

City of Norcross

*65 Lawrenceville Street
Norcross, GA 30071*



Meeting Agenda

Monday, October 18, 2021

**Immediately following the
Policy Work Session**

2nd Floor Conference Room

SPECIAL CALLED MEETING

***Mayor Craig Newton
Mayor Pro Tem Josh Bare
Councilmember Andrew Hixson
Councilmember Matt Myers
Councilmember Bruce Gaynor
Councilmember Arlene Beckles***

A. Call to Order by Craig Newton**PLEASE TURN OFF ALL CELL PHONES AND ELECTRONIC DEVICES****B. Roll Call (recorded)****C. Comments by Citizens****PH. Public Hearings****E. Items for Discussion****1. [21-6303](#) Anniversary Event Resolution**

Public Works, Utilities, & Parks is asking to proceed with the attached Alcohol Resolution for the presence and sale of alcoholic beverages at the 2021 Norcross 150th (Plus One) Birthday Celebration.

[Memo - Anniversary Event Resolution](#)

[Anniversary Event - Resolution](#)

F. Adjourn to Executive Session Legal Personnel, and Real Estate**G. Signed by _____ Mayor Craig Newton****H. Attest _____ Monique Lang, City Clerk**



City of Norcross

Legislation Details (With Details)

65 Lawrenceville Street
Norcross, GA 30071

770-448-2122

770-242-0824

File#:	21-6303	Version:	
Type:	Agenda Item	Status:	Agenda Ready
File Created:	10/6/2021	In Control:	Special Called Meeting
On Agenda:	10/18/2021 6:30 PM	Status:	Reviewed
Title:	Anniversary Event Resolution		

Sponsors:

Code Sections:

Attachments:

1. [Memo - Anniversary Event Resolution](#)
2. [Anniversary Event - Resolution](#)

Title
Anniversary Event Resolution

Drafter
Mary Beth Bender

Motion

A motion to approve/deny the attached Resolution to allow the presence and sale of alcoholic beverages at the 2021 Norcross 150th (Plus One) Birthday Celebration.



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **MATT MYERS** •
COUNCILMEMBER **BRUCE GAYNOR** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE LANG**

Agenda Report

To: Mayor and Council
From: Mary Beth Bender
Agenda: October 18, 2021 – Special Called Meeting
Agenda #: 21-6303
Item: Norcross 150th (Plus One) Birthday Celebration
CC: Eric Johnson

Recommendation: Public Works, Utilities, & Parks is asking to proceed with the attached Alcohol Resolution for the presence and sale of alcoholic beverages at the 2021 Norcross 150th (Plus One) Birthday Celebration.

Background: Norcross 150th (Plus One) Birthday Celebration is a special event for which a temporary license to sell alcohol may be issued, subject to the requirements of Norcross Code of Ordinances, Chapter 4, Section 4-5 and 4-7. The resolution approves this issuing of an Alcohol Permit for the sake of malt alcoholic beverages (beer, wine, and hard cider) in Lillian Webb Park by Top Job Beverage and Events between the hours of 4:00 p.m. – 10:00 p.m. on October 23, 2021.

Financial Impact: N/A

Consistent with Comprehensive Plan? Yes, this falls under Sustainability & Quality of Life. The City of Norcross takes pride in providing a high quality of life for its residents. Special events such as the Norcross 150th (Plus One) Birthday Celebration add to the social health, well-being and overall quality of life for our residents.

Next Steps: Issue Alcohol Permit

Attachments: Norcross 150th (Plus One) Birthday Celebration Resolution

**RESOLUTION TO ISSUE A SPECIAL ALCOHOL PERMIT, TO PERMIT THE
SALE AND CONSUMPTION OF ALCOHOL IN TO-GO CUPS, AND TO
PERMIT OPEN CONTAINERS DURING THE NORCROSS 150TH(PLUS ONE)
BIRTHDAY CELEBRATION**

WHEREAS, the Parks and Recreation Division of the City of Norcross Department of Public Works, Utilities and Parks has scheduled the Norcross 150th (Plus One) Birthday Celebration to be held at Lillian Webb Park; and

