to enact any ordinance or resolution complying with HB 152. However, if your municipality does have any such establishment an ordinance or resolution will be required to be enacted setting forth a policy and implementing a reporting process. Any type in bold italics is for informational purposes and not meant to be a part of the model ordinance.)***

SECTION ONE

That Section \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Alcoholic Beverages) of the Code of Ordinances, City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Georgia, is hereby amended to read as follows:

**Sec. \_\_\_\_\_\_\_\_\_\_\_. Reporting of Disciplinary Actions.**

(a) Pursuant to O.C.G.A. §3-3-2.1, the \_\_\_(name an office of the municipality)\_\_\_\_\_ shall be required to provide notification to the Georgia Department of Revenue within 45 days of any officer, department, agency, or instrumentality of the municipality taking disciplinary action against any person issued a license to operate any premises at which 75 percent or more total gross annual revenue is derived from the sales of alcoholic beverages for consumption on the premises.

(b) The notification required under paragraph (a) of this code section shall be in the format for the reporting of disciplinary actions set by the Georgia Department of Revenue.

(c) For purposes of this code section “disciplinary action” shall have the same meaning as provided for in O.C.G.A. §3-3-2.1(a)(1), which includes any citation or arrest arising out of the violation of any law, rule, regulation, resolution, or ordinance of a governmental entity relating to the manufacture, distribution, sale, or possession of alcoholic beverages against a licensee, any employee of a licensee, or any person holding a financial interest in the license of a licensee on the premises or place of business of any licensee.

SECTION TWO

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION THREE

This Ordinance shall become effective on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_, 20\_\_\_\_\_\_\_\_.

**SO ORDAINED**, this \_\_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

 Approved:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(SEAL)

City Clerk

***(The Georgia Department of Revenue has set forth Policy Bulletin ATD-2016-06 as part of their compliance with O.C.G.A. §3-3-2.1.***

 ***(***[***https://dor.georgia.gov/sites/dor.georgia.gov/files/related\_files/document/LATP/Policy%20Bulletin/ATD-2016-06%20New%20Requirements%20under%20HB%20152.pdf***](https://dor.georgia.gov/sites/dor.georgia.gov/files/related_files/document/LATP/Policy%20Bulletin/ATD-2016-06%20New%20Requirements%20under%20HB%20152.pdf)***).***

***According to this Policy Bulletin local jurisdictions will only need to go to*** [***https://gtc.dor.ga.gov***](https://gtc.dor.ga.gov) ***and click on the “Business” tab. After clicking such tab the local jurisdiction will click on the “Report Alcohol Citation” hyperlink and complete and submit the web report.)***