



AGENDA
CITY OF CAMILLA COUNCIL MEETING
4th FLOOR CONFERENCE ROOM
LIVE BROADCAST - CITY OF CAMILLA FACEBOOK PAGE
MONDAY, AUGUST 16, 2021 ~ 6:30 P.M.

1. Call to Order; Roll Call
2. Opening Prayer and Pledge
3. Approval of Agenda
4. Approval of Minutes – July 19, 2021 Council Meeting
5. Speaker Appearances
 - a. Non-Agenda Items
 1. Dr. Jonathan King
 2. Jerome Jester
 3. Jenny Bostick
 - b. Agenda Items
 1. None
6. COVID-19 Update – Department of Public Health
7. Public Hearings:
 - a. 2nd Reading – Alcoholic Beverages Ordinance
 - b. 2nd Reading – Special Events Ordinance
8. Action Items:
 - a. Renewable Energy Customer Agreement – Wal-Mart Solar Project
 - b. Ordinance No. 2021-08-16-1 – Alcoholic Beverages
 - c. Ordinance No. 2021-08-16-2 – Special Events
 - d. Resolution No. 2021-08-16-1 – Rural Zone Designation Application
9. Boys and Girls Club Project Scope Discussion
10. City Manager's Report
11. Mayor's Announcements
12. Executive Session – Discuss personnel and negotiations to purchase, dispose of or lease real estate or other property.
13. Adjourn

**MINUTES – REGULAR MEETING
CITY OF CAMILLA, GEORGIA
JULY 19, 2021**

The regular meeting of the Mayor and City Council of the City of Camilla was called to order at 6:30 p.m. on Monday, July 19, 2021 by Mayor Owens.

Roll call indicated the following present: Councilman Campbell, Councilwoman Willingham, Councilman Morgan, Councilman Twitty, Councilman Pollard, and Councilman Palmer.

City Manager Steve Sykes, City Attorney Tommy Coleman, and City Clerk Cheryl Ford were also present.

OPENING PRAYER AND PLEDGE

Mayor Owens gave the invocation and the Mayor and Council led the Pledge of Allegiance to the Flag.

CITIZENS AND GUESTS

Sign-in Sheet Attached.

APPROVAL OF AGENDA

Mayor Owens asked for a motion to approve the agenda and Councilman Campbell made the motion. Councilman Morgan asked for an amendment to the motion to approve. He asked to postpone Item 8(b) – Boys and Girls Club Renovation and Item 9 – Resolution to Change Meeting Conduct format until the August committee meeting. For 8(b) there are a lot of stakeholders who have not been at the table to properly be voting on Boys and Girls Club renovations tonight. For Item 9 they have yet to receive the updated resolution and wants to wait until August to fully discuss. Mayor Owens commented we have a motion to postpone the Boys and Girls Club renovation and the Resolution to discuss the committee meeting conduct format. Councilman Pollard seconded the motion. Councilman Twitty asked should they not at least discuss the Boys and Girls Club and bring to the table to know what is going on. He agrees they need to wait another month to vote on it so they can have at least the Boys and Girls Club representatives speak on it. There is a collaboration effect that they can bring something to the table they [Council] may not have thought of. They can also may be able to bring funds to the table they aren't able to touch or have access to. He thinks they should at least talk about it and get in the record but should be tabled. Mayor Owens commented the motion as it stands is to postpone at this point and the proper thing to do is vote on the motion. If he understands the motion that conversation will be at the committee meeting in August and will give a tremendous amount of time for everyone to speak on it. Just to make sure the record is clear they should go ahead and vote on the motion and then depending on the results of the vote go forward one way or the other. Councilman Campbell mentioned in making this motion the public works committee will present the motion and have the full discussion. They will not vote on it until after the discussion and if agreeable with everyone they can vote. It will not be in the form of a motion and he will call on Steve to go through it and then have the discussion and is his preference. Mayor Owens commented for the sake of protocol they have a motion that has been seconded and depending on how they feel about the motion they can vote accordingly. It is im-

APPROVAL OF AGENDA (cont.)

portant to Councilmen Morgan and Twitty's point they have more voices to discuss this prior to actually taking a vote on it. He agrees the best way to go, not only for the City but obviously for the children involved in this, is to have an opportunity for everyone to have an extended opportunity if needed at next month's committee meeting. Mayor Owens stated there is a motion to postpone Item 8(b) and 9. For Item 9 he has not seen the new resolution and not sure if other members of council have either. Before they can begin discussing, and for everyone to get caught up, the committee meeting is the precursor to the policy. In the committee meeting they discuss what ordinances and rules are going to get passed and what they talk about before coming to a council meeting. Before they start adjusting policy or the format on how policy is created it deserves a larger conversation. If he understands the councilman's motion correctly he is suggesting it be postponed and is acknowledging the conversation needs to be had and he agrees it needs to be done at next month's committee meeting. The motion to postpone Items 8(b) and 9 failed with Councilman Campbell, Councilwoman Willingham, Councilman Twitty, and Councilman Palmer voting in favor of not amending the agenda. Councilman Morgan and Councilman Pollard voted in favor of amending the agenda.

The original motion of Councilman Campbell to approve the agenda as presented was seconded by Councilman Palmer. The motion to approve the agenda as presented passed with Councilman Campbell, Councilwoman Willingham, Councilman Twitty, and Councilman Palmer voting in favor of the motion. Councilman Morgan and Councilman Pollard voted no.

APPROVAL OF MINUTES

On motion by Councilman Morgan, seconded by Councilman Pollard, the minutes from the June 14, 2021 City Council Meeting were approved as presented by a unanimous vote.

SPEAKER APPEARANCES

Mayor Owens stated there are three scheduled non-agenda item speakers and one agenda item speaker and asked if they wanted to do upfront or wait until the agenda item. It was decided before the motion they would ask Mrs. Peoples to speak. Mr. Marvin Broadwater, Sr. was recognized and stated Camilla was his home. He resides at 3004 Slippery Rock Court, Columbus. While he resides there he still pays taxes to this great city. He is a proud product of Camilla and Mitchell County and started his formal education in this great town. He learned that community service never ends and learned from the likes of Edward Brown, Mary Jo Haywood, Charles Strickland, Jerome Jester, Leon Pate, Jaan Thomas, John McCullough, Annette Williams, Jackie Railey, Jacquelyn Ross, Hugh Inman, and countless others who have devoted an enormous amount of time and energy to the betterment of the city. He thanked them [council] for their continued servant leadership to this community. While he has achieved a great number of endeavors in his life, as he sat in the Oval Office for recognition, addressed Congress and other lawmakers of this great country, his greatest achievement to date is why he is here. It is to ask for their support for a historical marker remembering the twelve lives lost and thirty wounded during the Camilla massacre on September 19, 1868. The Mitchell County Board of Commissioners has formally approved placement of such a marker with a land easement at their monthly meeting last week and filed an official copy with the county clerk's office; however, there is still work to be done before the final approval. While we certainly have faith this endeavor will come to fruition we also believe in the holy word when God tells us faith without

SPEAKER APPEARANCES (cont.)

works is dead. There are those in his generation that are the bridge builders of today. It is their responsibility to connect the past with the future. He, along with several other citizens this evening, ask for their support as well as to spread the word of this colossal project to their constituents. It is their desire that when our bodies return to the dust from whence it came, a mentor, a teacher, or even a parent will inform generations to come why it is important to remember the past as they gaze at the marker. The Georgia Historical Society will approve or not approve the request on August 6th and for this reason they are asked to contact their state legislators and ask them to call the Georgia Historical Society and encourage them to approve this well deserving honor to those lives lost and thirty citizens that were wounded that stormy day in Mitchell County. He asked them to join this coalition as they give proper homage and honor to those citizens. Mr. Broadwater thanked them for their time. Councilman Morgan commented he appreciated him bringing this to the Council and asked for a contact number for the Georgia Historical Society. Mr. Broadwater replied he will email each of them the phone number. Councilman Pollard asked what he was looking for from the City of Camilla to help. Mr. Broadwater stated the main thing he wants the constituents to know is this project is underway. It has been a long time and this happened in 1868 and the State of Georgia did not recognize until 1997. He spoke with the General Assembly a couple of years ago and they have a statue in Atlanta outside of the Capitol Building but there is nothing here where it happened. Something about that did not sit right being this is his home. When it happens he wants to see 5,000 citizens at the courthouse because it will be a colossal event. Councilman Pollard commented he applauds his efforts and has his backing.

Mr. Fryer, or representatives from Congressman Bishop's office, were called upon next. No one was present.

Mr. Xavier Daniels was recognized as the last scheduled non-agenda item speaker. Mayor Owens commented before they get started they would call on the city attorney to make sure they are good administratively and give them guidance. City Attorney Coleman commented Mr. Daniels has appeared before via Zoom and wants to point out our policy does not provide questions and answers from the public. We can ask him questions but the nature of his form that he filled out was in a question. That is not what this provides and we are supposed to take information from the public. If he needs other information he needs to contact a councilmember or see the city manager. Mayor Owens stated what the city attorney is referring to is the form submitted by Mr. Daniels is in the form of a question. The Council will not be able to answer his questions but he will have three minutes to state what is on his mind. Mr. Daniels stated he is here to discuss the issue of denial of our [his] claim. They turned in a claim of \$24,436.72 and the reason they turned in a claim is because in February they received a lot of threatening and unconstitutional letters from people of the City's department which led to an illegal eviction notice from his landlord. It stated since he could not resolve the issue with the City of Camilla he would like to release his company from the lease contract before March 31, 2021, signed Bob Patel. He also received letters from people of the City's department saying they had a certain number of days to build a bathroom or disconnect the utilities. He does not see how it is allowed to terminate something or control their business license when they paid for an operating license. If there was an issue with the bathroom they should have never got the license or made it that far. For them to be bullied around, threatened, and treated like they weren't a part of the business

SPEAKER APPEARANCES (cont.)

world in this city was very uncomfortable and discredited their company, dropped them down in percentage, the employees lost time, they lost money, and was a mess. He feels like from the start it was a target against him and his company. No one held their end of the bargain because initially no one gave them an end of the bargain from our [city] side. No one stepped in and said we have these funds and Mrs. Willingham asked the city manager a question: did he reach out to us to see if there was anything to give him help and he said yes but they never received that. They said there was businesses prior to his years before and why did all this come into play when they started a business. Why wasn't the process started before with the other businesses? He asked if anyone saw the issue and stated they were targeted but no one wants to take the responsibility for it. At the conclusion of Mr. Daniels' comments, Councilman Pollard asked the city attorney what he meant they don't answer questions. City Attorney Coleman responded it is what they wrote and passed and read the language to them from the policy. Mayor Owens commented the operative word in the policy language is if a speaker asks a question of someone on the council or staff that in itself creates a circumstance for discussion.

PUBLIC HEARINGS

CODE OF ORDINANCES AMENDMENTS – Mayor Owens opened the public hearing and commented this is the second reading of the amendments to the Code of Ordinances. Prior to closing the public hearing he asked if there were any questions or comments from public or staff. Clerk Ford stated she had not received any citizen comments. Mayor Owens closed the public hearing for the ordinance adopting and enacting a new code for the City of Camilla, Georgia, providing for the repeal of certain ordinances not included therein, providing a penalty for the violation thereof, providing for the manner of amending such code, and providing when such code and this ordinance shall become effective.

ALCOHOL ORDINANCE – Mayor Owens stated this is the first reading for an alcohol ordinance and prior to opening the hearing read the ordinance summary: Ordinance No. 2021-08-16-1, an ordinance repealing the existing alcoholic beverages ordinance, adopting a new ordinance for regulating the sale of alcoholic beverages in the corporate limits of the City of Camilla, Georgia, repealing all prior ordinances in conflict herewith, and for other purposes. The public hearing was opened and asked for questions or comments from the public, staff, and Council and stated the public hearing would remain open for 30 days and the complete changes are on the City's website. Between now and 30 days they can contact their councilmembers, clerk, or city manager with questions or comments.

SPECIAL EVENTS ORDINANCE – Mayor Owens stated this is the first reading of the special events ordinance and read the ordinance summary: Ordinance No. 2021-08-16-2, an ordinance of the City of Camilla, Georgia providing for an application and licensing process for special events to be held on City property, rental or use of properties for events, providing for conduct of events, and for other purposes. The public hearing was opened and Mayor Owens asked for comments or questions from the public, staff, and council. He stated the hearing would remain open for 30 days. Councilman Pollard stated he would like centennial stadium parking lot added as a possible site for the entertainment district. Mayor Owens stated he recommends at the time when the public hearing is over if there is an amendment to that motion at that time it can be

PUBLIC HEARINGS (cont.)

added at that point. Questions or comments can be directed to the clerk, councilmembers, or city manager.

ADMINISTRATIVE COMMITTEE

ADOPTION OF AMENDMENTS TO CODE OF ORDINANCES

The Council conducted the second and final public hearing tonight to receive citizen comments for amendments to the City of Camilla Code of Ordinances. The code amendments have been made available to the public on the City's website and at City Hall. The Administrative Committee recommends adoption of Ordinance No. 2021-07-19-1, authorization for the Mayor to sign, and approves submittal to Municipal Code Corporation for codification.

On motion by Councilman Pollard, seconded by Councilman Campbell, the motion to adopt Ordinance No. 2021-07-19-1, authorization for the Mayor to sign, and submittal to Municipal Code Corporation for codification passed by a unanimous vote.

RESOLUTION NO. 2021-07-19-2 – ADOPTION OF MASTER FEE SCHEDULE FOR CODE OF ORDINANCES

The Council reviewed Resolution No. 2021-07-19-2 providing for the establishment and adoption of a Master Fee Schedule for incorporation in the City of Camilla Code of Ordinances. The Administrative Committee recommends approval of Resolution No. 2021-07-19-2 and authorizes the Mayor to sign.

A motion was made by Councilman Pollard and seconded by Councilman Palmer. Councilman Twitty asked for the city manager to provide an overview of what we are doing. City Manager Sykes responded one of the benefits for adopting the new Code of Ordinances is fixed fees or fees for services the City provides can change from time to time. The previous format is the Council would have to amend an ordinance when we did that. The benefit for removing the fees and putting in a master fee schedule is each time a single fee is changed it can be done by passage of a resolution and not two readings of an ordinance. As far as what is on the master fee schedule, it is exhaustive. Every service, every fee, every fine referenced in the code can be found on the master fee schedule including rates for all services. From time to time the state legislature may change the minimum fine for a law and when that happens it will be brought to Council to consider amending the master fee schedule with adoption of a resolution. Councilman Morgan asked if the master fee schedule would be online and City Manager Sykes responded it would and available in the city clerk's office. The motion to approve Resolution No. 2021-07-19-2 and authorization for the Mayor to sign passed by a unanimous vote.

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 2021-07-19-1 – CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT (CRRSSA) – AIRPORT

The Council reviewed Resolution No. 2021-07-19-1 authorizing acceptance of a contract from the Georgia Department of Transportation for the Coronavirus Response and Relief Supplemental Appropriation Act. The eligible operational reimbursement amount is \$13,000 for aviation fuel at the Camilla/Mitchell County Airport. The Public Works Committee recommends approval of the Resolution and authorizes the Mayor to sign.

RESOLUTION NO. 2021-07-19-1 – CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT (CRRSSA) – AIRPORT (cont.)

A motion was made by Councilman Campbell and seconded by Councilwoman Willingham. City Manager Sykes stated this is part 2 of the CARES Act and were notified our Airport was eligible for \$30,000 and there were multiple ways to claim. We decided to use loss of fuel sales due to COVID which was more than \$30,000. This is the same thing and we had an additional \$13,000 we were eligible for and able to demonstrate loss of fuel sales in that amount. The money will be placed in the Airport fund. The motion passed by a unanimous vote and all Councilmembers and the Mayor will sign the Resolution.

BOYS AND GIRLS CLUB – PROJECT SCOPE

Ms. Ondrea Peoples was recognized and stated she wanted to speak briefly about the Boys and Girls discussion that will be on the floor. They appreciate everything the City of Camilla does to support the Boys and Girls Club. When she was listening to the Facebook Committee Meeting they [Council] were talking about displacing kids, where they would go, and what they were going to do with the building. She thought maybe the Boys and Girls Club needs a seat at the table. She has 28 board members and 28 bosses and she is sure they want to be involved when talking about the young people and the building. She has been there fourteen years and fighting with the building for fourteen years and knows it needs to be upgraded and the roof is falling in. There are a lot of things going on but she still thinks Boys and Girls Club board members, as well as herself, need a seat at the table when we are talking about renovating that building. There may be things they have not discussed or haven't thought about. With her on the side of young people she may be able to answer that for them. She talked with Steve and they had a wonderful meeting today but still thinks her board, the people she works for, and the children she serves, need a seat at the table. Mayor Owens asked if there were any questions for Mrs. Peoples. Councilman Campbell commented during their discussion at the work session, and whichever plan they go with, it would be the 12 or 6 months of displacement for the children at the Boys and Girls Club and asked if she had adequate room in Pelham. Mrs. Peoples asked him how many bedrooms he had and they could bring them to his house. Councilman Campbell stated he had nineteen grandchildren. Mrs. Peoples commented she and Steve talked about the Teen Center and with COVID they are still practicing their guidelines and social distancing and masks. They have room available at the Teen Center right now but that is part of the discussion they can talk about alternatives and that is where the board needs to be involved. They do have a contingency plan and of course they will have to be displaced with the roof being fixed and can work that out. There are a lot of things that go in it such as their feeding plan and they have to have a kitchen, federal dollars they have to make sure they are being good stewards of, and there are a lot of things that go in to it. Councilman Twitty stated this the reason he wants to delay the vote to allow more input in the process. There are a lot of things going on here and definitely they need to have a sit down with either Ondrea or Steve or parts of the Board to discuss and see options she thinks we might can go to. The main thing is to allow the public we are thinking about upgrading the building and they know what we are doing. We want everybody to know what we are doing and this will give us more time to do that. Mayor Owens stated in order to delay or postpone they would need a motion. Councilman Pollard made a motion to postpone until August meeting for public discussion. The motion was seconded by Councilman Twitty. Councilman Campbell stated it would be a discussion and they would go over everything and there will time for Ondrea to jump in while they are discussing if it passes. City Manager Sykes

BOYS AND GIRLS CLUB – PROJECT SCOPE (cont.)

stated he wanted to make sure everyone knows the bid was opened on May 29th and if it gets pushed more than 60 days they may have a problem with rebidding the project. He needs to verify how long the contractor will honor the bid and are only required to guarantee it with a bid form of a bid bond/payment bond for so many days. It may be if they desire additional time and not able to vote on it tonight they could have a called meeting in order to meet that timeline. Otherwise we would have to reject the bid and go through the bidding process all over again. Councilman Campbell stated if they rebid it the price on everything continues to rise and it would probably be higher. Councilman Pollard stated since they are talking along these lines to be clear what the Boys and Girls Club renovations are. We are not talking about renovating the Boys and Girls Club itself, we are talking about replacing a roof on the side where the kids are and a building for a community center. There is nothing they are doing for the kids and if it takes some time and we lose the bid, so be it when it comes to our kids. Councilman Campbell commented the way he understands it is not the actual Boys and Girls Club but with all the equipment and construction going on they still have to move the kids. Councilman Palmer asked Mrs. Peoples if they could move to the teen center next door. She replied they could but when you are talking about moving the kids to make room for you [city] to do renovations that doesn't include the Boys and Girls Club her job is to make sure the Boys and Girls Club gets renovated. They are serving the children and of course they can serve our kids and build that building around them and they say go over there and play with that computer but come back over here where it is not renovated. Her thing is to have a discussion with the Boys and Girls Club. They are in the same building and it is the same space. Why can't they have a conversation to see what they are going to do with the young people in that building and occupying that space? She is sure they will be allowed to use the space but they need space just as good as what is going to be renovated. Councilman Campbell asked her if she had something in mind when they are talking about renovating the Boys and Girls Club. Mrs. Peoples responded she is talking about the same thing they are doing on the other side. It needs painting, the floors need to be done, and she has talked with Steve about compiling a list today and there was no way she could compile in a few hours. She is talking about them having the same thing next door to them in the same building. If they are going to have to move them, and they will have to move because the roof has to be fixed and falling in. For years she has worked with that roof, even getting the air conditioners down, to hold it together. If they have to be moved she doesn't want them to have to go back in the same building with it looking the same way. She will compile a list to let them know what it will take and has some renderings of what a Boys and Girls Club looks like and why she wants to include her Board so they can work together. She is not saying to do it for free but to work together to see what they can do. Councilwoman Willingham commented her understanding when they started the process is they did not know about the roofing on the Boys and Girls Club. They were saying they were trying to do something for the community, an event center, where people could have activities like a small birthday party. It would be an event center with a catering kitchen and bathroom and then they find out that the Boys and Girls Club roofing was a problem. When they started the process they did not know that. Mrs. Peoples stated she understands. That is when he [city manager] brought the bills and said we have these buildings and need to do something for them and that is when they came up with the idea they could renovate it and make it feasible for the community. She understands Mrs. Peoples' point but the bids were already in and if they lose the bid for the event center they will have to start all over instead of going ahead with this and add on what she [Mrs. Peoples] is saying. If they are going to do one they definitely want the

BOYS AND GIRLS CLUB – PROJECT SCOPE (cont.)