WHEREAS, the Mayor and Council of the City of Norcross, Georgia have determined that Norcross 150th (Plus One) Birthday Celebration is a special event for which a temporary license to sell alcohol may be issued, subject to the requirements of Norcross Code of Ordinances, Chapter 4, Section 4-5 and 4-7; and

WHEREAS, the 2021 Norcross 150th (Plus One) Birthday Celebration is scheduled to occur in Lillian Webb Park on October 23, 2021; and

WHEREAS, Top Job Beverage & Events or a licensed vendor has requested that the City of Norcross, Georgia (hereinafter, the "City") issue a special alcohol permit to allow the sale of alcoholic beverages during the 2021 Norcross 150th (Plus One) Birthday Celebration between the hours of 4:00 p.m. – 10:00 p.m. on October 23, 2021; and

WHEREAS, the Mayor and Council of the City of Norcross, Georgia have determined that the public interest will be served by issuing a Special Alcohol Permit for the 2021 Norcross 150th (Plus One) Birthday Celebration permitting the sale of malt alcoholic beverages (beer, wine and hard cider) in Downtown Norcross by a licensed vendor between the hours of 4:00 p.m. -10:00 p.m. (hereinafter, the "designated hours") on October 23, 2021 pursuant to Norcross Code of Ordinances, Chapter 4, Section 4-7; and

WHEREAS, the City has determined that the public interest will be served by granting an exception for the 2021 Norcross 150th (Plus One) Birthday Celebration permitting the open consumption and possession of alcoholic beverages by the public in Lillian Webb Park during the designated hours, subject to the requirements of the Norcross Code of Ordinances, Chapter 4, Section 4-5.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Norcross, Georgia as follows:

- I. Special Alcohol Permit for Licensed Vendor to Sell Malt Beverages:** A growler company or licensed vendor (Top Job Beverage & Events) a state and county licensed beer vendor, whose principal business address is to be determined, (hereinafter, the "Vendor") upon satisfying the following conditions, shall be issued a Special Alcohol Permit and a temporary license to allow the sale of malt alcohol beverages by said Vendor between the hours of 4:00 p.m. and 10:00 p.m. at

the Norcross 150th (Plus One) Birthday Celebration in Lillian Webb Park pursuant to Norcross Code of Ordinances, Chapter 4, Section 4-7, and the following conditions, as follows:

- (1) Prior to the issuance of said Special Alcohol Permit, the Vendor must complete all applications and pay the required fees required by the City Norcross Code of Ordinances, Chapter 4, Section 4-7 (a)(4).
- (2) Prior to the issuance of said Special Alcohol Permit, said Vendor shall provide the City with a certificate of insurance in an amount not less than \$1,000,000.00 and shall name the City, its elected officials and employees as additional insureds under the terms of the policy.
- (3) The Vendor shall be required to comply with all the general ordinances and licensing regulations for a "consumption on the premises" establishment with the exception of the full-service kitchen requirement. Norcross Code of Ordinances, Chapter 4, Section 4-7 (a)(5).
- (4) Any employee of the Vendor working during the 2021 Norcross 150th (Plus One) Birthday Celebration in any position dispensing, selling, serving, taking orders or pouring alcoholic beverages shall not be required to obtain a pouring permit for the Norcross 150th (Plus One) Birthday Celebration, Code of Ordinances, Chapter 4, Section 4-7 (b).
- (5) Prior to the issuance of said Special Alcohol Permit, said Vendor shall provide the City with satisfactory proof that Vendor agrees to indemnify and hold the City, its elected officials and employees harmless from any and all claims, demands or other causes of action arising from any of the activities associated with the Norcross 150th (Plus One) Birthday Celebration. Norcross Code of Ordinances, Chapter 4, Section 4-7 (d).
- (6) Prior to the issuance of said Special Alcohol Permit, Lillian Webb Park where Vendor will set up its alcohol vending operations locations must be approved by the City Manager or his designee and each location must be approved by the Community Development Director. Norcross Code of Ordinances, Chapter 4, Section 4-7 (e) (2).

