STATE OF GEORGIA
CITY OF DUNWOODY

ORDINANCE 2009-08-39

AN ORDINANCE AMENDING CHAPTER 4 OF THE CITY OF DUNWOODY CODE OF ORDINANCES BY AMENDING CERTAIN DISTANCE REQUIREMENTS

WHEREAS, the City of Dunwoody is charged with protecting the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Dunwoody has heretofore adopted an ordinance for Alcohol Beverages, as set forth in Chapter 4 of the Code of the City of Dunwoody (the "Code"); and

WHEREAS, the provisions of Chapter 4 currently require a licensed establishment to be a distance of 200 feet away from any private single or two-family dwelling; and

WHEREAS, the Mayor and City Council have determined that it may be appropriate to amend Chapter 4 to make the above distance in yards instead of feet in order to standardize the various distance requirements presented in Chapter 4 for licensed establishments and further protect residential neighborhoods.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain as follows:

Section 1: Alcohol Beverages, Chapter 4 of the City of Dunwoody Code of Ordinances, Article IV, Section 1(c), Distance from Churches, Schools, etc., is hereby amended as follows:

(c) No package license shall be issued for any place of business which is located within two hundred (200) ~~feet~~yards of a private single-family or two-family dwelling in a zoning district that permits single and/or two family dwellings; provided, however, this prohibition shall not apply with respect to a private dwelling located in a zoning district in which alcohol beverage outlets are authorized and which dwelling is on the same street as the premises for which a package license is applied.

Section 2: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ___ day of _____, 2009.

Approved:

_____
Ken Wright, Mayor

ATTEST:

_____
Sharon Lowery, City Clerk (Seal)

Approved as to Form and Content:

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Brian Anderson, City Attorney