Boys and Girls Club improved. The point she is trying to make is if they lose it they are talking about paying \$2.something million for a new building. She wants to try and stay with this so people will have some place to go and add on renovating the building, the same thing she [Mrs. Peoples] wants for her children, but this is what they had first. Mrs. Peoples commented she totally understands that but when they are talking about an event center we are talking about people coming from all over next to where she is serving children next door. This is why she wished they would have been a part of the conversation. She always appreciates everything the City does but an event center next to a Boys and Girls Club is something else to think about. Mrs. Peoples commented it is a good idea to share space and Albany shares theirs with the senior center. It is a great idea and the seniors use it in the morning and the Boys and Girls Club in the afternoon. It was a collaboration with city and county government and a great idea. She is not knocking the idea and is just saying if they are going to share space she wants her kids to have just as much. Mayor Owens commented the conversation just now indicates why this needs to be delayed. There were conversations and discussions without all the stakeholders and when you do that this is what you end up with. For him personally he agrees this is something whether it is the event center, in combination with the children at Boys and Girls Club, this is obviously just on its face a subject that needs further conversation. To wait 30 days to do that and whatever administrative things need to happen in the middle, to let that happen. But it needs to be an extended and comprehensive conversation going forward. Councilman Palmer stated they need to go with Option B, fix the building, and come back next month with plans for renovations on the inside. It can be a two-part project and that way they can move on and get the roof fixed and no reason why they can't do that. Mayor Owens commented this conversation they are having is directly due to what Mrs. Peoples mentioned earlier. This is not something that happened yesterday, 6 months ago, 2 years ago, or 5 years ago. The point he is making is he is hearing this sense of urgency but it wasn't until he brought pictures to the Council and said look at how our children are being taught that we even got to this particular point. He finds it odd that now the sense of urgency to get this done. Thirty days and it has been years, if not decades, this has not been addressed and doesn't sit well that tonight for some reason it all has to be decided. The motion is valid, it is seconded and will be voted up or down. If we go forward our legislative process will decide that but this is the discussion period. If the motion fails we will move forward and if it doesn't we will still move forward. Councilman Twitty commented if we want to include, and he is sure they do, the remodeling of the Boys and Girls Club it will be done at the same time as the roof and the center that there may be cost savings doing it at the same time because it is all one project. They need to go that way and no need to be in a rush. The building is not going to deteriorate anymore and already deteriorated about 100%. It would seem to him there would be a cost savings including the Boys and Girls Club renovation at the same time we do the roof as well as the center. Councilman Campbell stated he agrees with what was said and asked Steve if he had anything to add. City Manager Sykes pointed out to Mrs. Peoples comment earlier about having to relocate the kids during construction, for 6 months the kids will be relocated next door. He thinks that is the time to do everything they are going to do rather than relocating them twice. If they wait and relocate them to repair the roof and then do the renovations later that is two relocations. For those considering going ahead with the renovation plan there is plenty of time to award the contract tonight, get the contractor started, and not risk losing on the competitive bid. It was supposed to bid a month earlier but they only had one bidder and had to postpone it until they could get two competitive bids. He thinks if we take

BOYS AND GIRLS CLUB – PROJECT SCOPE (cont.)

advantage of the pricing and having a bona fide bid and use that 6 months to work with the Boys and Girls Club, engage the Board if necessary, and come up with an approved list of improvements while they are vacated. He thinks 6 months is more than enough time to do everything that needs to be done including working out the renovations. He took a tour through the facility today and it needs to be updated and the best time to do it is when they are making renovations to the building. Whether they do it or not they are going to have to move out because the roof needs to be replaced and holding water on top. He agrees with Councilman Palmer the first thing they need to do is get the roof fixed and once fixed everything else can take place underneath. To Councilman Twitty's comment about bidding, it is possible we can do the renovations the Boys and Girls Club needs directly and not include in the contract. He thinks it is possible we can do it ourselves and save the overhead or let the contractor give a price as a change order and see which one works best and have both options. Mayor Owens reminded everyone when they started talking about this item during budget season, the cost was supposed to be about \$300,000. It is now at \$900,000 and if there was ever a reason to sit back down and have a comprehensive conversation with all stakeholders to see exactly what we are working with, this is the time to do that. There is a motion on the floor, with a second, to postpone conversation until the August committee meeting. Councilman Pollard asked about the asbestos in the building and City Manager Sykes stated the only place they found asbestos was above the roof that has to be torn off. After additional discussion, Councilwoman Willingham asked if it could be done without the tax payer bearing any burden. City Manager Sykes stated at \$2.5 million they found two funding sources. One is the GMA lease pool and it is a 10 year term at 3%. The USDA program is a 10 year term at 2.25%. If we were to go for a USDA loan for \$2.5 million for 10 years it is \$279,500 a year. If they borrow the money to do the renovation it is \$110,000. Both will be a loan and a bunch of options how we put that money in the budget for the next ten years. One option is to defer economic development funding which comes from utilities is \$45,000/year. Under the new construction option would leave us at \$235,000/year we would have to come up with. In terms of taxes the millage rate is currently 7.245 mils. It would have to go to 8.948 mils, an increase of 1.7 mils to get the extra \$235,000 a year and would have to keep in place for the next ten years. If they don't want to impose a property tax they could use a water/sewer rate adjustment. Based on current water/sewer rates it will be a 12.65% rate increase. Those are two options and there are other options we can talk about to fund the new construction. For the renovation borrowing that money instead of 8.94 mils it is 7.7 mils so a half-mil. A water/sewer rate increase would be 3.5% increase. He does not have a recommendation on how they do it and need to figure out what we want to do. Once they know how much they need they can come back with additional ideas on how to fund. Mayor Owens commented Steve made the exact point he was making. In asking him to develop off the top of his head what the final construction cost would it is a bit unfair not only to Steve but the process in general. He mentioned a few of the funding options and we have \$500,000 in the economic development fund that is doing nothing. When talking about debt service, we have \$45,000 (which is about \$4000/month) that comes out of our proprietary funds to feed the economic development fund, we have the \$500,000 already there that can be used for debt service, and the municipal trust. Some of that can only be used for energy generation but there is about half of it free to use any way you want and it is millions of dollars. In terms of debt service if we have to finance, it is doable. To Steve's point you have to have the conversation and have the stakeholders in the building. Councilman Campbell asked if the \$2.5 million included tearing

BOYS AND GIRLS CLUB – PROJECT SCOPE (cont.)

down/demolition of the Boys and Girls Club. City Manager Sykes stated it did and was approximately \$88,000. There being no further discussion, Mayor Owens stated the motion on the table was to postpone voting on the renovation of the Boys and Girls Club until August committee meeting and at that time have another discussion. Councilmembers in favor of postponing the vote for the Boys and Girls Club renovations: Campbell, Morgan, Twitty, and Pollard. Councilmembers not in favor of postponing the vote for the Boys and Girls Club renovations: Willingham and Palmer. The motion to postpone renovations for the Boys and Girls Club passed by a 4-2 vote.

RESOLUTION NO. 2021-07-19-3 – COMMITTEE MEETING CONDUCT FORMAT

City Attorney Coleman provided a resolution to Mayor and members of Council for committee meeting conduct format. He commented they are trying to do what has been done by tradition for many years. Mayor Owens stated they would take five minutes to review the resolution. Mayor Owens commented this is a standalone item and open for comments, debate, or discussion. Councilman Morgan stated since this is a rush decision he is already seeing items missing. There is no description on how committees will be established and they just recently finished discussion on adding more committees such as a public safety committee and it is not in the document. It seems a very rushed process and they need to wait and discuss at the August committee meeting. It is the direct result of rushing through their work, rushing through the people's time and money, and we have got to do better than that. [Councilwoman Willingham made comments which were inaudible but were related to joining together because of the Coronavirus.] Councilman Pollard stated they joined together because Steve thought it would be more conducive for them to join together to get more out of them and has nothing to do with Coronavirus. He thinks they are still being productive and getting things done together. What was on the table was about the time. If anyone is rushed to get out of there they should ask if they want to serve on the board because they were elected by the people to be their voice and advocate. If they are in a rush to get something done they may be at the wrong place any way. He thinks it needs to stay the same because they are more productive as one. The way he understands it the meetings were taking too long and it was because of time. Additional comments were made by Councilman Pollard and Councilwoman Willingham. Councilman Palmer made a motion to approve the resolution as presented. He made reference to Councilman Pollard's question and said this was done for 18 years so it is sad they didn't do anything for 18 years, according to what he said. Councilman Campbell stated he would second the motion. Mayor Owens stated there is a motion and a second to approve Resolution No. 2021-07-19-3 and asked for any discussion. Councilman Campbell stated at the Administrative Committee and at the Public Works Committee meetings they could discuss more and get more in depth and involved and the people are welcome to come. He thinks it is better the way they did it. Councilman Pollard commented they could pull the records and Public Works does not have a lot anyway and they are more productive when they get everyone's input. Mayor Owens asked for any further discussion. He stated as the world, this country, this state and this region are talking and debating about how they move forward, tonight in Camilla, Georgia they are having a debate about going backwards. He has been listening to the words: did this before, we use to do this, and that is the old way. It is important for the Council to know what they have done doing it the new way. It was this Council, with everyone sitting in the room, both committees, that everybody was able to add comments and their opinions. Doing it the new way when Corona-

RESOLUTION NO. 2021-07-19-3 – COMMITTEE MEETING CONDUCT FORMAT
(cont.)

virus hit last year, in this room, this Council because they were all sitting together, were one of the first cities in this country that said we are not going to cut off your lights because you can't work because of the Coronavirus. They did that together with input from everybody. This Council together said that we are going to renovate Toombs Park because it had been in a way of disrepair for years, if not decades. By doing it the new way, everyone in this room, Administrative Committee and Public Works Committee, came together and we got it done. They are ready to talk about the Boys and Girls Club next month. It happened because all of them sitting together in this room talked about it and authorized the City Manager to look at bids. They did that doing it the new way. We said the children of his town could use some free WiFi. With three different locations they did it where they could expand it to eight. Everyone sitting in the room was able to weigh in and give their opinions and today the children of Camilla can go to The Depot, Toombs Park, and the Boys and Girls Club and get free WiFi. They did it the new way. Marietta Street, looking like the surface of the moon for years, but everybody sitting in this room got together and gave their opinion and got the road paved, doing it the new way. Sidewalks have been breaking up for years but the seven folks in this room got together and directed the City Manager to get someone down here to fix it. They got it done doing it the new way. For the first time in decades we are about ready to put some new gateway signs so when people come to Camilla, Georgia they don't have to put their glasses on to see if they made it to the city limits. They made that decision because they decided to do it the new way. As the world and country was debating about police and community relationships and how to move forward, this Council, these seven members got together and directed the City Manager we were going to do some 21st century policing training. Not only did we do the 21st century policing training, we did it for the police department, the Council, and presented it for the community. Everyone was sitting at the table doing it the new way. For the first time in 10 years the position and pay plan, how we pay our people, this Council got together, both Administrative and Public Works Committees, and said City Manager they are supposed to be the one approving the pay plan and haven't done that in a while. We asked him to bring to us so we can have a look at it. What happened? A third of the City's employees ended up getting raises because the elected officials in one room talked to each other and got it worked out and directed the City Manager to do it and he did. A third of our city employees, because we did it the new way. For the first time in a decade the City Council passed an Ethics Board resolution. In ten years the Board was never formed but last year, because everybody in this room got together, they directed the city manager to put the administrative pieces in place and today we have an Ethics Board in the City of Camilla doing it the new way. In closing, all of this was done in the middle of a global pandemic. This is what happens when we have more collaboration and more conversation, they get a lot of stuff done. He thinks it is important they discuss how they do business and create policy in this town. But they need to have the discussion first. Councilwoman Willingham commented she appreciated all he said and knows where he is coming from and made a valid point. Sometimes they do need to be together and the point she is correcting him on is they didn't just do things before last year. They done some things when they were not together and came together and made decisions. Maybe it is best they talk to each other and he says the new way like they didn't do anything until now. But they have been doing things in the past and maybe doing individually and then came together. She sees his point and he has a point and she has a point. But do not sit there and say they did not do anything until last year. She begs to differ in they have done things

RESOLUTION NO. 2021-07-19-3 – COMMITTEE MEETING CONDUCT FORMAT
(cont.)

here before they met together but just doing it differently and as he said it may be better idea that everyone is together. That is her point and is a valid point. She asked him to not sit here and talk to them like they didn't do anything until all of them got together. It was the way they were doing and thought it was best. Sometimes what you think is best may not be best but Camilla was striving and maybe they didn't have the biggest sign, but they had signs. Mayor Owens thanked her for comments and stated everyone needs to understand he has a tremendous amount of respect for his colleague. He wants to make sure the record is clear he does not recall saying Camilla didn't do anything. Councilwoman Willingham replied he just stated that everything was last year. Mayor Owens stated he wanted to make sure the record is straight and he named very specific things and did not say everything. He named very specific projects. Councilwoman Willingham stated they were able to do some things separate and as he said maybe it is good they come together with each other. Mayor Owens commented what he was speaking to so everyone is clear, part of the motion or discussion as to how we got here was about productivity. He was illustrating we have been productive. Councilwoman Willingham stated her point is they haven't just started being productive and understands sometimes it is good to talk to other people. As Councilman Pollard said they may not have that much to do but are glad to entertain the Administrative Committee and make their point because sometimes they don't have anything. Councilman Palmer stated he is offended by the Mayor's comments because he said they have done nothing in the Council and this city for 18 years and is pretty much what he said. Mayor Owens asked him if he was quoting him or making an opinion. Councilman Palmer stated he is offended by his comments. Mayor Owens replied he can appreciate him being offended by his comments but wants to make sure if he is quoting him or making an opinion. Councilman Palmer stated he is offended by his comments and Mayor Owens replied that is fair just as long as he is not quoting him because that is not what he said. But he can respect him being offended but wants to make sure everyone in the room understands there is nothing in the room discussed that is personal. It is unfortunate if you do but he can't do anything about that or feelings. Councilman Campbell commented that is his [Mayor Owens] opinion that nothing happened before then. Mayor Owens asked where the quote is and can someone read it back to him where he said nothing was done in this town. Councilman Campbell stated a lot of things have been done this year they worked on for many years and they will still work together. The way they meet will be a little different and it is up to the City Council and time to vote. Councilman Palmer asked for the question to be called and Mayor Owens stated the discussion period was still open. Mayor Owens stated he wanted to make sure everyone is clear the motion on the table is to change the current format back to the old format. What he is expressing to the Council is that what we are doing is working. If there needs to be another conversation then that is what they have the committee meetings for. But changing the format completely reducing six people in the room down to three and is Councilman Pollard's point, if it passes, the Administrative Committee is not going to have an opportunity to hear Councilman Morgan's point on 21st century policing. We were ahead of this game while the rest of the stuff was going on around this country. But the Administrative Committee would have never heard that and some of the items on here is based on that fact. Last week he said the DDA map should be outline for the alcohol ordinance. Councilman Twitty pointed out a lot of stuff is going on at The Depot and might want to include that and we did. Councilman Palmer stated it does not say you cannot come to any, all, or none of the meetings and does not say that and what he [the Mayor] is saying is not correct.

**RESOLUTION NO. 2021-07-19-3 – COMMITTEE MEETING CONDUCT FORMAT
(cont.)**

You can come to any meeting you want to. Mayor Owens stated he would sit up there for a couple of minutes and let folks put words in his mouth but when you start using words like that is incorrect it is time to increase the volume. The way he reads the resolution is that it is a public meeting but if the Administrative Committee is discussing something a member of the Public Works Committee cannot comment. Councilman Pollard commented they do not even have a seat at the table. Councilman Palmer stated if you are recognized you can comment. Mayor Owens stated there is nothing in there and Councilman Palmer asked for legal clarification. City Attorney Coleman stated the rules of each committee will be established by the committee and if they want to can let people speak. Mayor Owens stated if the idea is we are going to let people speak it is the same meeting. He does not understand it and thinks if this is something that needs to be talked about it should be at a committee meeting. If they need to draw broader strokes they will. Councilman Pollard stated he likes to work as a collective body because they get things done as one. He asked the Council to remember Steve is appointed by them and works for them. They don't work for him and it is up to him [city manager] to carry out what they bring to the legislative body and to stop relying on the city manager to bring everything to the table. And for his input to say if he is going to move in that direction. City Manager Sykes stated he did not understand that comment. Councilman Pollard stated they should come to the table as one and talk about things. Mayor Owens stated the motion is to change the current format to go back to the previous split format. His last comment is they are doing good work in the middle of a global pandemic. If they need to make adjustments and have conversations they can do that. Councilmembers voting in favor of the committee meeting conduct format resolution: Campbell, Willingham, and Palmer. Councilmembers voting against the resolution: Morgan, Twitty, and Pollard. With a tie vote Mayor Owens stated per the charter with a tie vote the Mayor breaks the tie and he votes no. The motion failed.

Councilman Twitty asked to have a discussion of this. He also stated someone mentioned time and it was sort of derogatory in saying if you didn't have the time you shouldn't be here. There are times when someone who has a business has to be at a business, especially when he is a one man or two man job. Someone has to be there and there are times when he has to leave. But he always tells the Mayor ahead of time that he has something going on and will do so in the future. But he doesn't like being told he doesn't need to be here because he doesn't have time to be here. He will certainly hope they can discuss and do things on a quicker pace but he will be here for what is important and if he has to be away he will be. Councilman Pollard commented we make accommodations for those things and as a full time worker understands his point. Mayor Owens stated he appreciates the conversation and asked Steve for the August meeting to make sure it is on the agenda. He is sure we can come up with some ways to discuss to see if there are ways to keep our same efficiency and productivity while at the same time limiting some things. He thinks it is definitely worth the conversation and will be talked about in August.

CITY MANAGER'S REPORT

City Manager Sykes stated his manager's report is in their packet and has nothing to highlight.

MAYOR'S COMMENTS

To the Council and public, as he has said before and will continue to say, around the table are awesome public servants. Everything discussed in the room, he would hope, is not taken in a personal way. The reality is everyone in the room that is elected is responsible for fighting for the folks they represent and that has to stay at the forefront always and within our policy. As was mentioned at the committee meeting last week we had the 4th of July holiday and celebration and our community came together and he looks forward to more opportunities like that. To the community and for us let's just keep moving forward.

Councilwoman Willingham asked for an update on the virus numbers. Mayor Owens stated Steve has been diligent in sending out daily updates. They had a slight uptick last week but now are back down and called on Steve. City Manager Sykes stated three weeks ago there were zero new positive cases in Mitchell County, two weeks ago six positive cases, and this past week ending Thursday there were nine new cases. We are currently seeing an upward trend in Mitchell County. The Department of Public Health use to give daily updates and now they no longer update Saturday, Sunday, or holidays. Typically the first of the week they will have three days' worth of numbers come in and will still need to be looked at on a weekly basis. Councilwoman Willingham asked if the Health Department could attend a meeting and give an update and what age groups they are concerned about. Mayor Owens reminded the public to follow CDC and DPH guidelines and by next committee or council we will have DPH attend.

ADJOURNMENT

On motion by Councilman Morgan, seconded by Councilwoman Willingham, the meeting adjourned at 8:10 p.m.

BY: _____
KELVIN M. OWENS, MAYOR

ATTEST: _____
CHERYL FORD, CLERK

Exhibit A

**CITY COUNCIL
SPEAKER APPEARANCE FORM**



Please Print

NAME: Dr. Jonathan King

ADDRESS: 39938 Savanna Way

CITY: Murrieta

STATE: CA

ZIP: 92563

PHONE: 408-688-4145

EMAIL: jonking_2000@yahoo.com

CHECK ONE: ☒ AGENDA ITEM

☐ NON-AGENDA ITEM

COUNCIL MEETING DATE: August 16, 2021

ITEM/TOPIC TO BE ADDRESSED: Civil Rights Violation regarding Marion King in the summer of 1962.

Dr. Jonathan King was with his mother the day this incident took place
in front of the Camilla Jail and wants to address this matter.

Any individual wishing to address the Camilla City Council must complete the information requested above. Speakers will be allotted three (3) minutes in which to complete their presentation abiding by the following rules:

- No person shall be allowed to make obscene, derogatory, or slanderous remarks that disrupt the orderly conduct of the meeting.
- No person shall disrupt or interfere in any way with the orderly conduct of the meeting.
- Remarks shall end when a speaker's allotted time has expired.
- Speakers may respond to questions from the Mayor and Council members, should clarification be necessary; provided, however, no person shall be permitted to enter into discussion with the Mayor, a Council member, or any member of the City of Camilla staff during the conduct of a meeting.
- No question or comment shall be directed to the Mayor or individual Council members but shall be directed to the entire Council.

Any person willfully violating these rules may be prohibited from appearing before the Council for a period of sixty (60) days. By majority vote, the City Council shall order the removal of anyone who disrupts or interferes with the orderly conduct of the meeting.

7-27-21

Date

Jonathan King
Speaker Signature

FOR OFFICE USE ONLY

Received By: CHERYL

Council Meeting: 08-16-2021

Date: 07-27-2021

Time: _____

Comments: _____

CITY COUNCIL SPEAKER APPEARANCE FORM



Please Print

NAME: Jerome P.N. JesterADDRESS: 115 Lincoln StCITY: Camilla, STATE: Ga. ZIP: 31730PHONE: 229-336-0236 EMAIL: n/aCHECK ONE: ☒ AGENDA ITEM ☐ NON-AGENDA ITEMCOUNCIL MEETING DATE: August 16, 2021ITEM/TOPIC TO BE ADDRESSED: Re-Naming St. to Edward Brown Jr.

Any individual wishing to address the Camilla City Council must complete the information requested above. Speakers will be allotted three (3) minutes in which to complete their presentation abiding by the following rules:

- No person shall be allowed to make obscene, derogatory, or slanderous remarks that disrupt the orderly conduct of the meeting.
- No person shall disrupt or interfere in any way with the orderly conduct of the meeting.
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- No question or comment shall be directed to the Mayor or individual Council members but shall be directed to the entire Council.

Any person willfully violating these rules may be prohibited from appearing before the Council for a period of sixty (60) days. By majority vote, the City Council shall order the removal of anyone who disrupts or interferes with the orderly conduct of the meeting.

8-02-2021
Date

Jerome P. N. Jester
Speaker Signature

FOR OFFICE USE ONLY

Received By: CHERYLCouncil Meeting: August 16,Date: 08/04/2021 Time: _____Comments: _____ 2021

RECEIVED 08-11-2021
BY: CHERYL

COUNCIL MEETING:
08-16-2021

Exhibit A

**CITY COUNCIL
SPEAKER APPEARANCE FORM**



Please Print

NAME: Jenny Bostick

ADDRESS: 611 GA Hwy. 97

CITY: Camilla STATE: GA ZIP: 31730

PHONE: 229-522-0555 EMAIL: jennybostick@gmail.com

CHECK ONE: ☐ AGENDA ITEM ☒ NON-AGENDA ITEM

COUNCIL MEETING DATE: Aug. 16

ITEM/TOPIC TO BE ADDRESSED: Alpha Pregnancy Center

Any individual wishing to address the Camilla City Council must complete the information requested above. Speakers will be allotted three (3) minutes in which to complete their presentation abiding by the following rules:

- No person shall be allowed to make obscene, derogatory, or slanderous remarks that disrupt the orderly conduct of the meeting.
- No person shall disrupt or interfere in any way with the orderly conduct of the meeting.
- Remarks shall end when a speaker's allotted time has expired.
- Speakers may respond to questions from the Mayor and Council members, should clarification be necessary; provided, however, no person shall be permitted to enter into discussion with the Mayor, a Council member, or any member of the City of Camilla staff during the conduct of a meeting.
- No question or comment shall be directed to the Mayor or individual Council members but shall be directed to the entire Council.

Any person willfully violating these rules may be prohibited from appearing before the Council for a period of sixty (60) days. By majority vote, the City Council shall order the removal of anyone who disrupts or interferes with the orderly conduct of the meeting.

Aug. 11, 2021

Date

Jenny Bostick
Speaker Signature

FOR OFFICE USE ONLY

PUBLIC HEARINGS – AUGUST 16, 2021
AGENDA ITEM #7

- a. Alcoholic Beverages Ordinance – Second Reading
- b. Special Events Ordinance – Second Reading

ACTION AGENDA ITEM #8
AUGUST 16, 2021

- a. The Council reviewed a request from Walmart to participate in a solar initiative to facilitate Walmart's commitment of transitioning to renewable energy. Terms of the agreements require the City to purchase adequate renewable energy from the Municipal Electric Authority of Georgia (MEAG) and to provide the requested renewable energy to Walmart. City Attorney Coleman reviewed and approved the agreement as to form. The City Manager recommends Council approval of the Renewable Energy Customer Agreement and recommends authorizing the Mayor to sign the agreement.

MOTION: _____
SECOND: _____

- b. The Council conducted two public hearings and two readings of Alcoholic Beverage Ordinance No. 2021-08-16-1. The ordinance repeals the existing alcoholic beverage ordinance, adopts the new ordinance to regulate the sale of alcoholic beverages, repeals all prior ordinances in conflict, and other purposes. A copy of the ordinance is available on the City's website and at City Hall for public viewing. The City Council recommends adoption of the ordinance and authorizes the Mayor to sign.

