

RESOLUTION R-03-2021

A RESOLUTION OF THE CITY OF TRENTON, GEORGIA, FOR THE PURPOSE OF DETERMINING WHETHER THE CITY OF TRENTON SHALL BE AUTHORIZED TO PERMIT AND REGULATE SUNDAY SALES OF DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES FOR BEVERAGE PURPOSES BY THE DRINK; 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(j) to be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink if approved by a referendum election; 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 of Trenton 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:

- YES** **Shall the governing authority of the City of Trenton, Georgia, be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink?**
- 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 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 two 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. Not less than ten (10) nor more than sixty (60) days after approval of this Resolution, the Dade County Board of Elections and Registration is requested to call for an election for the purpose of submitting the question of Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink to the qualified voters of the City.

Section 6. The Dade County Board of Elections and Registration is requested to set the date of the election for a day not less than thirty (30) nor more than sixty (60) days after the date of the issuance of the call.

Section 7. 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 8. Upon passage of this referendum and certification to the Secretary of State for the State of Georgia, the City is authorized to permit and regulate the sale of alcoholic beverages for consumption on the premises on Sundays from 11:00 A.M. until 12:00 Midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging upon the approval of an amendment to The Code of the City of Trenton, Georgia, regulating such sales within the City.

Section 9. All prior resolutions or actions of the City that are in conflict with this Resolution are hereby repealed.

Section 10. 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 CITY OF TRENTON SHALL BE AUTHORIZED TO PERMIT AND REGULATE SUNDAY SALES OF DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES FOR BEVERAGE PURPOSES BY THE DRINK.

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 permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink as authorized by O.C.G.A. § 3-3-7(j) 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 Sunday sales of distilled**
- NO spirits or alcoholic beverages for beverage purposes by the drink?**

If more than one-half of the votes cast are in favor of authorizing the City of Trenton permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink as authorized by O.C.G.A. § 3-3-7(j), then the Commission, as governing authority for the City of Trenton, will amend The Code of the City of Trenton, Georgia, to authorize the issuance of such sales; otherwise, no such sales will be permitted.

Those residents of the City of Trenton, Georgia, 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.