

AN ORDINANCE OF THE MAYOR AND COUNCIL FOR THE CITY OF MORROW, GEORGIA, TO CALL A REFERENDUM ELECTION TO SUBMIT TO THE VOTERS THE QUESTION OF WHETHER THE PACKAGE SALE BY RETAILERS OF MALT BEVERAGES AND WINE ON SUNDAYS BETWEEN THE HOURS OF 12:30 P.M. AND 11:30 P.M. SHALL BE ALLOWED; TO NOTIFY THE ELECTION SUPERINTENDENT FOR THE CITY TO CALL SUCH REFERENDUM ELECTION, TO BE HELD ON THE TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, 2013; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MORROW, GEORGIA, as follows:

Section 1. There is hereby called, and the Election Superintendent is hereby notified and requested to call, a special referendum election to be held on the Tuesday following the first Monday in November, 2013, so as to submit to the voters of the City of Morrow, Georgia the question of whether package sales by retailers of malt beverages and wine on Sundays between the hours of 12:30 p.m. and 11:30 p.m. shall be allowed as provided for in Senate Bill 10 adopted by the 2011 Georgia General Assembly and signed into law by the Governor of the State of Georgia.

The question to be submitted to the voters as provided in said Senate Bill 10 shall be as follows:

“Shall the governing authority of the City of Morrow, Georgia be authorized to permit and regulate package sales by retailers of malt beverages and wine on Sundays between the hours of 12:30 p.m. and 11:30 p.m.?”

If more than one-half of the votes cast on the question are for approval of package sales by retailers of malt beverages and wine on Sundays between the hours of 12:30 p.m. and 11:30 p.m., then such package sales by retailers of malt beverages and wine on Sundays between the hours of 12:30 p.m. and 11:30 p.m. shall be authorized as of the date that the Election Superintendent shall declare the result of the election and certify said result to the Secretary of State for the State of Georgia.

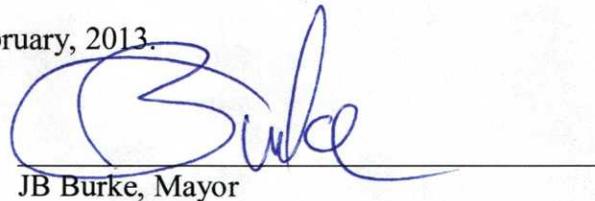
Section 2. The provisions of this Ordinance shall not be included and published in the Code of Ordinances.

Section 3. Severability. If any section, paragraph, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional for any reason by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which such portions shall remain in full force and effect.

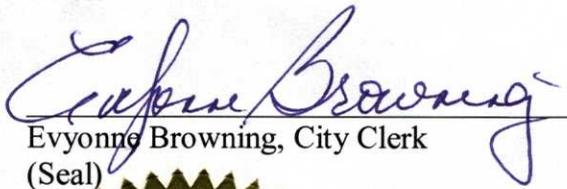
Section 5. Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

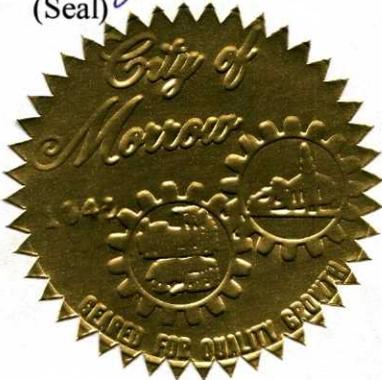
Section 6. Effective Date. This Ordinance shall be in full force and effect immediately upon and after its final passage, and the package sales by retailers of malt beverages and wine on Sundays between the hours of 12:30 p.m. and 11:30 p.m. shall become authorized only as provided in Section 1 above following the approval of same by the voters in the referendum provided for in this Ordinance and Senate Bill 10 adopted by the 2011 Georgia General Assembly and approved by the Governor of the State of Georgia.

SO ORDAINED this 12th day of February, 2013.


JB Burke, Mayor

Attest:


Evyonne Browning, City Clerk
(Seal)



First Reading: January 22, 2013

Second Reading and adoption: February 12, 2013