MOTION: _____
SECOND: _____

- c. The Council conducted two public hearings and two readings of Special Events Ordinance No. 2021-08-16-2. The ordinance provides for the application and licensing process for special events held on city property, rental and/or use of properties for events, conduct of events, and other purposes. The Mayor and Council have deemed it necessary and prudent to establish a uniform system for the permitting and regulation of such events in order to properly protect the health, safety, and welfare of the citizens of Camilla and for permitting the conduct of special events that may also be of benefit to the community. A copy of the ordinance is available on the City's

website and at City Hall for public viewing. The City Council recommends adoption of the ordinance and authorizes the Mayor to sign.

MOTION: _____

SECOND: _____

- d. City Manager Sykes will provide information on the City’s intent to submit an application for Rural Zone Designation which requires passage of a Resolution.

Renewable Energy Customer Agreement

This Renewable Energy Customer Agreement (the "Agreement" or "RECA"), dated August 19, 2021 ("Effective Date"), is made and entered into by and between the [City/Commission] of City of Camilla, a Georgia public power provider ("Electric Supplier"), and Walmart Inc., a current retail customer of Electric Supplier ("Customer"). Electric Supplier and Customer are sometimes hereinafter referred to in this agreement collectively as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, certain retail customers of the Electric Supplier and certain other public power providers in Georgia have expressed an interest in solar resources; and

WHEREAS, Electric Supplier and certain other public power providers in Georgia are participants in, and receive wholesale electric supply from, the Municipal Electric Authority of Georgia ("MEAG Power"); and

WHEREAS, MEAG Power has developed a solar renewable energy initiative project ("Transaction") and Electric Supplier desires to participate in such Transaction on behalf of subscribing retail customers by entering into a Power Purchase Contract ("PPC") respecting the Transaction with a term of 20 years from the date of Commercial Operation of the solar facility; and

WHEREAS, Electric Supplier has approved its Renewable Energy Customer Agreement Tariff No. 1, a copy of which is on file with Electric Supplier ("RECA Tariff"), to make the Transaction available to its retail customers under the terms provided for therein and herein (capitalized terms used herein but not defined have the meaning set forth in the RECA Tariff) in a manner that allocates Transaction costs to such customers without subsidy by other Electric Supplier customers not participating in the Transaction;

NOW, THEREFORE, in consideration of the premises and mutual covenants set forth in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows.

1. **Supplemental Terms:** This Agreement is subject to any applicable agreements among the Parties and applicable Electric Supplier rules, regulations, service terms and rate schedules and tariffs.
2. **Subscription Level:** Customer desires the following Subscription Level 582.61 kW⁵ ("Requested Subscription") of generation capacity from the Transaction. Electric Supplier will request that MEAG Power contract with Electric Supplier to provide the Requested Subscription along with any additional capacity requirements requested by the Electric Supplier. Once the PPC has been entered into between MEAG Power and Electric Supplier and an Entitlement Share for the Transaction has been assigned to Electric Supplier, Electric Supplier will notify Customer in writing of its allocated Requested Subscription in kW ("Assigned Subscription"), which amount will

⁵ All kW references and calculations provided for herein or in the RECA Tariff are at the Electric Provider's lowside substation delivery point (DP).

be determined in Electric Supplier's sole discretion and may be less than the amount requested depending on MEAG Power's MW rounding and allocation process, among other things, and is final upon such notification.

3. **Solar Power.** The Electric Supplier will provide the Customer's prorated Allocable Share of the energy produced by the Transaction to the extent MEAG Power provides such energy to Electric Supplier and will cause such energy to be valued at market prices in order to implement the RECA Tariff. "Allocable Share" means Customer's Assigned Subscription as a percentage of all Electric Supplier customer Assigned Subscription under the RECA Tariff, e.g., 100% if Customer is the sole customer subscribing to the Transaction. For the avoidance of doubt, since the energy produced by the Transaction allocable to Customer is being 100% valued on Customer's behalf, the Customer will continue to receive energy service from Electric Provider under the contracts or tariffs applicable from time to time as if this Agreement were not in effect.
4. **Customer Commitment.** For the avoidance of doubt, Customer's obligations under this Agreement will continue regardless of whether Customer ceases to be a retail electric customer of Electric Provider subject to Section 8 respecting Change of Premises.
5. **Term.** (a) This Agreement will commence on the Effective Date and will continue until 15 years after the Commercial Operation Date (as defined in the Power Purchase Agreement between MEAG Power and the solar company) is achieved according to written notice from MEAG Power ("Termination Date"), which is expected to be on or before December 31, 2023, and if so achieved, would result in a Termination Date of January 1, 2039, unless such Termination Date is extended. Unless either Party provides prior notice to the other Party that it intends for this Agreement to terminate on the Termination Date ("Termination Notice"), the Termination Date will be automatically extended until five years after the Termination Date. Customer and Electric Supplier may each terminate this Agreement for convenience up to 5 years prior to the Termination Date by providing not less than 90 days prior written notice ("Early Termination Notice") to the other.

(b) If Customer or Electric Supplier provides a Termination Notice, this Agreement will terminate on the Termination Date. If Customer or Electric Supplier provides an Early Termination Notice, this Agreement will terminate on the date specified in such notice, which must be an anniversary of the Commercial Operation Date.

(c) Upon receipt of a Termination Notice or an Early Termination Notice from Customer, Electric Supplier will determine and notify Customer of the remaining amount that the Customer would have owed hereunder had this Agreement not been terminated and the Termination Date been extended 5 years past the Termination Date, and Customer will pay such amount ("Termination Fee") to Electric Supplier on or before the applicable Termination Date or other date specified by Electric Supplier. Such Termination Fee will be calculated by Electric Provider in its reasonable discretion as 100% of expected RECA Tariff costs and fees and a percentage of the expected credits as set forth in the table below:

Termination Effected in Years # after COD	Expected Credit Percentage
11	60%
12	66
13	72
14	78

To the extent practicable, such calculations will use historic Transaction data, third party market data and industry standard calculation methodologies. Except as expressly set forth herein, no Termination Fee, charge or penalty will be payable by Electric Supplier in connection with termination hereof. The Parties agree that the damages likely to be incurred by Electric Supplier in the event of termination will be difficult to measure, that the Termination Fee is reasonable, and that the Termination Fee will be paid as liquidated damages in lieu of all such actual damages and not as a penalty. In addition, all payments required hereunder prior to the effective date of such termination and all payments due prior to such termination date will also be paid in accordance herewith. Notwithstanding anything else herein to the contrary, the Termination Date will not be earlier than 10 years after the Commercial Operation Date.

6. **RECs.** Electric Provider will direct MEAG Power to retire the renewable energy certificates ("RECs") produced on behalf of the Customer's Subscription Level and to register and retire its RECs in a nationally accredited environmental attribute tracking registry ("Registry"), which will certify and provide a unique serial number for each REC.

At the Customer's request, the Electric Provider will direct MEAG Power to provide statements of the number of RECs retired, which will include each REC's unique serial number with the Registry, production date, retirement date, and proof of retirement on behalf of Customer.

7. **Rates and Credits.** All charges and credits applicable to Customer will be assessed and paid as provided in the RECA Tariff, as that now exist or may be hereafter changed, on file with the Electric Provider.
8. **Change of Premises.** If Customer ceases to receive electric service from the Electric Supplier, the Customer may assign Customer's Requested Subscription to another existing Customer service location(s) ("Change of Premises") with the prior written consent of the Electric Supplier.
9. **Assignment.** Customer may not assign this Agreement or any of the rights, obligations or benefits received from Customer's participation in this Agreement to any other person or entity except that Customer may, with the Electric Supplier's written approval, such approval not to be unreasonably withheld, assign this Agreement to an eligible affiliate of Customer, provided, that such eligible affiliate of Customer assumes, in writing, all of Customer's duties and obligations hereunder.

10. Notice.

- a. All notices, requests, consents, claims, demands, waivers and other communications hereunder must be in writing and will be deemed to have been given (i) when delivered by hand (with written confirmation of receipt); (ii) when received by the addressee if sent by a nationally recognized overnight courier (receipt requested); (iii) on the date sent by facsimile or electronic transmission (including by e-mail) if sent during normal business hours of the recipient, and on the next Business Day if sent after normal business hours of the recipient, or (iv) on the third (3rd) Day after the date mailed, by certified or registered mail, return receipt requested, postage prepaid. Unless a Party has designated a different

officer or address for itself by written notice to the other hereunder, such communications will be sent to the respective Party as follows:

If to the Electric Supplier:

City Manager
City of Camilla
P.O. Box 328
Camilla, GA 31730

If to Customer:

Walmart Inc.
Attention: Steve Chriss
2608 SE J Street
Bentonville, Arkansas 72716-0550
Email: stephen.chriss@walmart.com

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date hereinabove first written.

WALMART INC.

By: Mark Vanderhelm

Printed Name: Mark Vanderhelm

Its: Vice President

[CITY/COMMISSION] City of Camilla

By: _____

Printed Name: kelvin M. owens

Its: Mayor

Attested By: _____

Printed Name: Cheryl Ford

Title: city clerk

ORDINANCE NO. 2021-08-16-1

AN ORDINANCE REPEALING THE EXISTING ALCOHOLIC BEVERAGES ORDINANCE; ADOPTING A NEW ORDINANCE FOR REGULATING THE SALE OF ALCOHOLIC BEVERAGES IN THE CORPORATE LIMITS OF THE CITY OF CAMILLA, GEORGIA; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and City Council of the City of Camilla desire to provide for the health, safety, and welfare of the citizens of the City; and

WHEREAS, the Mayor and City Council have determined it necessary to regulate the sale and manufacture of alcoholic beverages within the corporate limits of the City of Camilla to protect the public health, safety, and welfare; and

WHEREAS, the Mayor and City Council have further determined it in the best interest of the City of Camilla and its citizens to impose a specific tax and to establish licensing qualifications and fees, and other regulations in connection with the sale of alcoholic beverages within the corporate limits of the City of Camilla; and

WHEREAS, in order to enforce the provisions required for the regulation of alcoholic beverages it is necessary to repeal an existing alcoholic beverages ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Camilla, and it is hereby ordained by authority of the same, as follows:

Section 1. The existing alcoholic beverages ordinance is repealed.

Section 2 The Alcoholic Beverages Ordinance attached hereto as "Exhibit A" is hereby adopted.

Section 3. All ordinances or parts of ordinances in conflict herewith are repealed.

SO ORDAINED this ____ day of _____, 2021.

CITY OF CAMILLA

By: _____
Mayor, Kelvin Owens

(S E A L)

Attest: _____
Clerk, Cheryl Ford

FIRST READING: _____
SECOND READING: _____

Chapter 2 - ALCOHOLIC BEVERAGES

ARTICLE I. - IN GENERAL

Sec. 9-2-1. - Definitions.

- (a) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic beverage means and includes all alcohol, distilled spirits, beer, malt beverages, wine or, fortified wine.

Bar means any establishment (by whatever name it may be known including but not limited to bar, barroom, club, juke joint, honky-tonk, nightclub, pool hall, pool room, pub, recreation center and any other like or similar name describing the same or similar type of activity) which holds any consumption on premises alcoholic beverage license but which does not meet the requirements of restaurant, private club or licensed alcoholic beverage caterer as defined herein.

Brewpub means any bona fide food service establishment in which beer or malt beverages are manufactured or brewed subject to the barrel production limits and regulations under state law.

Brown bagging means the bringing of alcoholic beverages into business establishments licensed for the retail sale of malt beverages, wine or distilled spirits by the drink for the purpose of drinking such alcoholic beverages at any such establishment.

Church means any permanent building where persons regularly assemble for religious worship.

City means the City of Camilla and when used in a geographical sense means the territorial limits of the City of Camilla.

City clerk means the city clerk of the City of Camilla.

City council means the city council of the City of Camilla.

Distilled spirits means any alcoholic beverages obtained by distillation or containing more than 24 percent alcohol by volume, including, but not limited to, all fortified wines.

Fixed salary means the amount of compensation paid to any member, officer, agent or employee of a private club as may be fixed for him by its members at a prior annual meeting or by the governing body out of the general revenue of the club and shall not include any commission on any profits from the sale of alcoholic beverages. For the purposes of this definition, tips or gratuities which are added to bills of members and their guests under club regulations shall not be considered as profits from the sale of alcoholic beverages.

Food caterer means any person who prepares food for consumption off the premises.

Fortified wines means any alcoholic beverage containing more than 24 percent alcohol by volume made from fruits, berries or grapes either by natural fermentation or by natural fermentation with brandy added. The term "fortified wine" includes, but is not limited to, brandy.

Grocery store means a business which holds a grocery store retail business license issued by the city, and which:

- (1) Is engaged primarily in the retail sale of food and beverage items by the package designed for nonpremises consumption; and
- (2) Maintains at no time a retail inventory of alcoholic beverages which in more than 30 percent, valued at its retail sales price, of the total retail inventory of merchandise of such business, valued at its retail sales price.

Interest includes any pecuniary interest and any ownership interest, whether present or future, whole or partial, legal or beneficial, contingent or vested, direct or indirect, and any right, power, or authority of control.

Legal age means the age established by O.C.G.A. § 3-3-23, as amended from time to time, as the age below which alcoholic beverages may not lawfully be sold to, furnished to, purchased by or possessed by a person.

License means the authorization granted by the city to engage in the sale of specified alcoholic beverages upon the premises so licensed for a calendar year, or the remaining portion of a calendar year.

Licensed alcoholic beverage caterer means any retail dealer who has been licensed pursuant to article VI of this chapter.

Licensed premises includes not only the room wherein alcoholic beverages are sold or served but also the entire building in which such room is located, except that when such a room is located in a hotel, motel, or similar facility or in a shopping center only such room and any adjoining storage, office, toilet, and other similar rooms shall constitute the "licensed premises."

Licensee means a person holding a license issued pursuant the terms of this chapter.

License Holder means licensee.

Lounge means a separate room connected with a part of and adjacent to the premises of a restaurant or its adjacent lobby or reception area, with all booths, stools, and tables located therein being open to view only from within the lounge, with a seating capacity of at least 20 persons, and with all access and all exits to and from the lounge opening into such restaurant or the lobby or reception area adjoining such restaurant except for emergency exits or exits used solely as service doors.

Malt beverages means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt hops or any other similar product, or any combination of such products in water, containing not more than fourteen (14) percent alcohol by volume and including ale, porter, brown, stout, lager beer, small beer and strong beer provided that the term "malt beverage" does not include sake, also known as Japanese rice wine.

Malt beverage taproom means exception to Georgia providing a license to manufactured malt beverages granting the right to sell up to 3000 barrels of malt beverages per year produced at the licensed premise as governed by O.C.G.A. § 3-5-24.1.

Manager means the individual who supervises the regular operations of a business licensed under this chapter and who is physically present on site at such business (a) at least 35 hours per week, or (b) at least 90 percent of the hours such business is open to the public, whichever is less.

Package means a bottle, can, keg, barrel or other original consumer container.

Premises means the space or area owned, leased, or controlled by the licensee and used by the licensee for the purpose of operating under the license and shall include that area circumscribed by the property lines of the property for which an alcoholic beverage license is issued by the city; except that in the case of hotels and motels, the term "premises" shall include only that portion of the property where alcoholic beverages are sold, delivered, or served.

Private club means a nonprofit organization which is organized under state law which meets each of the following requirements:

- (1) Has either a tax exempt status under section 501 of the United States Internal Revenue Code or operates pursuant to a charter from a state or national parent organization which has such tax exempt status;
- (2) Has been in existence at least one year prior to the filing of its application for an alcoholic beverage license to be issued pursuant to this chapter;
- (3) Has at least 50 members paying dues on a regular periodic basis;
- (4) Is organized and operated exclusively for the pleasure and recreation of its members and their guests or for other non-profitable purposes;
- (5) Has facilities which are available for use only by the membership thereof and their guests and not by the general public;
- (6) Owns, rents or leases a building or space within a building for facilities for the use of its members and their guests;
- (7) Maintains kitchen and dining room space, equipment and items necessary to appropriately provide food service of full course meals for its members and their guests;
- (8) Is staffed with a sufficient number of employees for the preparation and service of meals for its members and their guests;
- (9) Has no member, officer, agent or employee directly or indirectly receiving, in the form of salary or other compensation, any profits, beyond a fixed salary, from the sale of alcoholic beverages to the club or to its members or their guests; and
- (10) Has such licenses as are required for the operation thereof.

Restaurant means a business kept, used, maintained, advertised and held out to the public as a place where meals are actually and regularly prepared and served for a period of at least five hours per day on at least five days per week with the exception of (i) holidays, (ii) vacations not exceeding two weeks duration, and (iii) periods of redecorating not exceeding 30 calendar days duration except to the extent extended by the city council in its discretion upon request therefor; and which meets all of the following requirements:

- (1) Meets all health and sanitation requirements for food service establishments required under applicable federal, state and local laws, codes, ordinances, rules and regulations;
- (2) Maintains upon the premises thereof in operative condition cooking and kitchen facilities and equipment appropriate to accommodate the preparation of meals for 20 food service customers at one time;
- (3) Maintains upon the premises thereof seating facilities, at booths or tables designed for food service, sufficient for at least 20 food service customers at one time, not including

seating provided by counters and stools, with booths and tables for purposes hereof being large enough to adequately accommodate at least two place settings of cutlery and dishes;

- (4) Maintains at all times such additional facilities, equipment and items as well as employees as shall be necessary for the cooking, preparation and service of meals for consumption at tables or booths located upon the premises for at least 20 food service customers at one time;
- (5) Is at all times during the hours of operation thereof prepared to serve full course meals with substantial entrees from a substantial variety of culinary choices, or substantial substitutes therefor, chosen by food service customers from a printed menu available to all food service customers at prices which are competitive with other restaurants in the community whether or not such other restaurants engage in the sale of alcoholic beverages; and
- (6) Derives at least 60 percent of its total gross food and beverage sales from the sale of full course meals prepared, served and consumed upon the premises thereof.

Retail sale means the sale or offer of sale of any alcoholic beverage to any member of the public.

Wine means any alcoholic beverage containing not more than 24 percent alcohol by volume made from fruits, berries or grapes either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, all sparkling wines, champagnes, combination of such beverages, vermouths, special natural wines, rectified wines and like products. The term does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage. A liquid shall first be deemed to be a wine at that point in the manufacturing process when it conforms to the definition of wine contained in this section.

- (b) As used in this chapter, the singular and the plural shall each include the other, the masculine and feminine shall each include the other, and any verb tense may include any other verb tense.
- (c) As used in this chapter, the term "may" is permissive and the term "shall" is mandatory.

Sec. 9-2-2. - Activities are privileges.

The manufacture, distribution, sale and possession of alcoholic beverages within the city are privileges and not rights with any privilege with respect thereto granted pursuant to this chapter to the holder of any alcoholic beverage license being held and enjoyed only for so long as the holder of such license issued pursuant to this chapter shall fully and completely comply with all provisions of this chapter.

Sec. 9-2-3. - Compliance required.

No person shall:

- (1) Distribute, sell, or offer to sell, either at retail or wholesale, any alcoholic beverage in the city except to the extent permitted pursuant to a current alcoholic beverage license issued by the city;

- (2) Distribute, handle, possess, sell, or offer to sell any alcoholic beverage in the city in violation of any provisions of this chapter or any provision of any law or regulation of the state relative to any alcoholic beverage;
- (3) Distribute, handle, possess, sell or offer to sell any alcoholic beverage in the city except in compliance with the provisions of this chapter.

Sec. 9-2-4. - Sales permitted.

The sale of malt beverages, wines and distilled spirits, subject to the provisions of this chapter, as this chapter may be amended from time to time, are permitted in the city.

Sec. 9-2-5. - Consumption in public places.

Except to the extent otherwise specifically permitted, no person shall consume any alcoholic beverage while such person is located in or upon any public street, road, alley, lane or sidewalk of the city or upon the premises of any building owned or leased by the city or upon the premises of any other property, either real or personal, owned or leased by the city. Functions sponsored by the city or any other governmental unit shall be exempt from this prohibition.

Sec. 9-2-6. - Open containers.

Except to the extent otherwise specifically permitted, no person shall have in such person's possession any package which contains an alcoholic beverage which has been opened or the seal of which has been broken while such person is located in or upon any public street, road, alley, lane, or sidewalk of the city or upon the premises of any building owned or leased by the city or upon the premises of any other property, either real or personal, owned or leased by the city.

Sec. 9-2-7. - False and misleading statements.

No person shall make, cause to be made, or present to the city any application for issuance, application for renewal, report, or other notification with respect to any alcoholic beverage license issued or sought to be issued or renewed by the city or any tax on alcoholic beverages due to the city which contains as of the date made or presented, any untrue or misleading statement or representation.

Sec. 9-2-8. - Brown-bagging prohibited.

It shall be unlawful for a licensee to allow customers to bring onto the licensed premises their own alcoholic beverages, which is known as "bring your own bottle" (BYOB) or "brown-bagging".

Sec. 9-2-9. - Knowledge of chapter.

The holder of any alcoholic beverage license as well as all employees, agents and servants of any business in which such alcoholic beverage license is utilized shall be conclusively presumed, for purposes of this chapter, to have at all times complete and full knowledge of all provisions of this chapter.

Sec. 9-2-10. - Notification to state revenue department of violations.

Upon determination of the existence of circumstances which are required pursuant to the provisions of O.C.G.A. § 3-3-21 to be reported to the state department of revenue, the City shall

promptly report the existence of such circumstances to the state department of revenue as required.

Sec. 9-2-11. - Criminal conviction not required.

Any proceeding or action which may be taken by the city with respect to the suspension or revocation of any alcoholic beverage license or the grant, denial or renewal of any such license shall be and are administrative in nature with respect to the privileges of the holder of such license and the right of such holder to continue to engage in the sale of alcoholic beverages in accordance with the provision of this chapter. No conviction, dismissal, acquittal, other plea or other disposition with respect to any criminal violation involving the sale, distribution or possession of alcoholic beverages or any other alleged criminal conduct shall be necessary for any action by the city pursuant to the provisions of this chapter relative to any such license or otherwise effect any action taken by the city relative thereto.

Sec. 9-2-12. - Violation and penalties.

- (a) It shall be unlawful for any person to violate any of the provisions of this chapter.
- (b) The following guidelines for the disposition of alcoholic beverage license violations are hereby adopted. It is emphasized that these are guidelines only and can be altered based upon the facts of any individual case. The guidelines for disposition of alcoholic beverage license violations are as follows:
 - (1) First offense within past two years: 30 days suspension and \$150.00 reinstatement fee;
 - (2) Second offense within past two years: 90 days suspension and \$250.00 reinstatement fee; unless
 - (3) Second offense within past 12 months: Revocation;
 - (4) Third offense within past two years: Revocation.

Secs. 9-2-13—9-2-29. - Reserved.

ARTICLE II. - MINIMUM AGE

Sec. 9-2-30. - Presence of persons not of legal age.

No person, who is the holder of any alcoholic beverage license issued by the city nor any agent, servant or employee of the business in which any such license is utilized, shall in connection with the operation of the business in which such license is utilized, permit or allow any person who has not attained legal age to be or remain upon the premises licensed if such business is a bar as defined herein.

Sec. 9-2-31. - Consumption by persons not of legal age.

No person, who is the holder of any alcoholic beverage license issued by the city nor any agent, servant or employee of the business in which any such license is utilized, shall in connection with the operation of the business in which such license is utilized, permit or allow any person who has not attained legal age to consume any alcoholic beverage upon the premises licensed.

Sec. 9-2-32. - Possession by persons not of legal age.