- II. Exception Granted for Personal Consumption of Alcoholic Beverages by the Public:** An exception for the 2021 Norcross 150th (Plus One) Birthday Celebration is hereby granted to permit open consumption and possession of alcoholic beverages in paper or plastic cups only in Lillian Webb Park and the streets and sidewalks and other public places within or immediately adjacent to Lillian Webb Park (as may be more specifically described in the crowd control, road closure and traffic control plan approved by the Chief of Police) during the designated hours, subject to the requirements of the Norcross Code of Ordinances, Chapter 4, Section

4-5.

- III. **Area Covered by Special Alcohol Permit and Exceptions:** The Special Alcohol Permit and the Exceptions shall apply only to the area of Lillian Webb Park for the 2021 Norcross 150th (Plus One) Birthday Celebration and the streets and sidewalks and other public places within or immediately adjacent to Lillian Webb Park, as may be more specifically described in the crowd control, road closure and traffic control plan approved by the Chief of Police (hereinafter the "designated areas").
- IV. **Open Consumption, Open Container and Possession of Alcoholic Beverages on City Property are permitted during the Event.** The provisions of Norcross Code of Ordinances, Chapter 4, Sections 4-1, 4-3 and 4-4 shall not apply during the designated hours or in the designated area for the 2021 Norcross 150th (Plus One) Birthday Celebration.
- V. **Restrictions on Open Consumption, Open Container and Possession of Alcoholic Beverages during the Event.** The provisions of Chapter 4, Sections 4-5 (b) (1) through (3) shall control the distribution and sale of malt alcohol beverages by the Vendor and the personal consumption of alcoholic beverages by members of the public during the designated hours and in the designated areas for the 2021 Norcross 150th (Plus One) Birthday Celebration, namely:
1. *One drink limit.* The Vendor and any establishment licensed to dispense alcoholic beverages by the drink is authorized to dispense an alcoholic beverage in a paper or plastic cup, or other container other than a can, bottle, or glass; provided, however, that the Vendor shall not dispense to any person more than one such alcoholic beverage at a time, and no person shall remove at one time more than one such alcoholic beverage from the Vendor.
 2. *Size limited to 16 fluid ounces.* No container in which an alcoholic beverage is dispensed and removed from the Vendor shall exceed 16 fluid ounces in size. No person shall hold in his possession in Lillian Webb Park or on the streets and sidewalks, or in other public places within or immediately adjacent thereto any open alcoholic beverage container which exceeds 16 fluid ounces in size; and
 3. *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 in an open can, bottle, or glass any alcoholic beverage on the streets and sidewalks, rights of way, and parking lots, whether public or private including, but not limited to in Lillian Webb Park and the streets and sidewalks, or in other public places within or immediately adjacent thereto.

- VI. Approval by Chief of Police:** Prior to the issuance of said Special Alcohol Permit, a crowd control, road closure and traffic control plan proving for the orderly movement of motor vehicle and pedestrian traffic during the 2021 Norcross 150th (Plus One) Birthday Celebration must be approved by the Chief of Police for crowd control, traffic control measures and security measures. Norcross Code of Ordinances, Chapter 4, Section 4-7 (e)(1).
- VII. Revocation of Special Alcohol Permit.** The City Manager or his designee shall immediately revoke the Special Alcohol Permit for the 2021 Norcross 150th (Plus One) Birthday Celebration, without notice, if he or the Chief of Police determines that continued alcohol sales may endanger the health, welfare or safety of the public. Upon such revocation, the Vendor shall immediately cease the sale of alcoholic beverages, and the Vendor shall take such steps as are deemed reasonable and prudent by the City Manager to secure and/or remove all alcoholic beverages from the 2021 Norcross 150th (Plus One) Birthday Celebration premises. Norcross Code of Ordinances, Chapter 4, Section 4-7 (c).
- VIII. Cancellation of Event.** In the event that the 2021 Norcross 150th (Plus One) Birthday Celebration is cancelled, this Special Alcohol Permit and these Exceptions shall also be revoked.
- IX. Compliance with Laws.** The Vendor and all establishments licensed to dispense alcoholic beverages by the drink shall at all times comply with all federal, state and local laws and regulations.

ADOPTED this ___ day of _____, 2021.

Craig
Newton, Mayor

ATTEST:

Monique Lang, City Clerk