

AN ORDINANCE 20-102
ENTITLED

AN ORDINANCE ESTABLISHING BOUNDARIES FOR THE DOWNTOWN ENTERTAINMENT DISTRICT; ENACTING AN ORDINANCE THAT WILL GOVERN POSSESSION AND CONSUMPTION OF ALCOHOL IN THE DOWNTOWN ENTERTAINMENT DISTRICT; REPEALING ALCOHOLIC BEVERAGE REQUIREMENTS IN ARTICLE 10, SECTION 10.02 OF THE ALBANY/DOUGHERTY OVERLAY ZONING ORDINANCE AS THEY RELATE TO THE DOWNTOWN ENTERTAINMENT DISTRICT; ABOLISHING PROXIMITY REQUIREMENTS FOR THE DOWNTOWN ENTERTAINMENT DISTRICT; EXEMPTING THE DOWNTOWN ENTERTAINMENT DISTRICT FROM THE PROXIMITY LIMITATION IN CITY CODE § 6-75(4); REPEALING PRIOR ORDINANCES IN CONFLICT AND FOR OTHER PURPOSES.

WHEREAS, it is in the best interest of the City of Albany to create a Downtown Entertainment District; and

WHEREAS, this Ordinance will among other things regulate and restrict the possession and consumption of any alcoholic beverage in the Downtown Entertainment District,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. DOWNTOWN ENTERTAINMENT DISTRICT BOUNDARIES.

District Boundaries. The Downtown Entertainment District (“DED”) boundaries are described as follows:

Northern boundary: Flint Avenue between N. Jefferson Street and Front Street;

Eastern boundary: Front Street from Flint Ave, south to Broad Ave. At Broad Avenue, the district extends to the east to the Flint River. The eastern boundary then runs along the western edge of the Flint River to the southern boundary of Veterans Park Amphitheater.

Southern boundary: The Flint River along the southern boundary of Veterans Park Amphitheater to Front Street. Heading north on Front to Oglethorpe where the boundary follows Oglethorpe to Washington Street. At Washington, the boundary heads north to the West Broad Avenue Alley, where it goes west to Jackson Street.

Western boundary: S. Jackson Street between the West Broad Avenue Alley and Pine Avenue, where it runs west to Jefferson Street. The boundary then goes from Pine Avenue to Flint Avenue along Jefferson Street.

The boundary is also set forth in the attached Exhibit A.

SECTION 2. CONSUMPTION LIMITED TO LAWFUL HOURS OF OPERATION WITH ADDITIONAL RESTRICTIONS. On the public streets, sidewalks or rights of way within the DED possession and/or consumption of any alcoholic beverage dispensed by an establishment located within the DED licensed to dispense alcoholic beverages is authorized during the hours specified in City Code § 6-5(b) provided the following requirements are met:

(a) *Two drink on-street limit.* Any establishment located within the DED licensed to dispense alcoholic beverages by the drink for consumption on the premises is authorized to dispense alcoholic beverages in plastic cups or other container that is not a can, bottle, or glass, for removal from the premises subject to the sixteen (16) ounce limitation described below; provided, however, that no such establishment shall dispense to any person more than two (2) such alcoholic beverages at a time for removal from the premises. Each transaction involving the dispensing of any alcoholic beverage from the premises shall be paid in full before removal from the premises.

(b) *Size limited to maximum of sixteen (16) ounces.* No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed sixteen (16) fluid ounces in size. No person shall be in possession on the public streets sidewalks or rights of way, or in other public places within the DED, of any open alcoholic beverage container which exceeds sixteen (16) fluid ounces in size. Such containers must contain the logo or brand of the licensed premises as well as the logo or brand of Downtown Albany on the opposite side of the (container).

(c) *Drinking from can, bottle, or glass prohibited.* It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass or to possess an open can, bottle or glass of any alcoholic beverage on the streets, sidewalks, rights-of-way, and parking lots, whether public or private.

(d) *Purchase from licensed premises within the Downtown Entertainment District.* Alcoholic beverages possessed or consumed pursuant to this ordinance must be purchased from a licensed premise within the DED.

SECTION 3. SIGNAGE. Alcohol establishments that choose to take advantage of the provisions in this ordinance must post guidelines and a map on the front facing window or immediately near the entrance of their establishment. Posters of the guidelines will be provided by the Marshal's office.

SECTION 4. LACK OF PROXIMITY REQUIREMENT. Establishments located within the DED licensed to dispense alcoholic beverages by the drink for consumption on the premises are not subject to any proximity ordinances. Without limiting the generality of the foregoing, those provisions in GENERAL USE REQUIREMENTS—ALCOHOLIC BEVERAGES of Section 10.01 of the Overlay Zoning District as well as Section 47-11 of the City Code which are in conflict are repealed.

SECTION 5. SECURITY CAMERA SYSTEM. Alcohol establishments that chose to take advantage of the provisions in this Ordinance shall install and properly maintain a camera system which complies with the following requirements.

Camera: the required system must use IP cameras with a minimum of 2MP or better with true wide dynamic range, 4mm lens or better, IR illuminators for low light/night time capabilities within a range of 30 feet or better. Meet IP66 standards for dust and moisture protection and IK10 standards for protection against vandalism.

Network Video Recorder: The NVR must record no less than 7.5 frames per second per camera, must have the ability to produce recorded footage off and on to a CD, DVD, flash drive, or portable device (storage devices). The recording must be in an open file format such as AVI, DVI, MPEG or WMV formatted on the storage devices and if have a codec file that is required to play the open file format it must be included on the storage device while files are being transferred. The DVR must maintain at least 30 days of recorded footage and recording for cameras must be set to motion to preserve storage.

Monitor: Must connect the recording device and be capable of displaying playback of recorded material for review.

SECTION 6. PUNISHMENT. Violation of any provision of this Ordinance is punishable as set forth in Section 1-17 of the City Code, as if set forth verbatim which is expressly incorporated herein by reference.

SECTION 7. This Ordinance shall become effective immediately upon adoption.

SECTION 8. All Ordinances, or parts of Ordinances, in conflict herewith are repealed.


MAYOR

ATTEST:


CITY CLERK

Adopted: *March 10, 2020*

Introduced By Commissioner: *Bob Langstaff, Jr*