No person, who is the holder of any alcoholic beverage license issued by the city nor any agent, servant, or employee of any business in which any such license is utilized, shall in connection with the operations of the business in which such license is utilized, except as otherwise specifically provided in this chapter, permit or allow any person who has not attained legal age to possess any alcoholic beverage upon the premises licensed.

Sec. 9-2-33. - Furnishing to persons not of legal age.

No person, who is the holder of any alcoholic beverage license issued by the city nor any agent, servant or employee of the business in which any such license is utilized, shall in connection with the operation of the business in which such license is utilized sell, provide, give, furnish or distribute any alcoholic beverage to any person who has not attained legal age. Notwithstanding the foregoing, no person shall be in violation of the provisions hereof in the event that (i) such person has been furnished with identification showing that the person who is being furnished with alcoholic beverages has attained legal age and (ii) under the surrounding circumstances the person so furnished such identification could reasonably conclude that the person furnishing such identification had attained legal age. For purposes of this section, the term "identification" means any document issued by a governmental agency containing a description of the person such as the person's photograph or other written description of and providing the person's date of birth, and shall include, without being limited to, a passport, a military identification card, or a driver's license.

Sec. 9-2-34. - Acquiring for persons not of legal age.

No person, who is the holder of any alcoholic beverage license issued by the city nor any agent, servant or employee of the business in which any such license is utilized, shall in connection with the operation of the business in which such license is utilized purchase or acquire any alcoholic beverage for or on behalf of any person who has not attained legal age, or otherwise procure for or furnish to any person who has not attained legal age any alcoholic beverage.

Sec. 9-2-35. - Employment of persons not 18 years of age.

- (a) No holder of an alcoholic beverage license nor any agent, servant or employee of any business in which such license is utilized shall permit or allow any person who has not attained 18 years of age and who is employed by any business operated upon premises for which an alcoholic beverage license is issued by the city to engage in the sale, distribution, or acceptance of orders for alcoholic beverages; provided, however, that the provisions hereof shall not apply to nor prohibit persons who have not attained 18 years of age who are employed by a business in connection with the operation at such premises of a grocery store, as such term is defined in this chapter from engaging in the sale, distribution, and handling of alcoholic beverages at such premises in connection with employment in the operation of such business.
- (b) No holder of an alcoholic beverage license nor any agent, servant or employee of any business in which such license is utilized shall permit or allow any person who has not attained 18 years of age to be employed by any business operated upon premises for which a license for the consumption of alcoholic beverages upon such premises is issued by the city; provided, however, that the provisions of this subsection shall not apply to nor prohibit the employment of persons who have not attained 18 years of age in connection with the operation upon such premises of a restaurant, provided further, that persons who have not attained 18 years of age shall not engage in the sale, service, or acceptance of orders of alcoholic beverages in connection with the operation of any such restaurant.

Sec. 9-2-36. - Failure to check identification.

No person who is the holder of any alcoholic beverage license issued by the city nor any agent, servant or employee of the business in which any such license is utilized shall in connection with the operation of the business in which such license is utilized fail to require or check the identification of the person to whom any alcoholic beverage is sold or furnished prior to the sale, furnishing or distribution of any alcoholic beverage or any person who has not attained legal age. No person shall be in violation of the provisions hereof in the event that (i) such person has been furnished with identification showing that the person who is being furnished with alcoholic beverages has attained legal age and (ii) under the surrounding circumstances the person so furnished such identification could reasonably conclude that the person furnishing such identification had attained legal age. For purposes of this action, the term "identification" means any document issued by a governmental agency containing a description of the person such as the person's photograph or other written description and providing the person's date of birth, and shall include, without being limited to, a passport, a military identification card, or a driver's license.

Secs. 9-2-37—9-2-60. - Reserved.

ARTICLE III. - LICENSES

Sec. 9-2-61. - License required for sales.

No person shall sell or offer to sell any alcoholic beverages which is permitted to be sold in the city pursuant to the provisions of this chapter unless such sale is made or is to be made pursuant to the authority of a current effective alcoholic beverage license issued by the city pursuant to the provisions of this chapter.

Sec. 9-2-62. - Classification of licenses.

Alcoholic beverage licenses authorized to be issued by the city and required pursuant to the provisions of this chapter to be held for the sale of alcoholic beverages are classified as follows:

- (1) Wholesale malt beverage license;
- (2) Retail malt beverage package license;
- (3) Retail malt beverage consumption license;
- (4) Wholesale wine license;
- (5) Retail wine package license;
- (6) Retail wine consumption license; and
- (7) Wholesale distilled spirits license.
- (8) Retail distilled spirits package license.
- (9) Retail distilled spirits consumption license.
- (10) Brewpub or Taproom license.
- (11) Alcoholic beverage caterer (includes malt beverage, wine, and distilled spirits)
- (12) Special event permit.
- (13) One-day license for charitable organizations.

Sec 9-2-63 – Zoning requirements; exceptions.

No license for the sale of spirituous liquors or distilled spirits shall be granted for a business location in any district designated as R-1 residential, R-2 residential, and R-3 residential under the 2018 Zoning Ordinance for the City of Camilla, effective date of October 8, 2018. Private clubs, patriotic organizations, or fraternal organizations meeting all the requirements of section 9-2-89 are excepted if in compliance with such zoning regulations.

Sec. 9-2-64. - Qualifications for license.

No alcoholic beverage license required by the provisions of this chapter shall be issued to any person or for any location unless and until it has been successfully demonstrated to the satisfaction of the city council that:

- (1) Such person, or the person who shall actually and actively be in charge and management of the day to day operation of the business in which such license shall be utilized is a citizen of the United States of America;

- (2) Such person by reason of such person's business experience, financial standing, moral character, mental capacity, physical capacity, trade associations, record of arrest, and reputation in communities in which he has lived is, in the opinion of the city council, likely to operate the business in which the license will be utilized in conformity with federal, state and local laws, ordinances, rules, regulations, and requirements, including particularly the provisions of this chapter and the laws, rules and regulations of the state and the United States relative to the manufacture, sale, and distribution of alcoholic beverages, and, in making such determination, the city council shall, in addition to the other and further provisions of this section, consider all information that would be considered by the city council if this person was being denied a renewal license pursuant to the requirements of section 9-2-82 or, if this person was having his license suspended or revoked pursuant to the requirements of section 9-2-86; provided further that no license shall be issued to or for:
- a. Any person whose business in which the license will be utilized is conducted by a manager or agent unless such manager or agent possessed and meets all of the qualifications required hereunder for the holder of an alcoholic beverage license and would not be prohibited from being the holder of such a license;
 - b. A partnership unless all partners, members and managers of such partnership, as well as the manager of the business in which the license will be utilized, possess and meet all of the qualifications for the holder of an alcoholic beverage license and would not be prohibited from being the holder of such a license;
 - c. A corporation unless all officers thereof, all directors thereof and all shareholders thereof who shall either directly or beneficially as such word is defined and utilized in the Internal Revenue Code of the United States and regulations issued pursuant thereto own more than 20 percent of the outstanding shares of stock thereof, as well as the manager of the business in which the license will be utilized, possess and meet all of the qualifications for the holder of an alcoholic beverage license and would not be prohibited from being the holder of such a license;
 - d. Any person who has been convicted, has entered a plea of nolo contendere or has forfeited a bond with respect to any felony within ten years prior to the filing of any such application or with respect to any misdemeanor within five years prior to the filing of any such application including particularly but not being limited to those offenses involving force or violence, prostitution, gambling, or tax law violations in the event that such conviction, plea or bond forfeiture tends to indicate, in the opinion of the city council, that the applicant may not maintain or operate the business in which the alcoholic beverage license sought by the applicant would be utilized in conformity with federal, state or local laws, rules and regulations. The terms "felony" and "misdemeanor" as used in this subsection shall include the violation of any criminal law of the United States of America, the state, or any other state of the United States of America; provided that the term "misdemeanor" shall not include those violations which are commonly referred to as "traffic violations." The term "conviction" as used in this subsection shall include an adjudication of guilt, plea of guilty, a plea of nolo contendere or the forfeiture of a bond by a person charged with a crime. Notwithstanding the foregoing, the city council, in its sole discretion, may decide to authorize the issuance of a license to a

person who has in the past been convicted of, plead guilty to, entered a plea of nolo contendere to, or forfeited a bond on any crime when, after a thorough investigation of all the facts including parole or probation officer's reports, judge's recommendations, and any other evidence bearing on the character of the applicant, it has determined, in the sole discretion of the city council, that such action is in keeping with the ends of justice and the public interest and welfare;

- e. Any person who has been convicted of, has entered a plea of nolo contendere to, or forfeited a bond to any charge of violation of any state, federal, or local law involving the manufacture, sale, distribution, or possession of alcoholic beverages, contraband, or any "controlled substances" as such term is utilized under laws of the state, or any other substance, the control or possession of which is controlled or prohibited under laws of the state or the United States of America, or any other state of the United States. The term "conviction" shall include an adjudication of guilt, plea of guilty, a plea of nolo contendere or the forfeiture of a bond by a person charged with a crime. Notwithstanding the foregoing, the city council, in its sole discretion, may decide to authorize the issuance of a license to a person who has in the past been convicted of, plead guilty to, entered a plea of nolo contendere or forfeited a bond on any crime when, after a thorough investigation of all the facts including parole or probation officer's reports, judge's recommendations, and any other evidence bearing on the character of the applicant, it has determined, in the sole discretion of the city council, that such action is in keeping with the ends of justice and the public interest and welfare;
- f. Any person who as either the previous holder of any alcoholic beverage license issued by any authority, or as a party interested in any business in which any alcoholic beverage license issued by any authority was utilized, either conducted, or allowed the conduct of, the business with respect to which such license was issued in such a manner as to cause, in the opinion of the city council, greater than normal police activity, observation or inspection in order to prevent the violation of any law or regulation either relating to such license or the business associated therewith or in order to maintain public order;
- g. Any location not suitable therefor, in the opinion of the city council, because of either traffic congestion or the general character of the neighborhood or by reason of the effect which the utilization of such license at such location would have upon adjacent and surrounding properties or upon adjacent neighborhoods;
- h. Any location for which there is an unpaid or unsatisfied tax or other financial obligation due to the city which is not then the subject of appeal or litigation;
- i. Any person who has not attained the age of 21 years;
- j. Any person who either held any alcoholic beverage license issued by any authority which was revoked by such authority within a one-year period immediately prior to the date of the filing of an application or was a party interested in any business in which any alcoholic beverage license issued by any authority was revoked by such authority within the one-year period prior to the date of the filing of an application;

- k. (a) With regard to distilled spirits any location within 100 yards of any church building or within 200 yards of any school building, educational building, school grounds, or college campus.
- (b) With regard to wine or malt beverages any location within 100 yards of any school building, school grounds, or college campus. This provision shall not prohibit the sale of wine and malt beverages at a grocery store within 100 yards of any school building, school grounds, or college campus, provided that the grocery store has at least 10,000 square feet of floor space of which 85 percent is reserved for the sale of food.
- (c) Other restrictions as provided in O.C.G.A. § 3-3-21 are hereby adopted and made part of this ordinance.
- l. Any location at which the utilization of the licensee would cause or create any violation of the zoning ordinance of the city or of the building code or fire code of the city;
- m. Any location at which an alcoholic beverage license has previously been suspended or revoked by either the city or the state department of revenue and where, in the opinion of the city council, there exists the likelihood that the utilization of such license at such location would cause or necessitate greater than normal police activity, observation or inspection in order to either prevent violation of laws and regulations relating to such location or to maintain public order, due to the history of either (i) violations of the provisions of this chapter or of the laws, rules and regulations of the state relative to alcoholic beverages by the holder of the previous license at such location or agents, servants or employees thereof or (ii) activities or conduct of patrons of the business in which such previous license was utilized at such location, all as compared to the locations of other licenses, or would cause or tend to cause, in the opinion of the city, council, greater than normal community problems or conflict as compared to the locations of other licenses;
- n. Any location at which an alcoholic beverage license has previously been suspended or revoked by either the city or the state department of revenue and where, in the opinion of the city council, problems associated with the utilization of a prior alcoholic beverage license at such location were such that it would not be in the best interest of the public health, safety or welfare to grant any other alcoholic beverage license for such location;
- o. Any person or any location with respect to which the granting or utilization of a license would constitute a violation of laws, rules or regulations of the state; or
- p. Any person with respect to whom information is required under subsection 9-2-66(2), (3) or (4) who has not paid or satisfied any tax or other financial obligation due to the city which is not then the subject of appeal or litigation.

Sec. 9-2-65. - Location.

Notwithstanding any other provision of this article, the location with respect to which an alcoholic beverage license has been issued by the city shall remain eligible for issuance of alcoholic beverage licenses by the city notwithstanding subsequent changes which would

otherwise render the locations nonlicensable under subsection 9-2-64(2)k. for so long as an alcoholic beverage license remains issued for such location by the city and further provided that in the event of the termination of any such license issued with respect to such location the location itself shall thereafter remain eligible for the issuance of alcoholic beverage licenses if within six months following such termination an alcoholic beverage license is issued by the city for such location.

Sec. 9-2-66. - Applications.

Prior to the issuance of any alcoholic beverage license, the applicant therefor shall file with the city an application, in such form and substance as shall from time to time be determined by the city manager, and an application fee provided for in this article. Upon approval by the City Council, the applicant shall provide approved payment of the license fees and the license shall be issued. Applications for alcoholic beverage licenses shall be presented to the Planning and Zoning Department or designee, and shall be signed by the applicant if an individual, or by all partners if a partnership, or by a duly authorized agent if a corporation, shall be verified by oath or affidavit, shall contain the following statements and information and shall otherwise meet the following requirements:

- (1) In the case of an individual applicant who will actually and actively be in charge and management of the day to day operation of the business in which the license applied for will be utilized, then the name, age, sex, height, weight, birthdate, social security number, current residence address, business addresses, and all previous such addresses of the applicant within the last ten years;
- (2) In the case of an individual applicant who will not actually and actively be in charge and management of the day to day operation of the business in which the licensee applied for will be utilized, then the name, age, sex, height, weight, birthdate, social security number, current residence address, business addresses, and all previous such addresses within the last ten years of both the applicant and the person who will actively manage such business;
- (3) In the case of a partnership, then the name, date and location of formation, federal tax identification number, current principal business address, and all prior business addresses within the past ten years of such partnership as well as the name, age, sex, height, weight, birthdate, social security number, current business address, current residence address, and all prior such addresses within the past ten years of all partners, members and managers of such partnership and the manager or managers of the business in which the license applied for will be utilized;
- (4) In the case of a corporation, then the name, date and location of incorporation, federal tax identification number, current principal business address, name and address of registered agent in the state for service of process, and all prior business addresses within the last ten years of such corporation as well as the name, age, sex, height, weight, social security number, current business address, current residence address, and all prior such addresses within the last ten years of all officers thereof, all directors thereof, and all shareholders thereof who own either directly or beneficially, as such word is defined and utilized in the Internal Revenue Code of the United States and regulations issued pursuant thereto, more than 20 percent of the outstanding shares of

stock thereof, and of the manager or managers of the business, in which the license applied for will be utilized;

- (5) A statement with respect to whether the applicant or any person with respect to whom information is required under subsection (2), (3) or (4) of this section has made at any prior time any application to any governmental entity for any alcoholic beverage license of any nature and, if so, the circumstances thereof, including the disposition and current status thereof, all in sufficient detail to evaluate such application;
- (6) A statement with respect to whether the applicant or any person with respect to whom information is required under subsection (2), (3) or (4) of this section has ever held any alcoholic beverage license issued by any governmental entity, the circumstances thereof, and the present status of such license all in sufficient detail to evaluate such application;
- (7) A statement with respect to whether the applicant or any person with respect to whom information is required under subsection (2), (3) or (4) of this section has ever held any alcoholic beverage license issued by any governmental entity which has been suspended or revoked and, if so, the circumstances thereof, all in sufficient detail to evaluate such application;
- (8) A statement with respect to whether the applicant or any person with respect to whom information is required under subsection (2), (3) or (4) of this section has ever been convicted of, entered a plea or nolo contendere to, or forfeited a bond on, any crime other than traffic violations and, if so, the nature and circumstances thereof, all in sufficient detail to evaluate such application;
- (9) A statement with respect to whether any person or entity other than the applicant and those persons with respect to whom information is required under subsection (2), (3) or (4) of this section is or will be either directly or indirectly interested in the profits or losses of the business in which the license applied for will be utilized and, if so, the circumstances thereof, all in sufficient detail to evaluate such application;
- (10) The classification of license applied for;
- (11) The location with respect to which the license will be utilized and the name and nature of the business in which the license will be utilized, all in sufficient detail to evaluate such application;
- (12) A statement that both the applicant and all other person's with respect to whom information is required under subsection (2), (3) or (4) of this section are fully qualified in all respects under this chapter to be the holder of an alcoholic beverage license issued by the city and that all such persons are entitled to have the license requested issued in accordance with the provisions of this chapter;
- (13) A statement that the location with respect to which the licensee is sought meets all conditions, qualifications and criteria established in this chapter for the location of a business utilizing the alcoholic beverage license applied for;
- (14) Such other information and statements as shall from time to time be required by the city manager or the city council;

- (15) A Georgia government I.D., such as a state driver's license, taken within the past three years of the applicant and all persons with respect to whom information is required under subsection (2), (3) or (4) of this section; and
- (16) Written consents of the applicant and all persons with respect to whom information is required under subsections (2), (3) or (4) of this section that the city has the continuing permission and authority of all such persons to monitor the public records of the city, county, the state and of the United States to ensure on-going compliance with the statements set forth in subsections (7) and (8) of this section. Any license granted upon an application that does not contain such written consent shall automatically expire at midnight on December 31 of the year in which issued. Such license cannot be renewed under the provisions of sections 9-2-77 and 9-2-79. Rather, the city shall treat the request for renewal for such license as an application for a new license under section 9-2-66.

Sec. 9-2-67. - Designation of agent.

All applicants for alcoholic beverage licenses made by a corporation or a partnership shall name in the application one or more persons as the agent and representative for the corporation or partnership to receive all communications, notices, service of process or other papers or documents on behalf of the corporation or partnership in connection with any matter arising out of or connected with the issuance, holding, suspension, revocation or other action with respect to any such license. The application shall give the mailing address of such person, or persons, with the mailing of any notice to any such person at the address so furnished being sufficient notice to the corporation or partnership. If any such person shall cease to be the agent and representative of such corporation or partnership, another person shall immediately be appointed by the license holder and written notice shall be given the city stating the name and address of such new agent and representative.

Sec. 9-2-68. - Application fee.

The application for an alcoholic beverage license shall be accompanied by a city approved form of payment in the amount as set forth in the Master Fee Schedule on file in the office of the city clerk as an application fee to cover the cost of processing the application and conducting necessary investigations, which fee shall be nonrefundable upon denial of the application and shall not apply toward any licensee fee or excise tax payable by the licensee if the application is granted.

Sec. 9-2-69. - Investigation of application.

Upon receipt by the Planning and Zoning Department or designee of any application for an alcoholic beverage license, such application shall be forwarded to the chief of police for investigation, who, following such investigation, shall report his findings with respect thereto in writing.

Sec. 9-2-70. - Recommendation.

The Chief of Police shall conduct investigation and study with respect to an application for the issuance of an alcoholic beverage license as he shall deem necessary and shall report the investigation and study to the city manager together with his recommendation, if any, as to what

action should be taken with respect to the grant or denial of the application for such license and the city manager shall in turn conduct such additional investigation as he shall deem necessary and report the investigation to the city council with his recommendation as to what action should be taken with respect to the grant or denial of the application for such license.

Sec. 9-2-71. - Grant or denial of application.

(a) Following receipt by the city council of an application for an alcoholic beverage license together with the written report of the chief of police and the written recommendations relative thereto, the city council shall either:

- (1) Grant such application and direct issuance of a license in connection therewith subject to compliance with the provisions of this chapter; or
- (2) Table action on such application pending a hearing on such application as provided in this section.

If such application is so tabled by the council then the city manager shall cause a written notice to be issued to the applicant requiring such applicant to show cause, if any the applicant can, at a hearing at a time and place specified therein which shall not be less than five nor more than 30 days from the date of service of the notice by mail or otherwise upon the applicant as to why the application should not be denied as well as written notice of the findings of the chief of police, the recommendation of the City Clerk relative to such application, if any, and the recommendation of the city manager relative thereto.

- (b) The hearing provided for above, which need not be a regular meeting of the city council, may be continued by announcement at such time and place due to the lack of a quorum of the city council or request of the applicant or for good cause shown. At such hearing the applicant shall have the opportunity to show cause why the application should be granted and should not be denied and shall be entitled to the opportunity to present evidence, to present witnesses, to cross examine witnesses presenting evidence against granting of the application, to be represented by an attorney, and to have the proceedings transcribed or recorded at the applicant's expense, all in accordance with such rules and procedures as may be adopted from time to time by the city council relative thereto.
- (c) Following the conclusion of such hearing the city council shall, at a regular or called meeting thereof within 30 days of the date of such hearing, render its decision regarding the grant or denial of such application.
- (d) Upon the denial of such application, the city manager shall cause the applicant to be notified in writing within ten days of such decision of the nature of the decision and the reasons therefor and shall cause to be returned to the applicant the licensee fee tendered in connection with the application but not the application fee which shall be nonrefundable.
- (e) Upon the grant of such application the city manager shall promptly notify the applicant thereof and the Planning and Zoning Department shall promptly proceed to cause the license applied for to be issued.

Sec. 9-2-72. - Issuance of license.

Upon the approval of an application for an alcoholic beverage license by the city council, the Planning and Zoning Department, or designee, shall cause to be issued to the applicant the license applied for with respect to the location listed in the application upon payment of all fees and charges required therefor and subject to the conditions and limitations imposed in this chapter relative thereto.

Sec. 9-2-73. - Conditions and limitation of license.

The grant and issuance of an alcoholic beverage license to an applicant shall be conditioned upon:

- (1) Payment of all fees, charges and taxes applicable thereto;
- (2) Obtaining and maintenance of a license issued by the state department of revenue to the applicant for the location listed in the application for the same type activity which is authorized in the alcoholic beverage license issued by the city;
- (3) Obtaining and maintaining a business license issued by the city with respect to the business in which such alcoholic beverage license is to be utilized;
- (4) All statements, representations and information contained in the application for such license and all renewal and amended applications relative thereto continuing to remain materially unchanged except to the extent contained in amended application which have been granted pursuant to the provisions of section 9-2-88; and
- (5) Compliance with all requirements and provisions of this chapter and all laws, rules and regulations of the state relative to the sale, distribution and possession of alcoholic beverages.

Sec. 9-2-74. - License fees.

- (a) In addition to all other charges, taxes, and fees relative thereto, annual alcoholic beverage license fees as set forth in the schedule of fees and charges on file in the office of the city manager are imposed (which, consistent with city policy, are set by the city council) and shall be paid prior to the issuance of or renewal of any alcoholic beverage license;
- (b) License fees for the sale of alcoholic beverages are due and payable immediately upon issuance thereof and immediately as of the date of renewal thereof;
- (c) Any license issued at any time during a calendar year shall be due and payable as shown on the Master Fee Schedule; and
- (d) All license fees payable under this section shall be paid either in lawful currency of the United States of America or by a city approved form of payment payable to the city.

Sec. 9-2-75. - Duration.

No alcoholic beverage license shall be issued for a period of time less than the remainder of such calendar year. In the event of the revocation, suspension, termination, lapse or surrender of a license before the expiration of a calendar year there shall not be any refund therefor.

