

**STATE OF GEORGIA
COUNTY OF CHEROKEE**

RESOLUTION NO. 2025-R-031

A RESOLUTION OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS TO ADOPT AN ADMINISTRATIVE POLICY FOR THE REVIEW, ACCEPTANCE, AND ISSUANCE OF LICENSES FOR RETAIL DISTILLED SPIRITS AND ALCOHOL IN CONJUNCTION WITH THE PROVISIONS OF CHAPTER 6 ARTICLE II, DIVISION 2 OF THE CHEROKEE COUNTY CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions, and regulations; and

WHEREAS, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the unincorporated areas of the County; and

WHEREAS, on November 8, 2022, a referendum was conducted in Cherokee County to establish the package sales of distilled spirits in unincorporated Cherokee County, with the question, “Shall the issuance of licenses for the package sale of distilled spirits be approved?”; and

WHEREAS, the package sale of distilled spirits referendum received approval from the voters of Cherokee County by 79.2%; and

WHEREAS, in order to implement the requirements and regulations regarding the issuance of such licenses for retail distilled spirits, on June 6, 2023, the Cherokee County Board of Commissioners adopted an ordinance update to Chapter 6 of the Cherokee County Code of Ordinances regarding Alcoholic Beverages to permit such licensure; and

WHEREAS, in addition, in order to process applications for such licensure, an Administrative Policy was adopted by the Board of Commissioners on June 6, 2023 to outline the acceptance of applications, the opening and closing date for such applications, and the requirements for the opening of any new district or application period for retail distilled spirits licensure; and

WHEREAS, the aforementioned Administrative Policy is hereby replaced with a revised Administrative Policy attached hereto as, "Exhibit A" and is herein incorporated by reference; and

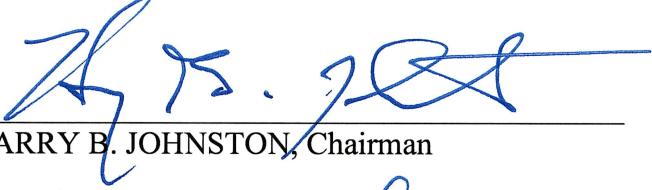
WHEREAS, any amendments to the Administrative Policy attached hereto as, "Exhibit A" shall require the approval and consideration of the Cherokee County Board of Commissioners; and

WHEREAS, the Administrative Policy attached hereto as, "Exhibit A" will benefit the interest of public health, safety, and welfare; and

NOW, THEREFORE, BE IT RESOLVED THAT the Cherokee County Board of Commissioners, hereby approves the Administrative Policy attached hereto as, "Exhibit A" regarding the acceptance and issuance of licenses for the retail sale of distilled spirits.

SO RESOLVED, APPROVED, AND ADOPTED this 15th day of April, 2025.

By:


HARRY B. JOHNSTON, Chairman

Attest:


CHRISTY BLACK, Clerk



Chairman
Harry B. Johnston

County Manager
Geoffrey E. Morton



Commissioners
Steve West, District 1
Richard Weatherby, District 2
Benny Carter, District 3
Corey Ragsdale, District 4

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EXHIBIT A

ADMINISTRATIVE POLICY FOR IMPLEMENTATION OF CHAPTER 6, ARTICLE II, DIVISION 2 OF THE CHEROKEE COUNTY CODE OF ORDINANCES RELATED TO DISTILLED SPIRITS

The following administrative process shall apply to the issuance of retail distilled spirits alcohol licenses, superseding Resolution 2023-R-041, adopted on June 6, 2023¹.

I. Notice of Acceptance of Applications

With the adoption of this resolution, the Board of Commissioners hereby give notice that applications for a retail distilled spirits license will be accepted by Cherokee County beginning April 16, 2025. Applications shall only be accepted for the following distilled spirits retail district(s): District 2, Macedonia and District 5, Bells Ferry-Hwy 92. The Administrator and county staff (as those terms are used in the Distilled Spirits Ordinance) shall post this notice on the Cherokee County website, providing sufficient information to advise a potential applicant of the general requirements to apply for a license by reference to the Distilled Spirits Ordinance. This notice shall also be posted visible to the general public at the Development Service Center counter and issued as a press release.

II. Initial Opening of Acceptance of Applications

Applications may be submitted to Cherokee County as of 9:00 a.m. on April 16, 2025, by appearing in person and submitting an application in accordance with the requirements of the Distilled Spirits Ordinance to the Development Services Center of the Community Development Agency, so designated by the Marshal's Office to receive applications. Applications will continue to be accepted in person as indicated herein through and including May 20, 2025, by no later than 5:00 p.m.

III. Closing Date of Applications

The initial round of Applications will cease to be accepted as of 5:00 p.m. on May 20, 2025.

¹ The initial administrative policy was adopted by the Cherokee County Board of Commissioners on June 6, 2023, along with Chapter 6, Article II, Division 2 – Distilled Spirits of the Cherokee County Code of Ordinances, which provides for the issuance of retail distilled spirits alcohol licenses (herein referred to as the "Distilled Spirits Ordinance").

IV. Completion of Compliance Review by Administrator and County Staff

The Administrator and County Staff will review applications as they are submitted for purposes of determining whether a Preliminary Certificate of Compliance may be issued for each application. As soon as reasonably possible following the closing of applications on May 20, 2025, the Administrator and County Staff shall complete all compliance reviews and issue any Preliminary Certificates of Compliance as may be appropriate.

V. Continuation of Ordinance Procedures

Upon the completion of the compliance reviews, Section 6-85 of the Distilled Spirits Ordinance shall be followed through the issuance of a retail distilled spirits alcohol license.

VI. Announcement of Opening of New District or Acceptance of New Applications

Following the process set forth above, should Cherokee County determine to open a new district or to accept new applications due to a Successful Finalist (as that term is defined in the Distilled Spirits Ordinance) failing to secure a retail distilled spirits alcohol license or a Successful Finalist losing an issued retail distilled spirits alcohol license through revocation or other means, the Cherokee County Board of Commissioners shall announce at a duly advertised, regularly scheduled meeting of the Board of Commissioners that the County intends to open a new district or accept new applications, as applicable.

VII. Amendment to Administrative Policy

This Administrative Policy may be amended from time to time by official action of the Board of Commissioners as deemed to be necessary for the efficient operation of the County in administration of the Distilled Spirits Ordinance of the Cherokee County Code of Ordinances and otherwise in the best interests of the public health, safety, and welfare.