

RESOLUTION R-02-2021

A RESOLUTION OF THE CITY OF TRENTON, GEORGIA, FOR THE PURPOSE OF DETERMINING WHETHER THE CITY OF TRENTON MAY ALLOW FOR PACKAGE SALES OF MALT BEVERAGES AND WINE ON SUNDAYS BETWEEN 12:30 P.M. AND 11:30 P.M.; REQUESTING THE PLACEMENT OF THIS ISSUE ON THE BALLOT AT A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE NEXT SCHEDULED GENERAL ELECTION; AND APPROVING THE FORM OF THE QUESTION ON THE BALLOT TO BE USED IN THE ELECTION AND THE NOTICE OF THE ELECTION.

WHEREAS, the Commission, as the governing authority of the City of Trenton, Georgia, (“the City”) is vested with the authority by the General Assembly of the State of Georgia, under O.C.G.A. § 3-3-7(p) to allow the retail sale of malt beverages and wine by the package on Sundays; and

WHEREAS, the Commission wishes to call a referendum election for the purpose of determining whether these powers will be exercised; and

WHEREAS, the City has an agreement in place with the Dade County Board of Elections and Registration to conduct elections on behalf of the City in accordance with Art. 9, § 3, ¶ 1 of the 1983 Constitution of the State of Georgia, as amended.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Commission as follows:

Section 1. The Dade County Board of Elections and Registration is requested to place the ballot question, as stated in Section 2 hereof, on the ballot for a special referendum election to be called in conjunction with the general election scheduled on November 2, 2021, in the voting precinct in which the residents of the City are authorized to vote in the general election for the purpose of the determination of this ballot question by only the qualified voters of the City.

Section 2. The Dade County Board of Elections and Registration is requested to place the following question on the ballot for consideration by the qualified voters of the City:

- | | | |
|--------------------------|------------|--|
| <input type="checkbox"/> | YES | Shall the governing authority of the City of Trenton, Georgia, be authorized to permit and regulate package sales by retailers of both malt beverages and wine on Sundays between the hours of 12:30 P.M. and 11:30 P.M.? |
| <input type="checkbox"/> | NO | |

Section 3. The Dade County Board of Elections and Registration is also requested to hold the referendum election on this issue, as authorized by the intergovernmental agreement described in the third WHEREAS clause, above, in accordance with the election laws of the State of Georgia.

Section 4. The Dade County Board of Elections and Registration is authorized and requested to publish a notice of the election as required by law in the official organ of Dade County. This notice is to be published once a week for four weeks immediately preceding the date of the election. The notice of the election must substantially be in the form attached to this Resolution, and incorporated herein, as Exhibit A.

Section 5. The Dade County Board of Elections and Registration is also requested to canvass and bring up the returns of the referendum election, consolidate the returns, and declare the result of the election as required by law.

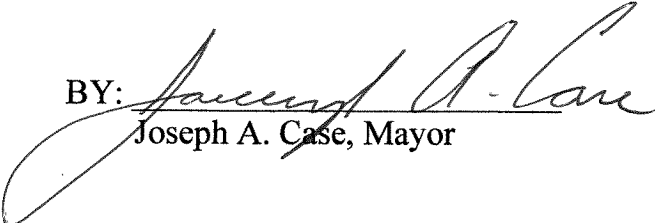
Section 6. Upon passage of this referendum and certification to the Secretary of State for the State of Georgia, the City is authorized to allow the retail sale of both malt beverages and wine by the package on Sundays upon the approval of an amendment to The Code of the City of Trenton, Georgia, regulating alcohol sales within the City.

Section 7. All prior resolutions or actions of the City that are in conflict with this Resolution are hereby repealed.

Section 8. This Resolution will be and remain in full force and effect from and after its date of adoption by the Commission.

RESOLVED THIS 9th DAY OF AUGUST, 2021, AT A DULY CALLED MEETING OF THE COMMISSION.

CITY OF TRENTON, GEORGIA

BY: 
Joseph A. Case, Mayor

ATTEST:

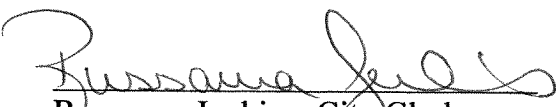

Russanna Jenkins, City Clerk

EXHIBIT A TO RESOLUTION

NOTICE OF CALL FOR SPECIAL ELECTION TO THE QUALIFIED VOTERS OF THE CITY OF TRENTON, GEORGIA, TO CONSIDER WHETHER THE GOVERNING AUTHORITY OF THE CITY OF TRENTON WILL BE AUTHORIZED TO ALLOW FOR PACKAGE SALES OF MALT BEVERAGES AND WINE ON SUNDAYS BETWEEN 12:30 P.M. AND 11:30 P.M.

TO THE QUALIFIED VOTERS OF THE CITY OF TRENTON, GEORGIA:

NOTICE IS HEREBY GIVEN that, on the 2nd day of November, 2021, an election will be held at the polling place for the City of Trenton, Georgia, at 71 Case Avenue, Trenton, Georgia 30752, at which time the question of whether the City of Trenton will be authorized to allow the retail sale of both malt beverages and wine by the package on Sundays as authorized by O.C.G.A. § 3-3-7(p) will be submitted for determination by the qualified voters of the City of Trenton.

Voters desiring to vote in favor of this question must do so by voting “Yes” and voters desiring to vote against this question must do so by voting “No” as to the question as follows:

- YES **Shall the governing authority of the City of Trenton, Georgia, be authorized to permit and regulate package sales by retailers of both malt beverages and wine on Sundays between the hours of 12:30 P.M. and 11:30 P.M.?**
- NO

If more than one-half of the votes cast are in favor authorizing the City of Trenton to allow for the retail sale of both malt beverages and wine by the package on Sundays, then the Commission, as governing authority for the City of Trenton, will amend The Code of the City of Trenton, Georgia, to authorize such sales; otherwise, no such Sunday sales may occur.

Those residents of the City of Trenton who are qualified to cast a vote at this referendum election will be determined in all respects in accordance with the election laws of the State of Georgia.

This notice is given in accordance with a resolution of the City of Trenton, adopted by its Commission on August 9, 2021, and a call for the election by the Dade County Board of Elections and Registration.