Sec. 9-2-76. - Expiration.

All alcoholic beverage licenses shall expire at midnight on December 31 of the year in which issued with all applications for a renewal of the license for the ensuing year to be treated as applications for new licenses except to the extent otherwise provided in this chapter.

Sec. 9-2-77. - Application for renewal.

The holder of any alcoholic beverages license who desires to renew such license shall annually file with the Planning and Zoning Department, or designee, an application therefor in such form and content as shall be determined from time to time by the city manager on or before 12:00 noon on October 15 of the year preceding the year for which the application for renewal is made. Failure of any holder of any alcoholic beverage license to file such application for renewal by such time and to pay together therewith the required applicable annual license fee for the ensuing year shall render the license void, lapsed, and nonrenewed effective as of the last minute of December 31 of that year. Annual license fee shall not be paid until renewal application is approved by Council.

Sec. 9-2-78. - Lapse of license.

- (a) If the holder of any alcoholic beverage license fails to timely file an application for renewal or to pay such annual license fee, then such license shall automatically become nonrenewed and lapsed.
- (b) In such event, in order to obtain an alcoholic beverage license, such former licensee shall be required to file an application for another alcoholic beverage license in accordance with the provisions of this chapter.
- (c) In such event, pending receipt of other such alcoholic beverage license, such former licensee shall not be entitled to engage in the sale of the alcoholic beverages formerly authorized pursuant to such lapsed license and shall immediately cease and desist in conducting such sales.

Sec. 9-2-79. - Operation pending renewal.

Upon the timely filing of an application for renewal of any alcoholic beverage license and the payment of the required license fee therefor pursuant to the provisions of section 9-2-77, the holder of such license shall be entitled to continue to engage in the activity authorized pursuant to the license issued for the previous year, subject to the provisions of this article, pending action on the application for renewal of such license.

Sec. 9-2-80. - Review of application for renewal.

All applications for renewal of alcoholic beverage licenses shall be reviewed by the city manager and/or his designees prior to the November regular meeting of the city council. Those applications for renewal that have had:

- (1) A change in new application or management; and/or
- (2) Any event that could trigger any ground for denial of renewal set for in section 9-2-82 of this Code

shall be submitted by the city manager to city council along with a written recommendation with respect to the renewal or nonrenewal of each such alcoholic beverage license. Recommendations for renewal may be summary in form and may be collective; however, any recommendation for nonrenewal shall be made individually and shall specify the reasons for recommendation for nonrenewal.

Sec. 9-2-81. - Grant or denial of renewal.

- (a) On or before the regular January meeting thereof, the city council shall with respect to each application for renewal coming to it pursuant to subsection 9-2-80(b) of this Code either:
 - (1) Grant such application for renewal; or
 - (2) Table action on such application pending a hearing on such application for renewal as provided in this section.
- (b) If an application for renewal is so tabled then the city manager shall cause a written notice to be issued to the applicant requiring the applicant to show cause why the application for renewal should be granted at a hearing at a time and place specified therein which shall not be less than five days nor more than 30 days from the date of service of the notice by mail or otherwise upon the applicant as well as written notice of the recommendation and reasons of the city manager relative to nonrenewal of such license or the recommendation of the city manager for renewal of such license, as the case may be.
- (c) The hearing provided for in subsection (b) of this section, which meeting need not be a regular meeting of the council, may be continued by announcement at such time and place due to the lack of a quorum of the city council or at the request of the applicant or for good cause shown. At such hearing the applicant shall have the opportunity to show cause why the application for renewal should be granted and shall be entitled to the opportunity to present evidence, to present witnesses, to cross examine witnesses presenting evidence against granting the application for renewal, to be represented by an attorney, and to have the proceeding transcribed or recorded at the applicant's expense, all in accordance with such rules and procedures as may be adopted from time to time by the city council relative thereto.
- (d) Following the conclusion of such hearing the city council shall, at a regular or called meeting thereof within 30 days of the date of such hearing, render its decision regarding the granting or denial of such application for renewal.
- (e) Upon the denial of such application the city manager shall cause the applicant to be notified in writing within ten days of such decision of the nature of such decision and the grounds therefor and shall cause to be returned to the applicant the license fee tendered in connection with the application for renewal whereupon, effective 30 days following notification by the city manager to the applicant thereof, all rights of the applicant to operate under the license for the preceding year shall lapse and terminate and the applicant shall cease and desist from all activity authorized under the prior alcoholic beverage license sought to be renewed.
- (f) Upon the grant of such application for renewal the city manager shall promptly notify the applicant thereof and the Planning and Zoning Department shall promptly proceed to cause the license applied for to be renewed.

Sec. 9-2-82. - Grounds for denial of new applications and renewal applications.

The city council shall be entitled to deny any new or renewal alcoholic beverage license upon a finding by the city council, following the hearing prescribed in connection therewith, of the existence, in the opinion of the city council, of any of the following:

- (1) Any violation by the holder of the alcoholic beverage license or by any other person required under this chapter in connection with such license to meet the qualifications required for the issuance of such license of any of the following:
 - a. Any federal or state law, rule or regulation relative to the manufacture, distribution, sale or possession of alcoholic beverages;
 - b. Any provision, condition, requirement or limitation contained in this chapter;
 - c. Any criminal law which is classified as a felony; or
 - d. Any criminal law involving moral turpitude;
- (2) Any violation by the holder of the alcoholic beverage license or by any employee, agent, or servant of the holder of such license or the business in which such license is utilized, in connection with the maintenance or operation of any business in which an alcoholic beverage license issued by the city is utilized, of any of the following:
 - a. Any federal or state law, rule or regulation relative to the manufacture, sale, distribution or possession of alcoholic beverages;
 - b. Any provision, condition, requirement, or limitation contained in this chapter;
 - c. Any other ordinance of the city; or
 - d. Any ordinance, rule, regulation or law of any governmental entity otherwise regulating the business in which such alcoholic beverage license is utilized;
- (3) The initial application for issuance of such alcoholic beverage license, any application for renewal thereof, or any amended application relative thereto contained, as of the time made, material false or misleading statements or information or was otherwise misrepresentative or misleading;
- (4) Failure of the applicant for renewal, or any other person required under this chapter in connection with such license to meet the qualifications required for the issuance of such license, to meet, as of the time of the application for renewal, the requirements established in this chapter for the initial issuance of such license;
- (5) Suspension or revocation during the period of time that the alcoholic beverage license issued by the city has been issued for such location by the state department of revenue of any alcoholic beverage license issued for the location of the business in which alcoholic beverage license issued by the city is utilized;
- (6) Failure of the holder of the license or any employee or agent of the business in which such license is utilized to promptly report to the police department of the city:
 - a. Any violation of this chapter;
 - b. Any other violation of law;

- c. Any violation of any other city ordinance; or
 - d. Any breach of the peace, disturbance or alteration which occurs upon the premises of the business in which such alcoholic beverage license is utilized;
- (7) Repeated failure of the holder of the license or the employees, agent and servants of the business in which such license is utilized to promptly control and prevent upon the premises of such business any of the following activities or conduct:
- a. Fighting;
 - b. Disorderly conduct;
 - c. Utilization of controlled substances;
 - d. Gambling;
 - e. Indecent conduct;
 - f. Excessive noise; or
- (8) Failure of the holder of the license or any other person required under this chapter in connection with such license to meet the qualifications required for the issuance of such license to promptly pay and satisfy all taxes and other financial obligations due to the city which are not the subject of appeal or litigation.

Sec. 9-2-83. - Transfer of licenses.

- (a) All alcoholic beverage licenses issued by the city shall be personal to the person to whom issued and are applicable only to the location for which application therefor is made and accordingly no license shall be transferable to any person or entity or to any other location.
- (b) Notwithstanding the provisions of subsection (a) of this section, in the event of the death of any person holding a license, or any interest therein, then upon application and approval by the city manager subject to the terms of this section, an alcoholic beverage license may be utilized by the administrator, executor or personal representative of such deceased person, or by the heirs at law of the deceased person, in the event that such administrator, executor, personal representative or heirs meet all of the qualifications contained in this chapter for the issuance of such alcoholic beverage license, with the license of such deceased person to be so utilized by the administrator, executor, personal representative, or heirs of such deceased person only for the time necessary to complete administration of the estate of such deceased person, but in no event longer than six months from the date of the death of such deceased person, with such license to lapse upon the earlier of such six-month period, completion of such administration, or December 31 of the year in which death shall occur.
- (c) Notwithstanding the provisions of subsection (a) of this section, in the event that the person to whom an alcoholic beverage license is issued certifies under oath in writing to the city manager that the business served by such alcoholic beverage license is relocating to another physical location within the city, the city manager may, upon payment to the city of an application amendment fee, provide for an amended license specific to the new location if such new location meets all of the requirements of this chapter. In no event shall any holder of an alcoholic beverage license operate under that license at more than one location at any time.

- (d) Notwithstanding any other provision of this chapter, any change in the ownership interests of a partnership or corporation which holds any alcoholic beverage license, as reflected in the initial application for such license, shall cause the immediate cessation of sales of any alcoholic beverages and no sales of alcoholic beverages shall be made until such change in the ownership interests is approved by the city council based upon the qualification of all persons then interested therein in accordance with the provisions hereof or until the issuance of another license to such corporation or partnership upon a new application therefor; provided, however, that this provision shall not apply in a situation in which one or more individuals who have existing interest in the entity which holds the license cease to have such interest and the remaining ownership interest in such entity remains unchanged except as to the division of the remaining interests therein.

Sec. 9-2-84. - Emergency suspension.

Notwithstanding any other provision of this chapter:

- (1) The chief of police shall be authorized, upon concurrence with respect thereto by the city manager, to suspend the right of the holder of any alcoholic beverage license to sell or otherwise distribute any alcoholic beverage, and to close the business in which such license is utilized, for such period of time as shall be determined to be necessary, but in no event in excess of 24 hours duration, in the event of:
- a. Any national, state or local emergency;
 - b. Any riotous or violent circumstances either with respect to such location only or the community generally; or
 - c. Any circumstances which require such action in order to prevent conditions which are contrary to public health, welfare or safety.
- (2) The city council may, in its sole discretion, and either with or without notice or hearing, suspend the right of the holder of any alcoholic beverage license to sell or otherwise distribute any alcoholic beverage for such period of time as it may deem necessary, but in no event in excess of 30 days duration, in the event of:
- a. Any national, state or local emergency;
 - b. Any riotous or violent circumstances either with respect to such location only or the community generally; or
 - c. Any circumstances which require such action in order to prevent conditions which are contrary to public health, welfare or safety; provided, however, that in no event shall such period of suspension exceed ten days duration without an opportunity to be heard being afforded to the holder of such license in connection with the continuance thereafter of such emergency suspension, with notice thereof and such hearing hereon being the same as provided in section 9-2-85 for suspension of alcoholic beverage licenses generally.

Sec. 9-2-85. - Suspension or revocation of license.

- (a) Upon a preliminary determination by the city manager that a ground or grounds exist for the suspension or revocation of an alcoholic beverage license pursuant to the provisions of this chapter, then the city manager shall cause a written notice to be issued to the holder of

such license requiring such holder to show cause, if any such holder can, at a hearing before the city council at a time and place specified therein which shall not be less than five days nor more than 30 days from the date of service of the notice, by mail or otherwise, upon such holder as well as written notice of the reasons believed by the city manager to authorize possible suspension or revocation of such license.

- (b) The hearing provided for in subsection (a) of this section, which need not be a regular meeting of the council, may be continued by announcement at such time and place due to the lack of a quorum of the city council or at the request of the license holder or for good cause shown for a period of not longer than ten days. At such hearing the holder of the license shall have the opportunity to show cause why the license should not be suspended or revoked and shall be entitled to the opportunity to present evidence, to present witnesses, to cross examine witnesses presenting evidence in favor of suspension or revocation, to be represented by an attorney, and to have the proceeding transcribed or recorded at the license holder's expense, all in accordance with such rules and procedures as may be adopted from time to time by the city council relative thereto.
- (c) Following the conclusion of such hearing the city council shall, at a regular or called meeting thereof within 30 days of the date of such hearing, render its decision regarding whether the license in issue should be suspended or revoked and, if suspended, then the duration of such suspension and the amount of license reinstatement fee which amount shall not be in excess of \$250.00, if any, as the city council shall in its sole discretion determine to be appropriate under the circumstances, which license reinstatement fee shall be paid as a condition to reinstatement of the license following suspension.
- (d) Upon the suspension or revocation of such license then the city manager shall cause the license holder to be notified in writing within ten days of such decision of the nature of such decision and the grounds therefor and thereupon the license shall immediately become suspended or terminated in accordance with such decision. The license holder shall immediately upon receipt of such notice cease and desist from all activity authorized under such alcoholic beverage license in accordance with such decision and physically surrender such license to the Planning and Zoning Department.
- (e) If the city council determines that grounds do not exist to suspend or terminate such license or decides to not suspend or terminate such license notwithstanding the existence of grounds therefor then the city manager shall promptly notify the license holder thereof.

Sec. 9-2-86. - Grounds for suspension or revocation.

The city council shall be entitled, in its sole discretion, to either suspend or revoke any alcoholic beverage license upon a finding by the city council, following the hearing prescribed in connection therewith, of the existence of any of the following:

- (1) Any violation by the holder of the alcoholic beverage license or by any other person required under this chapter in connection with such license to meet the qualifications required for the issuance of such license and of the following:
 - a. Any federal or state law, rule or regulation relative to the manufacture, distribution, sale or possession of alcoholic beverages;
 - b. Any provision, condition, requirement or limitation contained in this chapter;

- c. Any criminal law which is classified as a felony; or
 - d. Any criminal law involving moral turpitude;
- (2) Any violation by the holder of the alcoholic beverage license or by any other person required under this chapter in connection with such license to meet the qualifications required for the issuance of such license or by any employee, agent, or servant of the holder of such license or the business in which such license is utilized, all in connection with the maintenance or operation of any business in which an alcoholic beverage license issued by the city is utilized, of any of the following:
- a. Any federal or state law, rule or regulation relative to the manufacture, sale, distribution or possession of alcoholic beverages;
 - b. Any provision, condition, requirement, or limitation contained in this chapter;
 - c. Any other ordinance of the city; or
 - d. Any ordinance, rule, regulation or law of any governmental entity otherwise regulating the business in which such alcoholic beverage license is utilized;
- (3) The initial application for issuance of such alcoholic beverage license, any application for renewal thereof, or any amended application relative thereto contained, as of the time made, material false or misleading statements or information or was otherwise misrepresentative or misleading;
- (4) Failure of the holder of such license or any other person required under this chapter in connection with such license to meet the qualifications required for the issuance of such license, to meet, as of the time of the notice of hearing relative thereto, the requirements established in this chapter for the initial issuance of such license;
- (5) Suspension or revocation during the period of time that the alcoholic beverage license issued by the city has been issued for such location by the state department of revenue of any alcoholic beverage license issued for the location of the business in which the alcoholic beverage license issued by the city is utilized;
- (6) Failure of the holder of the license or any employee or agent of the business in which such license is utilized to promptly report to the police department of the city:
- a. Any violation of this chapter;
 - b. Any other violation of law;
 - c. Any other violation of any other city ordinance; or
 - d. Any breach of the peace, disturbance or alteration which occurs within or upon the premises of the business in which such alcoholic beverage license is utilized;
- (7) Repeated failure of the holder of the license or the employees, agent and servants of the business in which such license is utilized to promptly control and prevent within or upon the premises of such business any of the following activities or conduct:
- a. Fighting;
 - b. Disorderly conduct;
 - c. Utilization of controlled substances;

- d. Gambling;
 - e. Indecent conduct;
 - f. Excessive noise; or
- (8) Failure of the holder of the license or any other person required under this chapter in connection with such license to meet the qualifications required for the issuance of such license to promptly pay and satisfy all taxes and other financial obligations due to the city which are not the subject of appeal or litigation.

Sec. 9-2-87. - Termination.

All rights and privileges of the holder of an alcoholic beverage license issued by the city shall terminate upon the first to occur of the following:

- (1) Death of the holder of such license, except to the extent on any right to continue to utilize such license as provided in subsection 9-2-83(b);
- (2) Dissolution of a corporation or partnership which are holder of such license;
- (3) The filing of any voluntary bankruptcy proceedings under the bankruptcy code by the holder of such license or the failure of the holder of such license to, within 60 days of the date of filing thereof, obtain dismissal of and involuntary proceeding filed under the bankruptcy code against the holder of such license;
- (4) Lapse of such license pursuant to the provisions of this chapter;
- (5) Denial by the city council of an application for renewal of such license;
- (6) Revocation thereof by the city council;
- (7) Surrender thereof by the licensee to the city;
- (8) Automatically without any action on the part of the city upon revocation by the state department of revenue of any alcoholic beverage license issued by the state department of revenue to the holder of the license in issue with respect to such location; or
- (9) The licensee ceases to be engaged in the sale of alcoholic beverages permitted with such license.

Sec. 9-2-88. - Amended applications.

In the event that either (i) the business in which any alcoholic beverage license is utilized cease to be actively managed or operated on a day-to-day basis by the person so designated with respect thereto in the latest application relative to such license whether an initial, amended or renewal application; or (ii) any other material change occurs in any of the statements, representations or other information contained in any application relative to such license whether in an initial, amended or renewal application which has not otherwise been modified pursuant to an amended application previously granted pursuant to the provisions of this section, then:

- (1) Within 30 calendar days of such occurrence the licensee shall file with the Planning and Zoning Department an amended application with respect to such license, in such form and of such content as shall from time to time be prescribed therefore by the city manager, disclosing, in sufficient detail to evaluate the application, the nature and

extent of such changes and, in the case of the cessation of management of such business as reflected in the latest such application, the full details and particulars relative to the person who is then actively managing or operating such business on a day-to-day basis, all to the same extent as required in an initial application;

- (2) An amended application shall be accompanied by payment to the city by check or cash of an amended application processing fee which shall be nonrefundable regardless of the ultimate decision relative to such amended application;
- (3) Upon receipt of an amended application, city officials shall conduct such investigations as shall be appropriate relative thereto and shall make recommendations relative thereto as in the case of an initial application;
- (4) Upon receipt of recommendations relative thereto the city council shall proceed to act on such amended application as in the case of an initial application utilizing the same qualifications and criteria relative thereto as for an initial application and utilizing the same procedures with respect thereto;
- (5) Grant or denial of an amended application shall be based upon a finding by the city council that, as of the date of the determination thereof by the city council, the amended application either meets or fails to meet the requirements, criteria and qualifications contained in this chapter which are necessary for the initial issuance of such alcoholic beverage license;
- (6) Approval of an amended application by the city council shall constitute, effective as of the date of such approval, an amendment of the initial application;
- (7) The licensee shall, following determination thereof by the city council, be notified by the city manager of such decision as in the case of an initial application; and
- (8) Effective 15 days following notification by the city manager of denial of an amended application for such longer period of time as the city manager in his sole discretion determines appropriate under the circumstances, but in no event later than 30 days from the date of such notification: (i) such license shall lapse due to the failure of the licensee to continue to meet the qualifications, requirements and criteria for the grant of such license; (ii) all privileges relative to such license shall cease and terminate; (iii) such former licensee shall not be entitled to engage in the sale of the alcoholic beverages formerly authorized pursuant to such lapsed license; (iv) such former licensee shall immediately cease and desist from conducting such sales; and (v) in order to be authorized thereafter to engage in the sale of such alcoholic beverages the former licensee shall be required to file an application for another alcoholic beverage license and obtain approval thereof, all in accordance with the provisions of this chapter.

Sec. 9-2-89. - Waiting period before reapplication.

Notwithstanding any of the provisions of this article, any unsuccessful applicant must wait 90 days from the date of final decision before reapplying.

Sec. 9-2-90. - One-day license for charitable organizations.

(a) *Definitions.*

- (1) To qualify as a "charitable organization" as used herein, an organization must:

- a. Either be incorporated as a nonprofit corporation, or must be formally organized, with a constitution and bylaws, and with a central governing body such as a board of trustees or directors to be directly responsible for the one-day license; and
 - b. Said organization must also have been granted approved tax exempt status by United States Internal Revenue Service.
- (2) The term "charitable purposes" as used herein shall include the following: Relief of the indigent, medical research, provision of medical equipment, education, including youth education; historical preservation, preservation and encouragement of the fine arts; crime prevention and rehabilitation; libraries; zoos; scientific research and development; community development; industrial and commercial recruitment; and recreation.
- (3) The term "proceeds" as used herein means the gross proceeds from the event in connection with which the license is issued after payment of all of the expenses of the event.
- (b) *License; fee.* In addition to the other alcoholic beverage licenses provided for in this chapter, the city council may issue a consumption license valid for one day only to any charitable organization, authorizing the holder to dispense, at one location only, malt beverages, wine, and distilled spirits, by the drink for consumption only on the premises; provided, that:
 - (1) The proceeds from the event shall be used only for charitable purposes; and
 - (2) The city has permitted the event consistent with the event permit requirements of section 9-2-175 of this chapter; and
 - (3) No alcoholic beverages are sold at the event, i.e., open bar only as an emolument of the donation or fund raising ticket received by the charitable organization.

If alcoholic beverages are to be sold at the event, then this section shall not apply.

The provisions of section 9-2-74 of this chapter shall apply with respect to license fees.
- (c) *Application.* Any charitable organization desiring to obtain a one-day alcoholic beverage license shall make application with sufficient evidence to satisfy the city council that the organization is a nonprofit charitable organization and that the proceeds will be used for charitable purposes. The organization shall designate one person who is a resident of the city who shall be responsible for the lawful and proper conduct of the alcoholic beverage license, giving the name, address and other information sufficient to identify such person.
- (d) *Excise tax not applicable.* The excise tax imposed by article V of this chapter shall not be applicable to the one-day license inasmuch as the sale of alcoholic beverages is not involved.
- (e) *Final report.* Within 30 days after the conclusion of the event, the license holder shall file a final report and accounting with the city council, said report and accounting to include a statement of the gross receipts, the amount of expenses paid, the net proceeds remaining, and how and to whom and for what purpose said net proceeds are to be distributed. Failure to comply with this reporting requirement shall make such charitable organization ineligible for the issuance of any subsequent license.

- (f) *Suspension or revocation.* The city manager shall have the right at any time to suspend or revoke the one-day license on any ground which constitutes a ground for suspension or revocation of licenses generally under sections 9-2-85 and 9-2-86 of this chapter. Any aggrieved organization shall have the right of appeal to the city council.
- (g) *Applicability of chapter.* Except as otherwise provided in this section, the remaining provisions of this chapter shall be applicable to the one-day license. The charitable organization and the responsible person identified pursuant to subsection (c) hereinabove shall be in charge and responsible for the event and shall be subject to the laws of the State of Georgia and the City of Camilla with respect to any violation of any license or permit issued by the City of Camilla.
- (h) If a one-day alcoholic beverage license is issued following the full application review process involving the decision of city council, such qualified charitable organization may submit an application for an annual event renewal one-day alcoholic beverage license to the city manager or his designee who shall either grant such license or recommend denial. A staff recommendation to deny a renewal one-day alcoholic beverage license shall be reviewed and decided by city council.

Secs. 9-2-91—9-2-120. - Reserved.

ARTICLE IV. - OPERATIONAL REGULATIONS

Sec. 9-2-121. - Hours of operation.

