

**ALCOHOLIC BEVERAGES**  
**CHAPTER 10**  
**ARTICLE 2**  
**LICENSING**

**BREW PUBS AND BREWERIES**

**SECTION \_\_\_\_\_ BREW PUB LICENSE**

- (A) **REQUIRED:** NO INDIVIDUAL SHALL BE PERMITTED TO OWN OR OPERATE A BREWPUB WITHOUT FIRST OBTAINING A PROPER LICENSE FROM THE BOARD OF COMMISSIONERS OF LINCOLN COUNTY, GEORGIA, AND EACH BREWPUB LICENSE HOLDER SHALL COMPLY WITH ALL OTHER APPLICABLE STATE AND LOCAL LICENSE REQUIREMENTS.
- (B) **DEFINITIONS.** THE FOLLOWING DEFINITION SHALL APPLY IN THE INTERPRETATION AND ENFORCEMENT OF THIS ORDINANCE:
- (1) **BREPUB:** ANY EATING ESTABLISHMENT IN WHICH BEER OR MALT BEVERAGES ARE MANUFACTURED OR BREWED, SUBJECT TO THE BARREL PRODUCTION LIMITATION PRESCRIBED IN O.C.G.A. SECTION 3-5-36, AND ITS SUCCESSORS, FOR RETAIL CONSUMPTION ON PREMISES AND SOLELY IN DRAFT FORM. AS USED HEREIN, THE TERM EATING ESTABLISHMENT MEANS AN ESTABLISHMENT WHICH IS LICENSED TO SELL DISTILLED SPIRITS, MALT BEVERAGES, OR WINES AND WHICH DERIVES AT LEAST FIFTY PERCENT (50%) OF ITS TOTAL ANNUAL GROSS FOOD AND BEVERAGES SALES FROM THE SALE OF PREPARED MEALS OR FOOD.
- (C) **TERMS OF LICENSE.**
- (1) A BREWPUB LICENSE AUTHORIZES THE HOLDER OF SUCH LICENSE TO:
- A. MANUFACTURE ON THE LICENSED PREMISES NOT MORE THAN 2,000 BARRELS OF BEER IN A CALENDAR YEAR SOLELY FOR RETAIL SALE ON THE PREMISES AND SOLELY IN DRAFT FORM; AND
- B. OPERATE AN EATING ESTABLISHMENT THAT SHALL BE THE SOLE RETAIL OUTLET FOR SUCH BEER AND MAY OFFER FOR SALE ANY OTHER ALCOHOLIC BEVERAGES PRODUCED BY OTHER MANUFACTURERS WHICH ARE AUTHORIZED FOR RETAIL SALE UNDER LICENSES ISSUED BY THE BOARD OF COMMISSIONERS OF LINCOLN COUNTY, GEORGIA, INCLUDING WINE, DISTILLED SPIRITS, AND MALT BEVERAGES, PROVIDED THAT SUCH ALCOHOLIC BEVERAGES ARE PURCHASED FROM A LICENSED WHOLESALER FOR CONSUMPTION ON THE PREMISES ONLY, AND, PROVIDED, FURTHER, THAT IN ADDITION TO DRAFT BEER MANUFACTURED ON THE PREMISES, EACH BREWPUB LICENSEE SHALL OFFER FOR SALE COMMERCIALY AVAILABLE CANNED OR BOTTLED MALT BEVERAGES FROM LICENSED WHOLESALERS.
- (2) POSSESSION OF A BREWPUB LICENSE SHALL NOT PREVENT THE HOLDER OF SUCH LICENSE FROM OBTAINING A RETAIL CONSUMPTION DEALER'S LICENSE FOR THE SAME PREMISES.
- (3) A BREWPUB LICENSE DOES NOT AUTHORIZE THE HOLDER OF SUCH LICENSE TO SELL ALCOHOLIC BEVERAGES BY THE PACKAGE FOR CONSUMPTION OFF THE PREMISES.
- (4) A BREWPUB LICENSEE SHALL NOT OFFER OR PERMIT ANY FREE SAMPLING OF BEER BY ITS CUSTOMERS ON THE PREMISES OF THE BREWPUB.
- (5) A BREWPUB LICENSEE SHALL:
- (A) PAY ALL STATE AND LOCAL LICENSE FEES AND EXCISE TAXES APPLICABLE TO INDIVIDUALS LICENSED AS MANUFACTURERS, RETAILERS, AND, WHERE APPLICABLE, WHOLESALERS UNDER THIS TITLE; AND
- (B) MEASURE BEER MANUFACTURED ON THE PREMISES AND OTHERWISE COMPLY WITH APPLICABLE REGULATIONS RESPECTING EXCISE AND ENFORCEMENT TAX DETERMINATION FOR SUCH BEER AS REQUIRED BY GEORGIA LAW AND THE ORDINANCES OF THE LINCOLN COUNTY, GEORGIA.

(C) A BREW PUB MAY SELL MALT BEVERAGES ON ALL DAYS AND AT ALL TIMES THAT THE SALES OF ALCOHOLIC BEVERAGES BY RETAILERS ARE LAWFUL WITHIN LINCOLN COUNTY AND THE STATE OF GEORGIA.

Enacted this \_\_\_\_ day of \_\_\_\_\_, 2019.

BOARD OF COMMISSIONERS  
LINCOLN COUNTY, GEORGIA

\_\_\_\_\_  
Walker T. Norman, Chairman

Attest:

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Sherry McKellar, County Clerk