- (a) Retail dealers of malt beverages, wine and distilled spirits shall not engage in the sale of such beverages except during the following hours of lawful operation:

Mondays 6:00 a.m. to Tuesdays 1:30 a.m.

Tuesdays 6:00 a.m. to Wednesdays 1:30 a.m.

Wednesdays 6:00 a.m. to Thursdays 1:30 a.m.

Thursdays 6:00 a.m. to Fridays 1:30 a.m.

Fridays 6:00 a.m. to Saturdays 1:30 a.m.

Saturday 6:00 a.m. to Saturday 11:55 p.m.

Sunday 12:30 p.m. to Sunday 11:30 p.m. (packaged malt beverages and wine only)

- (b) Establishments having an on-premises consumption license issued pursuant this chapter and realizing less than 50 percent of the business, as measured by gross receipts, from the sale of food shall not permit their places of business to be opened for any reason after 2:00 a.m. on weekdays or anytime on Sundays, Christmas day or any other days on which the sale of alcoholic beverages is prohibited by state law.

Sec. 9-2-122. - Hours during which other activities prohibited.

Neither any holder of any alcoholic beverage license nor any employee of any business in which such license is utilized shall allow or permit any alcoholic beverage to be handled in any manner upon the premises of the business in which such license is utilized or any alcoholic beverage to be located upon any table, counter, or other such customer service area upon such premises, either in the form of the original container therefor or otherwise, from one hour after the last time permitted to sell an alcoholic beverage as set forth in section 9-2-121 of this chapter until such time as alcoholic beverages may again be sold as set forth in section 9-2-121 of this chapter.

All premises licensed to engage in such sales by the drink may remain open for a period of time not to exceed 15 minutes beyond the time that the last alcoholic beverage can be lawfully located upon the table, counter or other customer service area of the licensed premises as set forth hereinabove at which time all customers and patrons must leave the licensed premises. Following such mandatory closing time, up to four employees of the business located upon the licensed premises may remain for up to an additional hour to handle all post-closing duties. If, because of special circumstances, additional time is needed by the employees for post-closing duties, the holder of the alcoholic beverage license at such licensed premises may contact the police for additional time for which permission shall not be unreasonably withheld.

Sec. 9-2-123. - Election days; sale of malt beverages and/or wine.

Alcoholic beverages which are licensed for sale in the city may be sold on all election days during normal business hours established by this Code and regulation of sales of alcoholic beverages by ordinance.

Sec. 9-2-124. - Advertising.

No holder of any alcoholic beverage license shall allow or permit any advertising to be placed or run in any media or by any other means with respect to the availability of alcoholic beverages at the location licensed except to the extent permitted by state law and rules and regulations relative thereto.

Sec. 9-2-125. - Consumption prohibited upon premises of package licensee.

No holder of a license only for the package sales of any alcoholic beverage nor any employee, agent or servant of any business in which only a license for package sales is utilized shall knowingly allow or permit the breaking of any package containing any alcoholic beverage upon the premises where sold, or intentionally allow or permit the consumption of any of the contents of any package containing any alcoholic beverage upon the premises where sold.

Sec. 9-2-126. - Sales prohibited beyond premises.

No holder of any alcoholic beverage license or any employee, agent or servant of any business in which any alcoholic beverage license is utilized (herein collectively referred to as "licensee") shall sell or distribute any alcoholic beverage at any location other than within the interior of the building located upon premises so licensed in which such sales are authorized or upon the patio or deck (whether under roof or not) adjoining the licensed premises. The licensee shall not be authorized to sell or distribute any alcoholic beverage at any other location upon or within the licensed premises (hereinafter referred to as "open areas") including, but not limited to, the parking lot of such location unless any such open areas are set apart by a rope, fence or other similar access control mechanism that has been approved by the police department in the interest of public safety and the promotion of law enforcement; and, further provided that such licensee must continually supervise any and all such open areas to prevent non-customers from gaining access.

Sec. 9-2-127. - Furnishing alcoholic beverages to intoxicated person.

Notwithstanding any other provisions of this chapter, no person who is the holder of any alcoholic beverage license issued by the city nor any agent, servant or employee of any business in which any alcoholic beverage license is utilized shall sell, give, provide, distribute, or furnish any alcoholic beverage to any person who is then in an obvious state of intoxication.

Sec. 9-2-128. - Assisting other in violations.

No person who is the holder of any alcoholic beverage license issued by the city nor any agent, servant or employee of any business in which any alcoholic beverage license is utilized shall promote, encourage, or assist any other person in conducting or engaging in any activity or action which is in violation of any provision of this chapter.

Sec. 9-2-129. - Misrepresentation of beverages.

No person who is the holder of any alcoholic beverage license issued by the city, nor any agent, servant or employee of any business in which any alcoholic beverage license is utilized shall add to or otherwise adulterate the contents of a package or refill any empty package, or in any other manner misrepresent the quantity, quality or brand name of any alcoholic beverage.

Sec. 9-2-130. - Specific rules for consumption on premises.

- (a) *Rules applicable to all alcoholic beverages.* No person who is the holder of any alcoholic beverage license issued by the city or any agent, servant or employee of any business in which any alcoholic beverage license is utilized shall sell or distribute alcoholic beverages for consumption upon the premises under any of the following circumstances:
- (1) Serve multiple servings for a single price or offer all a person can drink for a set price;
 - (2) Make a single price the basis for a required purchase of two or more servings;
 - (3) Selling or furnishing alcoholic beverages at reduced prices based upon redemption or surrender of coupons, receipts, or other devices authorizing the serving of alcoholic beverage drinks on a subsequent day;
 - (4) Require or encourage the purchase of a second or subsequent alcoholic beverage at the same time another alcoholic beverage is purchased or before the first such beverage is consumed;
 - (5) Allow or permit any unconsumed alcoholic beverage sold for consumption on the premises to be removed from the licensed premises;
 - (6) For purposes of this section, the term "special events days" shall mean those certain days generally recognized nationwide as festive or celebratory and specifically approved in advance in writing as such by the chief of police and set forth on a list made available to all holders of on premises consumption alcoholic beverage licenses. For purposes of this section, the term "normal retail price" shall mean the price charged during the majority of the business hours, excluding the hours of 4:00 p.m. to 8:00 p.m., of such business for that particular alcoholic beverage during the preceding seven-day period of time.
 - a. Except for special events days, sell or furnish any alcoholic beverage prior to 4:00 p.m. or after 8:00 p.m. at a price less than the normal retail price of the business in which the associated alcoholic beverage license is utilized.
 - b. Except for special events days, sell or furnish any alcoholic beverage between the hours of 4:00 p.m. and 8:00 p.m. for less than one-half of the normal retail price.
 - c. On special events days only, alcoholic beverages may be sold or furnished at any time that the business and, as applicable to distilled spirits, the restaurant is open at any price set by the business so long as such price is not less than one-half of the normal retail price.
 - (7) Nothing contained in this section shall be construed to prohibit the dispensing of malt beverages in pitchers or in jumbo sizes which are available at all times that the business in which the alcoholic beverage license is utilized is open for business at the usual, customary or established retail price therefor.
- (b) *Rules applicable to distilled spirits.* In addition to the rules set forth in subsection (a) of this section, these rules shall likewise apply to the on premises consumption of distilled spirits:
- (1) Sponsor, conduct, allow or permit contests or promotions which have as their primary purpose the increasing of the consumption of distilled spirits on the premises.

- (2) Sell or furnish distilled spirits at any time that the restaurant or private club to which such license is attached is closed.

Sec. 9-2-131. - Operation only by licensee or designated manager.

Notwithstanding any other provisions of this chapter, no holder of any alcoholic beverage license issued by the city shall permit or allow any business in which such license is utilized to be managed or operated for any period of time longer than 15 days by any person except to the extent otherwise specifically provided in this chapter who is not listed upon the initial application for such license, upon the most recent application for renewal thereof, on an amended application relative thereto which has been approved by the city council, or upon a then pending and unacted upon amended application relative thereto.

Sec. 9-2-132. - Display of license.

The holder of every alcoholic beverage license issued by the city shall post and prominently display in a conspicuous place upon the premises licensed all alcoholic beverages licenses by the city and by the state department of revenue.

Sec. 9-2-133. - Posting of laws regulating sales.

The holder of every alcoholic beverage license issued by the city shall post and prominently display in a conspicuous place upon the premises licensed all notices required by state law relative to the sale of alcoholic beverages as well as such other notice or notices relative to the sale of alcoholic beverages pursuant to license issued by the city as shall from time to time be prescribed by the city manager of such form, size and content as shall be prescribed by the city manager.

Sec. 9-2-134. - Obstruction of view of interior of premises and lighting of premises.

- (a) For the safety of law enforcement personnel and other public officials, every business in which an alcoholic beverage license is utilized shall provide a door, window or other opening through which the interior of the premises licensed for the sale of alcoholic beverages shall be visible from the exterior. Neither the holder of any alcoholic beverage license nor any agent, servant or employee of any business in which such alcoholic beverage license is utilized shall obstruct, block, or obscure the view through any door, window or other opening of the interior of the premises licensed for the sale of alcoholic beverages.
- (b) Both the exterior and interior of all premises licensed by the city for the sale of alcoholic beverages shall be so arranged as to afford an unobstructed view from the outside thereof of the interior portion of the premises which is utilized for the sale of alcoholic beverages.
- (c) The exterior of all premises licensed by the city for the sale of alcoholic beverages shall at all times be illuminated with sufficient light intensity so as to allow a complete view of all portions of the exterior thereof.
- (d) The exterior of all premises licensed by the city for the sale of alcoholic beverages shall at all times be illuminated with sufficient light intensity so as to allow a complete view of the interior of such premises which is utilized for the sale of alcoholic beverages by a person standing on the inside of the entrance of such premises.

Sec. 9-2-135. - Restrictions on compensation.

No holder of any alcoholic beverage license nor any agent, servant or employee of any business in which any such alcoholic beverage license is utilized shall permit or allow any agent, servant or employee of such business who is not the owner of an interest in such business to either directly or indirectly, receive or obtain in any manner any salary or other compensation of any nature whatsoever which is based solely upon the volume of alcoholic beverages sold upon such premises either by or as a result of the efforts of such agent, servant or employee individually or of such business generally or which is based solely upon the profit derived by such business from the sale of any alcoholic beverages.

Sec. 9-2-136. - Restrictions on premises rental fees.

It shall be unlawful for an alcoholic beverage license holder to enter into any agreement whereby the rental paid for the licensed premises is based in whole or in part upon the volume of alcoholic beverages sold upon such premises or based in whole or in part upon the profit derived by such business utilizing the alcoholic beverage license.

Sec. 9-2-137. - Restrictions upon activities of employees.

No holder of any alcoholic beverage license nor any agent, servant or employee of any business in which any alcoholic beverage license is utilized shall permit or allow any agent, servant or employee of such business or license holder upon the premises licensed during any period of time that such agent, servant or employee is acting for the benefit of or on behalf of such business or license or is otherwise in the employ of such business or licensee to:

- (1) Dance with any customer or patron of such business;
- (2) Dance upon any bar, counter or table; and
- (3) Consume any alcoholic beverage purchased by a customer or patron of such business.

Sec. 9-2-138. - Access of police officers and public officials.

No holder of any alcoholic beverage license nor any agent, servant or employee of any business in which any alcoholic beverage license is utilized shall at any time deny or prevent access to the licensed premises, or any portion thereof, to any police officer, to any state or federal or local law enforcement officer or to any local, state or federal building, zoning or fire inspector or official in connection with the conduct of such officer's, inspector's or official's duties or fail or obstruct any such officer, inspector or official in connection with the conduct of any investigation by any such officer, inspector or official with respect to the licensed premises or any activity or conduct upon the licensed premises involving alcoholic beverages.

Sec. 9-2-139. - Noise control.

The holder of any alcoholic beverage license shall not allow or permit any customer, patron or other person upon the licensed premises to make, continue or cause to be made any noise that can be heard beyond the property boundary of the licensed premises that unreasonably or unnecessarily annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others in the city. Moreover, the holder of any alcoholic beverage license shall comply with the noise control provisions of Title 11-Chapter 1-Section 11-1-4 of this Code.

Secs. 9-2-140—9-2-160. - Reserved.

ARTICLE V. - EXCISE TAXES

Sec. 9-2-161. - Excise tax—Malt beverages.

- (a) *[Rate of levy.]* There is hereby levied and imposed upon all wholesale dealers selling malt beverages within the city a specific excise tax in the amount of \$0.05 per 12-ounce container or any portion thereof so as to graduate the tax on bottles, cans, and containers of various sizes of malt beverages sold by each wholesale dealer within the city, and an excise tax on tap or draft beer in the amount of \$6.00 for each container sold, as hereinafter specified, containing not more than 15½ gallons and at a like rate for fractional parts, where the beverage is sold in or from a barrel or bulk container, such beverage being commonly known as tap or draft beer.
- (b) *Against whom levied.* The malt beverage excise tax is levied against and shall be paid by each licensed wholesale dealer in malt beverages in the city.
- (c) *Due date and required report.* The malt beverage excise tax shall be paid on or before the tenth day of the month following the calendar month in which the beverages are sold or disposed of, and payment shall be accompanied by a report itemizing the exact quantities of malt beverages sold for the preceding calendar month by size and type of container.

Sec. 9-2-162. - Excise tax—Wine.

- (a) *Rate of levy.* There is hereby set and levied on the sale of wine, excluding fortified wine, an excise tax in the sum of \$0.22 per wine gallon and in similar proportion for bottles and containers of various sizes.
- (b) *Against whom levied.* The wine excise tax shall be paid by each licensed wholesale dealer in wine in the city.
- (c) *Due date and required report.* The wine excise tax shall be paid on or before the tenth day of the month following the calendar month in which the beverages are sold or disposed of, and payment shall be accompanied by a report itemizing the exact quantities of wine sold for the preceding calendar month by size of container.

Sec. 9-2-163. - Excise tax—Distilled spirits.

- (a) *Rate of levy.* There is hereby levied and imposed upon all wholesale dealers selling distilled spirits within the city an excise tax in the amount of \$0.22 per liter or portion thereof for each liter of distilled spirits or part thereof sold within the city.
- (b) *[Due date and required report.]* The tax on distilled spirits is levied upon and shall be paid by the licensed wholesale dealer making the sale on or before the twentieth day of the calendar month following the calendar month in which the beverage is sold or disposed of, and payment shall be accompanied by a report itemizing the exact quantities of distilled spirits sold during the preceding calendar month.

Sec. 9-2-164. - Monthly reports and payment.

Each holder of a wholesale alcoholic beverage license shall file a monthly report by the tenth day of each calendar month itemizing for the preceding calendar month the exact quantities of all alcoholic beverages, by nature and by size and type of container, sold within the city and at such time shall remit to the city the amount of excise tax due to the city in accordance with the provisions of this chapter.

Sec. 9-2-165. - Examination of books and records.

The books and records of all wholesalers selling or delivering these beverages and all retailers thereof in the city shall be subject to inspection and audit by the agents of the city to ensure compliance herewith. It shall be unlawful for any person to deny to any authorized agent of the city reasonable access to its books and records and shall be the duty of each person to keep accurate records of payments and collections of the case tax and remittances.

Sec. 9-2-166. - Penalties.

- (a) The failure to make a timely report and remittance required shall render a wholesaler liable for a penalty equal to 25 percent of the total due during the first 30-day period following the date the report and remittance were due and a further penalty of 50 percent of the amount of this remittance for each successive 30-day period or any portion thereof during which the report and the remittance were not filed,
- (b) The filing of a false or fraudulent report shall render the wholesale dealer making the report liable to a penalty equal to 100 percent of the amount of the remittance which would be required under an accurate and truthful report.
- (c) Any person, wholesaler or retailer that shall violate the provisions hereof shall, upon conviction, be punished as prescribed by the municipal court and may in addition be subject to suspension or revocation of the license to sell such beverages.

Sec. 9-2-167. - Taxes collected upon delivery.

- (a) It shall be unlawful for any retailer of alcoholic beverages to receive and retain these beverages unless he shall have paid the tax thereon.
- (b) It shall be unlawful for any wholesaler of alcoholic beverages to sell or deliver these beverages to any retailer thereof unless he shall concurrently with this delivery collect the tax imposed.
- (c) It shall be unlawful for any wholesaler of alcoholic beverages to fail to remit to the city, when promptly due, the taxes levied, and collected by the wholesaler. It shall be unlawful for any person engaged as a retailer of these beverages to receive these beverages from another retailer unless tax has been paid.
- (d) It shall further be unlawful for any retailer of alcoholic beverages to receive and retail these beverages from another retail store, whether the other store shall be owned by the receiving retailer or not, or whether the other store is located within the corporate limits of the city or not, unless the tax shall have been paid and remitted to the city clerk.

Sec. 9-2-168. - Tax on sale of distilled spirits by the drink.

- (a) *Definitions.* The following words, terms and phrases shall, for the purposes of this section and except where the context clearly indicates a different meaning, be defined as follows:

City means the City of Camilla and, variously, the incorporated areas of Camilla, wherein the City of Camilla is empowered to impose this tax by O.C.G.A. § 3-4-130.

Due date means [the] 20th day after the close of the monthly period for which the tax is to be computed.

Licensee means any person holding a license to serve distilled spirits by the drink from the city.

Monthly period means the calendar months of any year.

Person means an individual, firm, partnership, joint adventure (venture), association, social club, fraternal organization, joint stock company, corporation, cooperative, estate, trust, receiver, trustee, syndicate, or any other group or combination acting as a unit, the plural as well as the singular number, excepting the United States, the state and any instrumentality of either thereof upon which the city is without power to impose the tax.

Tax means the sales tax on distilled spirits by the drink imposed by this article.

- (b) *Imposition; rate of tax.* There is hereby imposed, and there shall be paid, a tax of three percent on the sale of distilled spirits by the drink in the city.
- (c) *Collection by licensee.* Every licensee shall collect a tax of three percent on the sale of distilled spirits by the drink at his pouring outlet.
- (d) *Determination generally; returns; payments.*
- (1) *Due date of taxes.* All amounts of such taxes shall be due and payable to the finance director monthly on or before the twentieth day of every month next succeeding each respective monthly period.
 - (2) *Penalty and interest for failure to pay tax by due date.* A specific penalty of 15 percent is imposed for failure to pay any amount of tax when due and payable to the city. Delinquent amounts shall bear interest at the rate of one percent per month, or fraction thereof, until paid.
 - (3) *Return; time of filing; persons required to file; contents.* On or before the twentieth day of the month following each monthly period, a return for the preceding monthly period shall be filed by every licensee with the City Clerk showing the gross sales of distilled spirits by the drink and the amount of tax collected or otherwise due for the period, and such other information as may be required by the City Clerk.
 - (4) *Collection fee allowed licensees.* Licensees collecting the tax shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting and paying the amount due, if the amount is not delinquent at the time of payment. The rate of the deduction shall be the same rate authorized for deductions from state tax under the Georgia Retailer and Consumers' Sales and Use Tax Act, as now and hereafter amended.

- (e) *Deficiency determinations.*
 - (1) *Recomputation of tax; authority to make; basis of recomputation.* If the City Clerk is not satisfied with the return or returns of the tax or the amount of the tax required to be paid to the city by any person, she may compute and determine the amount required to be paid upon the basis of any information within her possession or that may come into her possession. One or more deficiency determinations may be made of the amount due for one or more monthly periods.
 - (2) *Penalty and interest for failure to pay tax.* A specific penalty of 10 percent is imposed upon the amount of any determination. Additionally, the amount of any determination shall bear interest at the rate of one percent per month, or a fraction thereof, from the due date of taxes until the date of payment.
 - (3) *Notice of determination; service of.* The City Clerk shall give to the licensee written notice of her determination. The notice may be served personally or by mail; if by mail, such service shall be addressed to the licensee at his address as it appears in the records of the city. Service by mail is complete when delivered by certified mail with a receipt signed by addressee or postal certification that such mail was refused.
 - (4) *Time within which notice of deficiency determination to be mailed.* Except in the case of failure to make a return, every notice of a deficiency determination shall be mailed within three years after the twentieth day of the calendar month following the monthly period for which the amount is proposed to be determined, or within three years after the return is filed, whichever period should last expire.
- (f) *Determination of no return made.*
 - (1) *Estimate of gross receipts.* If any person fails to make a return, the City Clerk shall make an estimate of the amount of the gross receipts of the licensee from the sale of distilled spirits by the drink, or as the case may be, of the amount of total such receipts in this city which are subject to the tax. The estimate shall be made for the period or periods in respect to which the person failed to make the return and shall be based upon any information which is or may come into the possession of the City Clerk. Written notice shall be given in the manner prescribed in subsection (e)(3).
 - (2) *Penalty and interest for failure to pay tax.* A specific penalty of 10 percent is imposed upon the amount of any determination. Additionally, the amount of any determination shall bear interest at the rate of one percent per month, or a fraction thereof, from the due date of taxes until the date of payment.
- (g) *Collection of tax by city.*
 - (1) *Action for delinquent tax; time for.* At any time within three years after any tax or any amount of tax required to be collected becomes due and payable and at any time within three years after the delinquency of any tax or any amount of tax required to be collected, the City Clerk may bring an action in a court of competent jurisdiction in the name of the city to collect the amount delinquent together with penalty, interest, court fees, filing fees, attorney's fees and other legal fees incident thereto.
 - (2) *Duty of successors or assignees of licensee to withhold tax from purchase money.* If any licensee liable for any amount under this section sells out his business or quits the

business, his successors or assigns shall withhold sufficiently from the purchase price to cover such amount until the former owner produces from the City Clerk either a receipt reflecting full payment or a certificate stating that no amount is due.

- (3) *Liability for failure to withhold.* If the purchaser of a business fails to withhold purchase as required, he shall be personally liable for the payment of the amount required to be withheld by him to the extent of the purchase price.
 - (4) *Credit for tax, penalty or interest paid more than once or erroneously or illegally collected.* Whenever the amount of any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected or received by the city, it may be offset by the City Clerk. If the operator or person determines that he has overpaid or paid more than once, which fact has not been determined by the City Clerk, such person shall have three years from the date of payment to file a claim in writing stating the specific ground upon which the claim is founded. The claim shall be audited. If the claim is approved by the City Clerk, the excess amount paid the city may be credited on any amounts then due and payable from the person by whom it was paid.
- (h) *Administration of ordinance; recordkeeping.*
- (1) *Authority of City Clerk.* The City Clerk shall administer and enforce the provisions of this section for the collection of the tax.
 - (2) *Records required from licensees, etc.; form.* Every licensee shall preserve, for a minimum of three years, all records, receipts, invoices and such other documents as the City Clerk may prescribe, and in such form as she may require.
 - (3) *Examination of records, audits.* The City Clerk or any person authorized in writing by her may examine the books, papers, records, financial reports, inventory, equipment and other facilities of any licensee liable for the tax, in order to verify the accuracy of any return made, or if no return is made, to ascertain and determine the amount required to be paid.
 - (4) *Authority to require reports; contents.* In administration of the provisions of this section, the City Clerk may require the filing of reports by person or class of persons having in their possession or custody information relating to the sale of distilled spirits by the drink. The reports shall be filed with the City Clerk when required by said official, and shall set forth the gross sales from the sale of distilled spirits by the drink, the amount of tax collection thereon, or such other information as the City Clerk may prescribe.
- (i) *Violations.* Any person violating any of the provisions of this section shall be deemed guilty of an offense and, upon conviction thereof, shall be punished as provided in section 1-13 of the city code of ordinances. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this section is committed, continued or permitted by such person, and shall be punished accordingly. Any licensee who fails to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other data required by the City Clerk, or who renders a false or fraudulent return, shall be deemed guilty of an offense and, upon conviction thereof, shall be punished as aforesaid.

Sec. 9-2-169. - Delinquency.

If after 45 days any excise tax imposed by this division is not paid by any holder of a wholesale alcoholic beverage license, then the excise tax assessed against such license holder shall become delinquent and all of the provisions of this Code relative to the collection of delinquent taxes shall be applicable for the collection of such excise tax. Alcoholic beverages on which city taxes have not been paid are subject to seizure and may be destroyed or sold by public sale as provided by law.

Secs. 9-2-170—9-2-174. - Reserved.

ARTICLE VI. - CATERING

Sec. 9-2-175. - Sale off-premises for catering purposes.

- (a) Licensed alcoholic beverage caterer. An alcoholic beverages licensee that is also a food caterer may become a licensed alcoholic beverage caterer by meeting all of the following five requirements:
- (1) Complying with all provisions of O.C.G.A. tit. 3, ch. 11 (sales off-premises for catered functions); and by
 - (2) Meeting the requirement that at least 60 percent of the gross income for such business comes from the sale of prepared foods as set forth in subsection 6-64(3)b. of this chapter; and by
 - (3) Applying for an off-premises catering license on the form prescribed by the city; and by
 - (4) Paying an annual fee to the city for such a license, with such fee being shown upon a schedule of fees maintained in the office of the City Clerk; and by
 - (5) Obtaining an event permit, as hereinafter defined and provided, for each and every such authorized catered function to which such alcoholic beverage caterer license shall be applicable.

A licensed alcoholic beverage caterer is eligible to sell or furnish only those types of alcoholic beverages as he can sell or furnish pursuant to his underlying alcoholic beverage license.

- (b) An event permit, issued by the city manager or his designee, is required before an otherwise licensed alcoholic beverage caterer can sell or furnish alcoholic beverages off premises, i.e., at any location other than the licensed premises utilizing the underlying alcoholic beverage license. In order to obtain an event permit, the licensed alcoholic beverage caterer shall be required to submit a fully accurate and completed application on the form prescribed by the city which shall include the following information:
- (1) Name of caterer;
 - (2) Date of event;
 - (3) Time (hours) of event;
 - (4) Location (address) of event;
 - (5) Host or sponsor of event;
 - (6) Estimated number of persons to attend the event that are of legal age;
 - (7) Estimated number of persons to attend the event that are not of legal age;
 - (8) Whether "open bar" or "cash bar" of alcoholic beverages at event;
 - (9) Estimated quantities of malt beverages, wine and/or distilled spirits (to extent authorized by license) to be served at event;
 - (10) Whether facility is private or public;

- (11) Whether location is within 100 yards of a church or school building;
 - (12) A plat or sketch shall be submitted showing the service area where alcoholic beverages will be served indicating whether said area is within the building or in an open area;
 - (13) An event fee in an amount shown upon a schedule of fees, not to exceed the amount provided by state law, maintained in the office of the City Clerk shall be submitted along with the application;
 - (14) Comply with the reporting provisions of O.C.G.A. § 3-11-3;
 - (15) Provide security and parking enforcement plans and personnel as required by the city.
- (c) An event permit cannot be obtained unless the event permit application referenced in subsection (b) hereinabove is accurately completed in full and submitted to the city manager or his designee at least 14 calendar days prior to the scheduled date of the event or function. Notwithstanding the foregoing, the city manager in his sole and sound discretion may issue an event permit within a shorter time frame if the event permit applicant has been previously approved and if the proposed event location has been previously approved.
- (d) An event permit may be refused by the city manager or his designee for any one of the following reasons:
- (1) Inadequate parking or enforcement personnel at the facility designated;
 - (2) Criminal record of host or caterer permit holder;
 - (3) Previous complaints on location or of applicant;
 - (4) Previous damage to facility by applicant or permit holder.
- (e) The city reserves the right to define and/or restrict the service area for serving of alcoholic beverages.
- (f) The city shall control the dispensing of alcohol in all of its facilities by requiring the use of a licensed alcoholic beverage caterer if alcohol is furnished at any such facility. Consistent with this article, alcohol may also be dispensed by a licensed alcoholic beverage caterer who has been issued an event permit at facilities of any local, state or federal public entity.
- (g) Violation.
- (1) It shall be unlawful for any food caterer or person to distribute or sell distilled spirits, malt beverages or wine off the premises of the food caterer's business without a license issued pursuant to this section.
 - (2) It shall be unlawful for any licensed alcoholic beverage caterer licensed under this section to distribute or sell distilled spirits, malt beverages or wine off-premises except in connection with an authorized catered function for which an event permit has been obtained.

Sections 9-2-176—9-2-179 Reserved.

ARTICLE IX. - CRAFT MANUFACTURING

Sec. 9-2-180. - Brewpub license.

- (a) For purposes of this Chapter, the terms "brewpub" and "eating establishment" shall have the same definitions as provided in O.C.G.A. § 3-1-2. No person or entity shall be eligible to obtain a brewpub license unless that person certifies in writing that the premises to be licensed will operate as an eating establishment. Any brewpub license shall be subject to revocation if, at any time, the licensed premises ceases operating as an eating establishment.
- (b) The percentage of gross food and beverage sales shall be calculated and verified as follows:
 - (1) Brewpub licensees that have been in operation for more than six months as of the date in which the licensee applies to renew its licenses under this Chapter for the succeeding calendar year shall submit a return, as part of its renewal application, showing its gross sales for the twelve complete calendar months immediately preceding the date of application; or, for each complete calendar month of operations preceding the date of application in which the licensee has been in operation, and demonstrating that its sales of prepared meals or food equal or exceed fifty percent of all gross sales of food and beverage items over the period covered by such return, as set out in O.C.G.A. § 3-1-2.
 - (2) The Office of Business Development, or its successor office, shall be authorized to prepare a return form upon which calculations of percentages of gross food and beverage sales shall be presented; and such office shall further be authorized to require that all such returns be submitted on the prepared form.
 - (3) In the event that a brewpub applying for renewal under this Section cannot demonstrate that its sales of prepared meals or food equal or exceed fifty percent of all gross sales of food and beverage items over the period covered by such return, as set out in O.C.G.A. § 3-1-2, then it shall not be permitted to renew its brewpub license. However, such business may instead obtain either a license for the manufacture of malt beverages; or licenses for retail sale of alcoholic beverages, but not both, by paying the appropriate license fees for the desired licenses.
- (c) Any licensee holding a brewpub license shall be authorized to do the following:
 - (1) Manufacture on the licensed premises not more than 10,000 barrels of malt beverages in a calendar year solely for retail sale;
 - (2) Operate an eating establishment that shall be the sole retail outlet for such malt beverages, and which eating establishment may sell such malt beverages by the drink for consumption on-premises, or by the package for consumption off-premises;
 - (3) Provided that the licensee offers for sale for consumption on-premises at least one variety of commercially available canned or bottled malt beverage that is manufactured off-premises and purchased from a licensed wholesaler, exercise all rights afforded to holders of licenses to sell malt beverages or wine by the drink for consumption on-premises, and exercise all rights afforded to holders of licenses to sell malt beverages or wine by the package for consumption off-premises;

- (4) Sell alcoholic beverages pursuant to this Section on all days and at all times that sales of alcoholic beverages by retailers are lawful under this Chapter, including, but not limited to, Sundays;
- (5) Notwithstanding any other provision of this paragraph, sell up to a maximum of 5,000 barrels annually of such malt beverages to licensed wholesale dealers. Under no circumstances shall such malt beverages be sold by a brewpub licensee to any person holding a retail consumption dealer's license or a retailer's license for the purpose of resale; and
- (6) Notwithstanding any other provision of this Chapter, sell growlers of malt beverages manufactured on the licensed premises directly to consumers..
- (d) No person or entity may hold a brewpub license and a license for the sale of distilled spirits by the package for consumption off-premises at the same time.
- (e) Brewpub licensees may separately obtain and hold licenses for alcoholic beverage caterer; catered or special event permit; or retail sale of distilled spirits by the drink for consumption of [off-] premises, provided they meet all applicable qualifications for each such license applied for.

Sec. 9-2-181. - Malt beverage taproom license.

- (a) For purposes of this Chapter, "malt beverage taproom" shall refer to business establishments operating pursuant to O.C.G.A. § 3-5-24.1, as amended from time to time.
- (b) Any licensee holding a malt beverage taproom license shall be authorized to do the following:
 - (1) Manufacture any quantity of malt beverages and sell any quantity of such malt beverages to licensed malt beverage wholesalers for distribution;
 - (2) Sell up to 3,000 barrels of malt beverages produced at the licensed premises to individuals who are on such premises:
 - a. For consumption on-premises; and
 - b. Packaged to go, provided that such sales of malt beverages packaged to go shall not exceed a maximum of 288 ounces of malt beverages per consumer per day.
 - (3) Sell malt beverages pursuant to this Section on all days and at all times that sales of malt beverages by retailers are lawful under this Chapter, including, but not limited to, Sundays.
- (c) Any licensee operating a malt beverage taproom shall be responsible for remitting all state and local sales, use, and excise taxes arising from its operations to the proper tax collecting authority.
- (d) No person holding a malt beverage taproom license and no entity operating a malt beverage taproom shall be eligible to hold any other manufacturing, wholesale, retail, or caterer's license for the sale of alcoholic beverages while such malt beverage taproom license remains valid.

- (e) No person holding a malt beverage taproom license and no entity operating a malt beverage taproom shall be permitted to sell any alcoholic beverages other than the malt beverages produced on such licensee's premises.

ORDINANCE NO. 2021-08-16-2

AN ORDINANCE OF THE CITY OF CAMILLA, GEORGIA, PROVIDING FOR AN APPLICATION AND LICENSING PROCESS FOR SPECIAL EVENTS TO BE HELD ON CITY PROPERTY; RENTAL OR USE OF PROPERTIES FOR EVENTS; PROVIDING FOR CONDUCT OF EVENTS; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and City Council of the City of Camilla, Georgia, are responsible for protecting the health, safety and welfare of the citizens of Camilla; and

WHEREAS, the Mayor and City Council of the City of Camilla have found that it is in the interest of the community to permit individuals or entities to rent or use City property for the conduct of special events, and

WHEREAS, the Mayor and City Council of the City of Camilla deem it necessary and prudent to establish a uniform system for the permitting and regulation of such events, in order to properly protect the health, safety and welfare of the citizens of Camilla, while also permitting the conduct of special events that may also be of benefit to the community; and

NOW, THEREFORE, IT IS ORDAINED by the Mayor and City Council of the City of Camilla:

Section 1. The official code of ordinances of the City of Camilla shall be amended by adopting Article V of Chapter 9, entitled "Special Events and Use of City Property," the text of which is attached hereto as "Exhibit A."

Section 2. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Severability. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the City governing authority.

SO ORDAINED this _____ day of _____, 2021.

THE CITY OF CAMILLA

By: _____
Kelvin M. Owens, Mayor

[SEAL]

Attest: _____
Cheryl Ford, Clerk

First Reading: _____
Second Reading: _____

ARTICLE V OF CHAPTER 9.

SPECIAL EVENTS AND USE OF CITY PROPERTY

Section 9-5-1 Short title.

This chapter shall be known and may be cited as the City of Camilla, Georgia "Special Events and Use of City Property Ordinance."

Section 9-5-2 Definitions.

Unless the context indicates otherwise, the meaning of certain terms used in this chapter is as follows:

Applicant shall mean an individual or entity seeking a permit to host an event on city property. The applicant or, if the applicant is a corporation or similar entity, applicant's designee shall be responsible for compliance with all provisions of this chapter and other applicable chapters.

City means the City of Camilla, Georgia.

Governing authority means the Mayor and City Council of the City of Camilla.

Special event means any temporary event, activity, for public or private attendance that will occur on city property and will require or involve one or more of the following activities: closing (full or partial) of a public street; blocking or obstructing public property; exclusive use of the entirety or a portion of a city park or other city property or facility; the erection, use, or installation of a tent, canopy, stage, trailer, grandstand, bleachers, or any other structure; or placement and use of portable toilets (except where designated for use as part of ongoing construction on the property). Examples of "special events" include, but are not limited to: family reunions; cookouts or picnics attended by 20 or more people; fairs; festivals; "fun runs;" walks, and other kinds of races; parades; rallies; concerts; tours; and block parties.

Vendor means any person, group of persons, organization, association, club, or other entity that engages in the sale to the public of any food or food products, goods, services, or merchandise of whatever nature from any location, either mobile or stationary, on a temporary basis on any public street, sidewalk, right-of-way, or private property as an authorized participant in a special event. Vendors participating as part of a special event for which a lawful permit has been issued are excused from complying with the city's commercial soliciting ordinance for the duration of the vendors' participation in the special event.

Section 9-5-3 Permit required.

Except where otherwise permitted by this chapter, it is unlawful for any person, group of persons, organization, association, club, or other entity to conduct or cause to be conducted any special event on city property without having first obtained a valid special event permit from the city. The permit issued must be available upon request for review and inspection. Special event

permits are temporary and shall not vest any permanent property rights. Issued permits are effective only for the time period described on the permit. Special events are limited to the hours of operation specified in the permit. In no instance shall a special event be permitted to occur over the course of any more than 3 consecutive calendar days.

Section 9-5-4 Application required for permit.

Not less than 60 days nor more than 120 days prior to the special event, an application for a special event permit shall be submitted to the city manager and shall contain the following information:

- (1) The name, mailing address, email address, and telephone number of each applicant and, if a corporation, partnership, or other entity, the name, address, email address, and telephone number of a person designated as responsible for compliance with all provisions of this chapter and other applicable chapters.
- (2) A description of the proposed event.
- (3) The date(s), location(s), and hours of operation proposed for the special event.
- (4) A schedule, however tentative, of proposed activities.
- (5) An estimate of the projected attendance. The applicant is required to promptly update the city on any significant changes or anticipated changes in these figures.
- (6) A description of any services anticipated as being needed from the city. The applicant is required to promptly update this description and notify the city at the earliest opportunity as any need or anticipated need for services changes.
- (7) A description of any of the following elements contemplated for use or need in conducting the special event: closing (full or partial) of a public street; blocking or obstructing public property; the erection, use, or installation of a tent, canopy, stage, trailer, grandstand, bleachers, or other structure; pyrotechnics or sound amplification devices; placement and use of portable toilets; and signage.
- (8) A plan for parking along with plans for restroom facilities and the collection and removal of rubbish, garbage, and any other waste byproducts generated by the special event. An acceptable plan must provide for the immediate removal of all rubbish, garbage, and any other waste byproducts generated by the special event upon the conclusion of the special event.
- (9) Any other information the city manager may deem necessary and appropriate to determine whether the permit meets the requirements of this article.

The permit shall not waive the requirements of complying with other sections of this Code including, but not limited to, regulations on alcoholic beverages, business licenses, fire safety, zoning and signs.

The 60 - 120 day window for application may be waived upon order from the city manager upon a showing of clear and compelling need of immediate action. Among other reasons, ignorance of the permit requirement shall not establish clear and convincing need.

Section 9-5-5 Additional items required for consideration and issuance of a permit.

In addition to the information required above in an application for a special event permit, the following materials and information must be provided in support of and in addition to the application, all of which must be provided before an application will be considered:

- (1) If the applicant is a corporation, the state and date of incorporation, a representation that the corporation is qualified to do business in Georgia, and the name and address of the registered agent for service of process for the corporation in Georgia.
- (2) If the applicant is a corporation or other business entity required to comply with the State of Georgia SAVE and E-Verify requirements, a sworn declaration that the corporation is in compliance therewith. If the business entity is not subject to those requirements, a statement describing the reason(s) for any claimed exemption with sufficient particularity to permit a determination of the bona fides of the claim.
- (3) Identification of any location(s) within the prior 12 months where the applicant conducted a similar special event, if any.
- (4) Copies of written notices informing residences and businesses adjacent to the event area of the intent to host a special event. If the special event involves a parade, procession, or other event without a centralized location, this notification requirement may be waived by the city manager upon request. This notification requirement may also be waived if the city manager determines it would be unreasonable and unduly burdensome in light of the number of residences and businesses to be notified.
- (5) Proof of comprehensive liability insurance naming the city as an additional insured. Such insurance must provide at a minimum \$1,000,000.00 of coverage for personal injury per person and \$1,000,000.00 of property damage coverage covering all claims arising from a permit issued under this chapter. The city manager may waive or reduce this requirement for a special event that:
 - (a) Will not require or involve one or more of the following activities: closing (full or partial) of a public street; blocking or obstructing public property; the provision of merchandise, food, or beverages (whether by sale or otherwise); the erection, use, or installation of a tent, canopy, stage, trailer, grandstand, bleachers, or any other structure; use of any kind of pyrotechnics or sound amplification devices; or placement and use of portable toilets;
 - (b) Is in response to an immediate, current event defined as national, state, or local event or incident occurring within seven days prior to the proposed special event; or
 - (c) The applicant is an entity or organization recognized by the Federal Internal Revenue Service as satisfying the requirements of 26 U.S.C. § 501(c) or a charitable organization subject to and governed by O.C.G.A. § 43-17-1 et seq. Proper proof of Section 501(c) status and/or registration as required by O.C.G.A. § 43-17-1 et seq. is required.

In exercising this discretion, the city manager shall consider the nature of the activities planned for the participants in the proposed special event; the risk of potential injury or

harm to private property and private persons arising from the activities planned for the participants in the proposed special event; and the risk of potential injury or harm to public property arising from the activity planned for the participants in the proposed special event.

- (6) The applicant shall provide a written agreement in a form satisfactory to the city providing that the applicant shall defend, pay, and hold harmless the city, its elected and appointed officials, employees, and agents from liability for all personal and property damages arising from any acts or omissions resulting from a special event, inclusive also of any claims for attorneys' fees and costs connected with such claims, except for such claims arising solely from the negligent acts of the city, its elected and appointed officials, employees, and agents.

Section 9-5-6 Permit conditions.

Any special event permit issued by the city is subject to the following conditions and any other conditions determined to be reasonably necessary to protect the city's public safety, health, welfare, and good order:

- (1) The permit is limited to the specific geographic area(s) as shown on Exhibit "B" and titled "Entertainment District" within which the event is to take place. The applicant or other person designated is responsible for providing for security and sanitation services within the boundaries of the event until the area is cleared of all activities and structures related to the event.
- (2) Except as needed for clearing the event area(s) of all activities and related structures, no special event shall continue beyond the time approved on the permit.
- (3) The special event must comply with the city's noise ordinance and all other ordinances governing the conduct of the special event.
- (4) The use of glass containers within the area designated for the special event is prohibited.
- (5) The city shall have the right to require immediate termination or cessation of a special event if a determination is made the special event or aspects of the special event create or present an imminent threat to the public's safety, health, welfare, and good order. Upon being notified that the special event or an aspect of the special event must cease, it shall be unlawful for the applicant and and/or its designee to allow such activity to continue.
- (6) A permit issued under this chapter may not be assigned or transferred.

Section 9-5-7 Denying applications and revoking permits.

Upon submission of a complete application and all information and materials required by this chapter, payment of any required fee, and receipt of any additional materials deemed necessary, the city manager shall within three business days review the application for completeness. If additional time is necessary due to the absence of the city manager and the

applicant does not agree to additional time to permit the city manager's review of the application and materials, the application may be denied for lack of appropriate review.

- (a) Reasons for denial of a special event application include:
 - (1) The event will disrupt traffic within the city beyond practical solution;
 - (2) The event will interfere with access to fire stations and fire hydrants;
 - (3) The location of the special event will cause undue hardship to adjacent businesses or residents;
 - (4) The event will require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city;
 - (5) The application contains incomplete or false information;
 - (6) The applicant fails to comply with all terms of this article including failure to remit all fees and deposits or failure to provide liability insurance quote (proof of insurance/bond is required 7 days prior to event), bonds and a save harmless agreement to the city; or
 - (7) The event will last longer than 3 consecutive calendar days.
- (b) If an application for a permit is denied or revoked the applicant may request in writing the action be reviewed by the governing authority. Such a request must be submitted to the city clerk within 5 days of the action complained of and must state with specificity the grounds for the appeal.
 - (1) From the filing date of the appeal, the hearing before the governing authority shall be scheduled for the next available governing authority meeting (City Council Meeting). The governing authority has the discretion, upon determining that exigent circumstances warrant, to schedule and hold an earlier meeting to consider an appeal.
 - (2) The appeal hearing shall be limited to the grounds stated in the appeal. The city manager and other persons directly affected by the decision at issue may speak and present evidence at the hearing and the parties may be represented by counsel at the appeal hearing.
 - (3) The governing authority shall issue its decision on the appeal within five days of concluding the hearing.
- (c) Once the governing authority approves the special event permit, all permits issued pursuant to this article shall be temporary and do not vest any permanent rights. Reasons for revocation by the city manager of a special events permit include:
 - (1) Application contained incomplete or false information;
 - (2) Applicant does not comply with all terms and conditions of permit or any other applicable city, state, or federal laws;
 - (3) Applicant fails to arrange for or adequately remit all fees, deposits, insurance or bonds to the city; or

- (4) There exists an emergency or exigent circumstances such as a disaster or public calamity that impacts the public safety, health, welfare, and good order to such an extent that it is reasonably prudent to revoke or deny the permit.
- (d) If a special event permit is revoked, the city manager shall notify the applicant in writing, providing the reason(s) for same, and the applicant of his/her right to appeal. If the permit is revoked, the special event may not proceed and, if revoked while ongoing, the special event must cease immediately.

Section 9-5-8 Security deposit and rental fees.

- (a) A security deposit as shown on the Master Fee Schedule shall be remitted to the city before the special event permit is issued. This requirement may be waived by the city manager if he determines, based on specific factual findings, that the performance deposit would be unduly burdensome or unnecessary given the size of the event or past history.
- (b) Rental fees for each park, indoor space, or other city property shall be established by the governing authority. A list of available venues and associated rental fees shall be available at City Hall.
- (c) Within twenty-four (24) hours of the conclusion of an event, the venue shall be cleaned and returned to its pre-event condition. This shall include cleaning any city streets, rights-of-way or any other city facility used or affected by the event. With approval, removal of tents, canopies, stages, trailers, grandstands, bleachers, portable toilets or any other structure may be given additional time for removal

Section 9-5-9 Immunities.

- (a) This article shall not be construed as a waiver of any immunity to which the city is entitled.
- (b) This article shall not be construed as imposing upon the city or its officials or employees any liability or responsibility for any injury or damage to any person in any way connected to the use for which permit has been issued. The city and its officials and employees shall not be deemed to have assumed any liability or responsibility by reasons of inspections performed, the issuance of any permit or the approval of any use of the right-of-way or other public property.

Section 9-5-10 Vendors.

- (a) The applicant responsible for the special event shall be responsible for all vendors as a component of the special event and shall be responsible for designating the location and activities of vendors consistent with a special event permit and any applicable conditions.
- (b) Authorized vendors providing food and/or merchandise for sale are not required to obtain or possess a separate vendor's permit to operate during the special event unless the vendor is a provider of alcoholic beverages as a part of the event. This provision notwithstanding, food vendors are required to comply with the rules and regulations of

the state and the Mitchell County health department as to the preparation and service of food.

- (c) The dispensing of alcoholic beverages, by sale or otherwise, as a part of the special event shall be allowed provided that each vendor dispensing alcoholic beverages shall have been duly licensed by the state, city, or other local governing authority to engage in off-premises dispensation and has complied with all provisions of the city's ordinances relating to the sale or dispensation otherwise of alcoholic beverages off premises.

Section 9-5-11 City co-sponsorship of special events.

The city may co-sponsor a proposed special. Co-sponsorship may take the form of a monetary contribution in support of the event, provision of services in-kind at no cost to the applicant, or both. Decisions on whether to participate in the proposed special event as a co-sponsor and what will be provided as a co-sponsor are entrusted to the discretion of the governing authority. Co-sponsorship of a proposed special event is limited only to those events where the applicant is an entity whose primary purpose is to promote economic development in the city or Mitchell County or an entity that is a non-profit organization that seeks to promote and advance the health, welfare, or safety of the public or a segment of the public within the city or Mitchell County and which has its principal place of business located in the city or Mitchell County. As a part of the application process an applicant may request that the city co-sponsor the proposed special event. The request must be in writing, describe with particularity the type(s) of co-sponsorship desired, and describe how the special event proposed will enhance or promote economic development in the city or promote and advance the health, welfare, or safety of the public or a segment of the public within the city or Mitchell County.

Section 9-5-12 Security.

The applicant shall at applicant's expense provide one (1) City of Camilla certified police officer for every one hundred attendees. The officer(s) shall attend the event for its entire jurisdiction. It shall be the duty of the police officer to see that the event is conducted in compliance with all applicable laws and regulations including without limitation the ordinances of the City of Camilla and in an orderly and peaceful manner consistent with the health, safety and welfare of the City.

Sections 9-5-13 – 9-5-15 Reserved.

EXHIBIT "B" Entertainment Districts

Downtown Entertainment District



Downtown Entertainment District



Depot Entertainment District

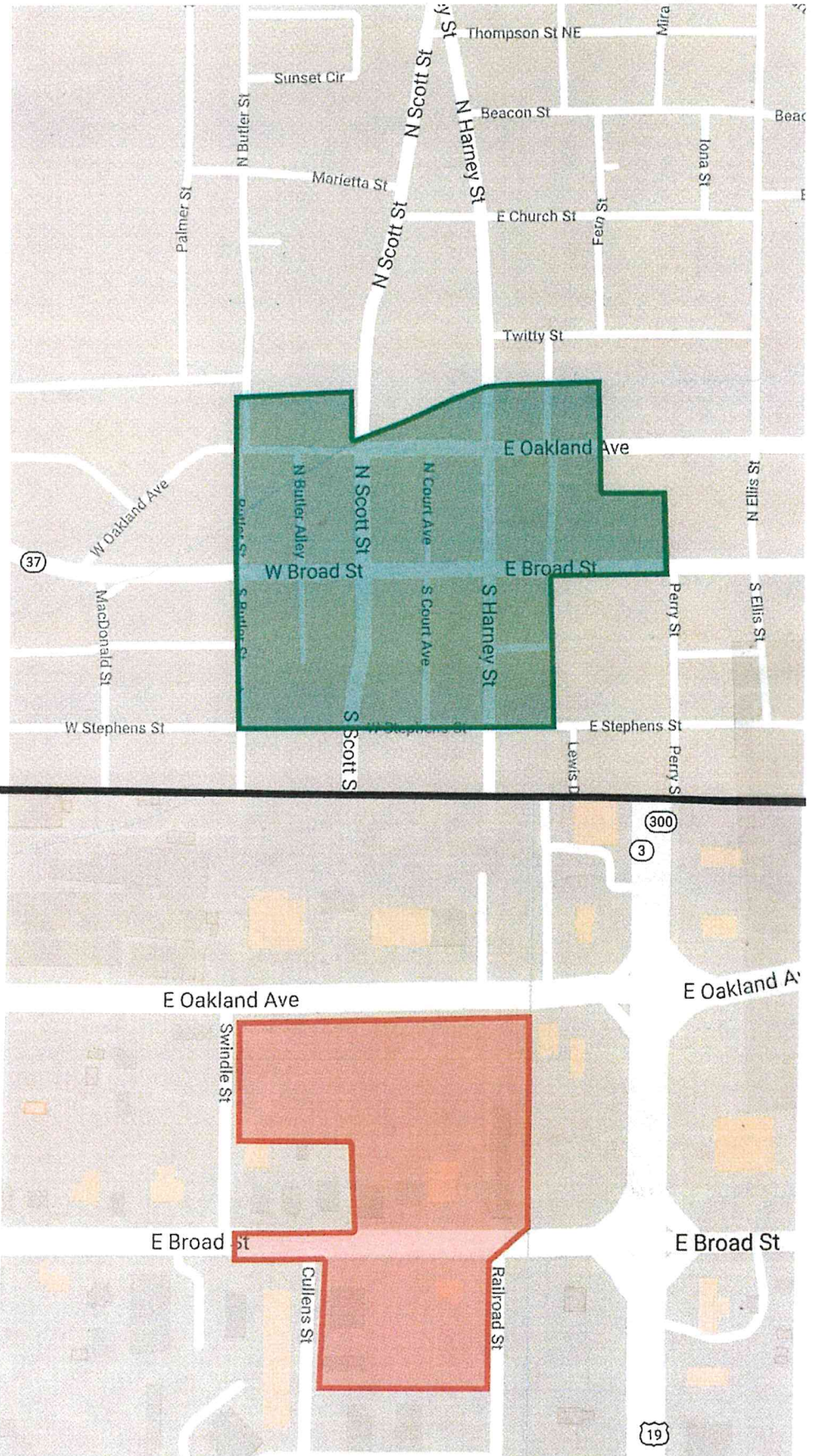
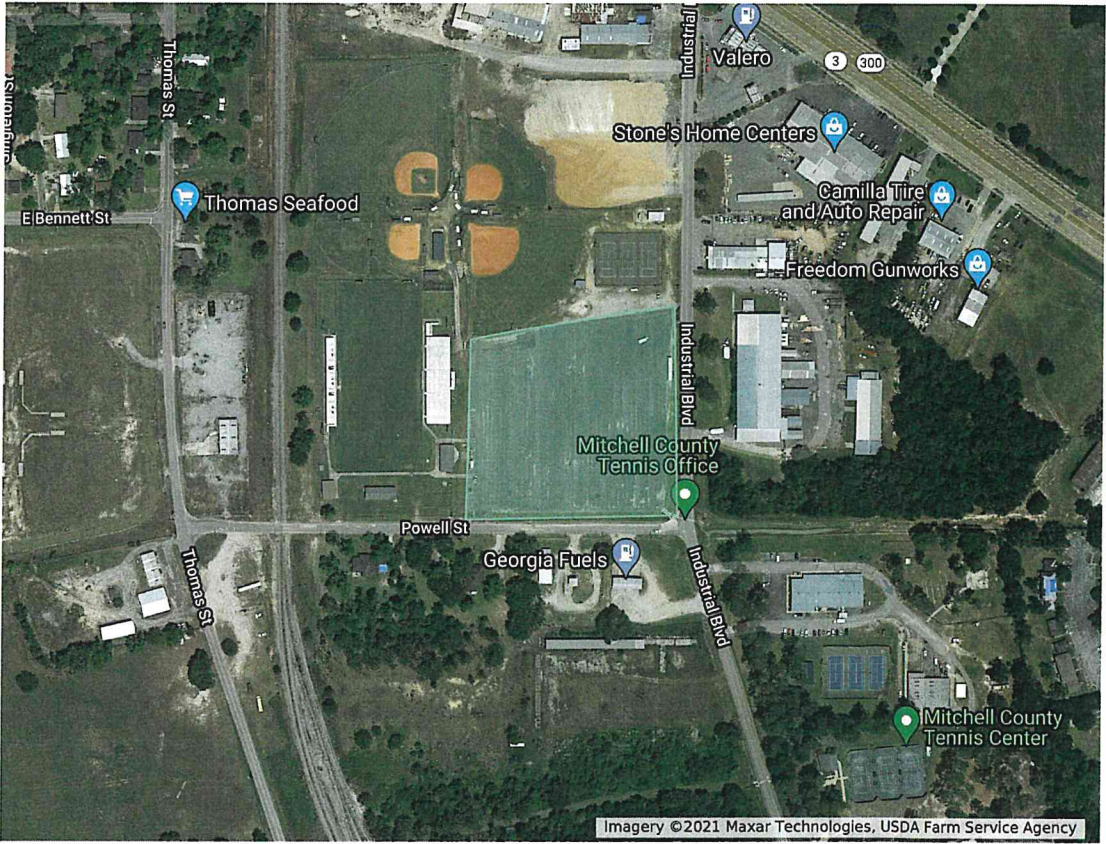


EXHIBIT "B" Entertainment Districts

Untitled layer

Centennial Stadium Parking
Lot District

Centennial Stadium Parking
Lot District



CITY OF CAMILLA
RESOLUTION NO.: 2021-08-16-1

RESOLUTION TO APPLY FOR RURAL ZONE DESIGNATION

BE IT RESOLVED by the Mayor and City Council of Camilla, Georgia, and it is hereby resolved by authority of the same.

WHEREAS, THE CITY OF CAMILLA desires to encourage economic development in and around the city; and

WHEREAS, the Rural Zone Designation is an economic development tool that encourages public and private investments within a designated zone (as described in the map identified as Exhibit 1 and attached and incorporated herein by reference) and allows business owners to take advantage of tax credits; and

WHEREAS, the goal of the Rural Zone is to support and expand current businesses and create new jobs and wealth by encouraging investments; and

WHEREAS, Rural Zones encourage economic development within communities that meet specific program requirements and with populations under 15,000.

BE IT FURTHER RESOLVED that the Mayor and Council of Camilla, Georgia will apply to the Georgia Department of Community Affairs for the Rural Zone Designation.

Adopted this the 16th day of August, 2021.

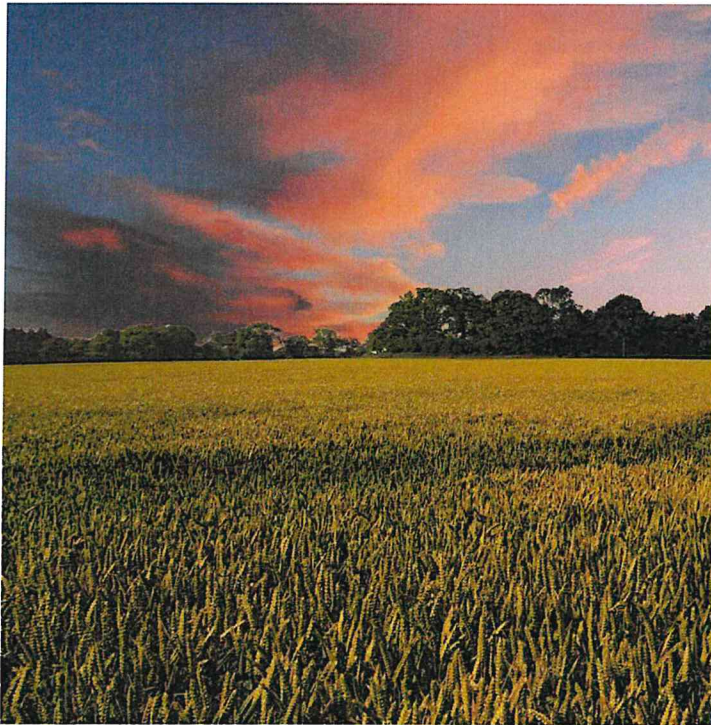
City of Camilla, Georgia

By: _____
Kelvin M. Owens, Mayor

ATTEST:

Cheryl Ford, City Clerk

CITY SEAL



Rural Zones

ELIGIBILITY REQUIREMENTS

- Communities with populations under 15,000
- Must have a concentration of historic commercial structures
- Must prove economic distress based
- Must be in compliance with the state requirements
- Must submit a feasibility study or market analysis
- Must submit a master plan or strategic plan

Program Overview

The Job Tax Credit Program provides additional benefits to specified census tracts or additionally designated areas which are considered to be less developed or have a higher rate of poverty. The Rural Zone designation was approved and signed into law in May 2017 and provide enhanced state tax credit incentives to promote the revitalization of vacant rural Georgia downtowns by encouraging investment, job creation, and economic growth in long-established business districts. The establishment of up to 10 zones per year will enable businesses and investors to obtain tax credits for qualified activities occurring within designated Rural Zones. DCA, in partnership with the Georgia Department of Economic Development, will receive applications and designate zones each year to provide an incentive for job creation and private investment in the designated locations. Credits will be available for job creation activities, investment in downtown properties, and renovation of properties to make them usable.

Rural Zones

Revitalizing Georgia's Rural Downtowns

Designated Communities

Adel
Avondale Estates
Bainbridge
Commerce
Cornelia
Douglas
Eatonton
Fitzgerald
Forsyth
Greensboro
Hartwell
Hogansville
Jesup
Jonesboro
Locust Grove
Monticello
Nashville
Perry
Rossville
Springfield
Villa Rica
Sylvester
Toccoa
Washington
Waycross

QUESTIONS

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www.dca.ga.gov

October 2019

The Rural Zone program targets rural downtown areas that have been adversely impacted by local economic conditions by creating Rural Zones and offering economic development incentives. It differs from other programs at DCA which provide technical assistance and access to capital because it would establish an incentive program to stimulate investment, job creation, and economic development. It also adds in retail opportunities, which are currently excluded from job tax credits. Further, multiple sources can benefit – for instance, a single new coffee shop might provide job tax credits for the local business owner and an investment and rehabilitation credit to an urban investor.

The **Job Tax Credit (JTC)** will be \$2,000 per new full-time equivalent job per year, up to 5 years and not to exceed \$200,000 total or \$40,000 per year. New full-time equivalent job means an aggregate of employee worked hours totaling 40 hours per week between two or more employees. At least two net, new full-time equivalent jobs must be created to qualify. This credit is for the small business owner who opens a storefront and creates jobs.

The **Investment Credit** is equivalent to 25% of the purchase price, not to exceed \$125,000 total or \$25,000 per year. At least two net, new full-time equivalent jobs must be created and maintained to qualify for the investment credit. This credit is for people who purchase a building downtown and cannot be taken unless jobs are created.

The **Rehabilitation Credit** is equivalent to 30% of the qualified rehabilitation, not to exceed \$150,000 total or \$50,000 per year. At least two net, new full-time equivalent jobs must be created and maintained to qualify for the rehabilitation credit. This credit is to offset development costs associated with the rehabilitation of a certified investor property.

Similar to other incentive programs (i.e., Opportunity Zones and Tourism Development Act) this program will be the joint responsibility of the Georgia Department of Community Affairs and the Georgia Department of Economic Development. Both Commissioners will jointly review Revitalization Zone requests, and DCA will administer the program for approved areas.

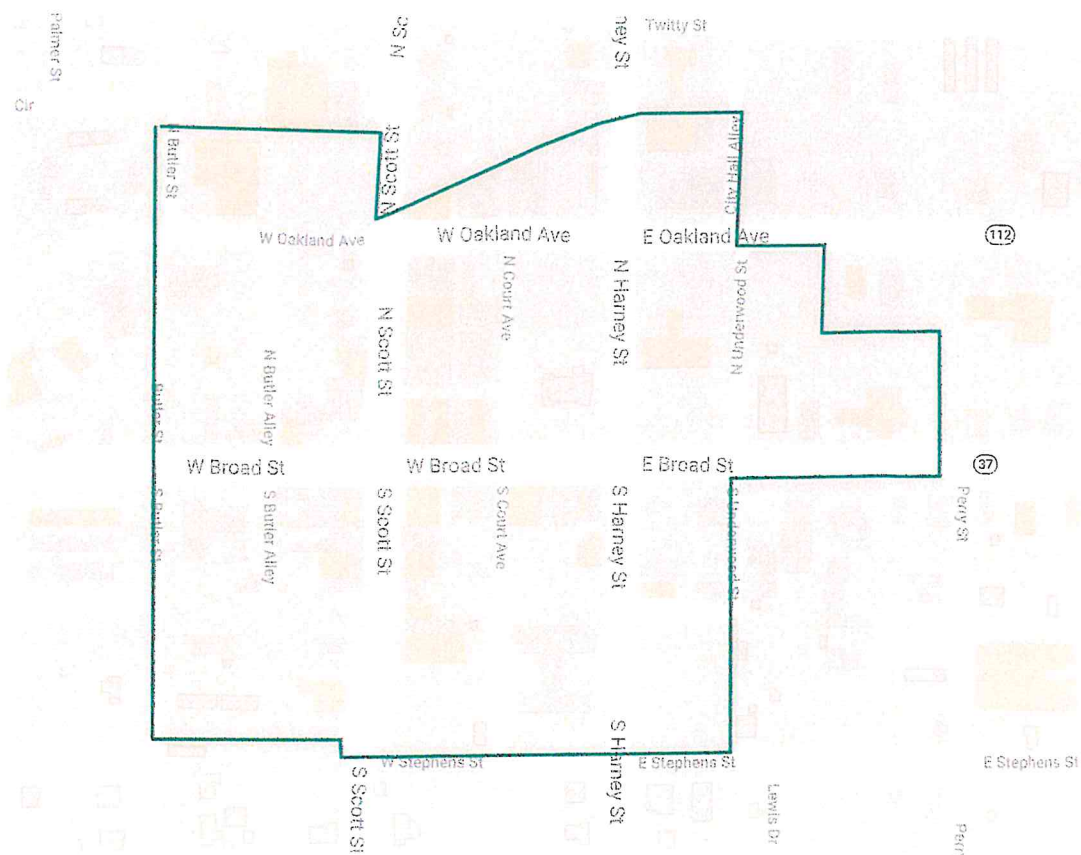
Eligibility requirements:

- Cities and counties with a population of less than 15,000
- Must have a concentration of historic commercial structures at least 50 years old within the zone
- Must prove economic distress based on poverty rate, vacancy of the downtown area, or blight.
- Must be in compliance with the state requirements regarding comprehensive planning and reporting, Service Delivery Strategy, Government Management Indicators (GOMI), and the Report of Local Government Finances.
- Must submit a feasibility study or market analysis identifying business activities that can be supported in the zone
- Must submit a master plan or strategic plan designed to guide private and public investment

Main Street Camilla

DCDA Map Camilla 2021-07-13

 DCDA Map 2021-7-13



Rural Zone Brief

Would become Effective Jan. 1, 2022 if accepted.

The purpose behind the Rural Zone designation is to assist in the revitalization of our community by incentivizing new businesses to open in Downtown Moultrie.

Rehabilitation Tax Credit

- *Equivalent to 30% of qualified rehabilitation costs not to exceed \$150,000.
- *Credit should be prorated equally in three installments over three taxable years.
- *Must create a minimum of two full-time equivalent jobs.

Job Tax Credits

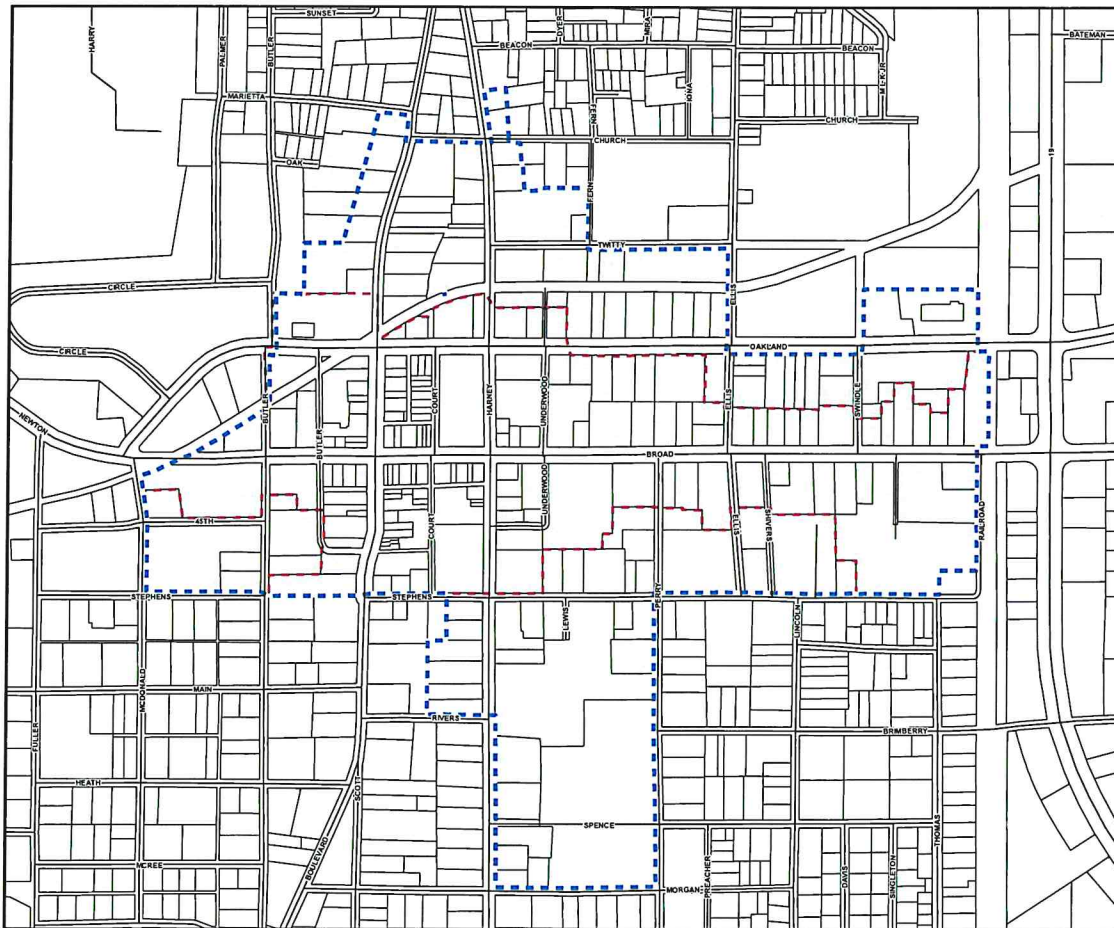
- *Must create two full-time equivalent jobs.
- *\$2,000 credit per new full-time equivalent job – not to exceed \$40,000 credit per year.
- *Eligible businesses include professional services or retail.
- *Credit can be taken for five years as long as jobs are maintained.

Investment Tax Credit

- *This credit is for purchasing property downtown within the **Rural Revitalization Zone**.

Equivalent to 25% of the purchase price not to exceed \$125,000.

- *To claim this tax credit, the investment property must be within the designated **Rural Revitalization Zone** and create two full-time equivalent jobs.
- *Credit can be claimed over five years.



City of Camilla

Rural Zone Map

DRAFT

Legend

- Draft Rural Zone Boundary
- Main Street Program Boundary
- Rural Zone Parcel

0 250 500 750 1,000 Feet

SWGRC
Southwest Georgia
Regional Commission





City Manager Monthly Report

August 16, 2021

Follow-up Info

Feedback

Information Updates

See the attached information regarding a CDBG Public Hearing to discuss additional work for the West Circle area scheduled August 17, 2021.

Project Updates

- **Splash Park building walls and frame are ready for the building roof. Recent rainfall has caused construction delays. Scheduled completion date is still October 29, 2021.**
- **Toombs Park pavilion is completed.**
- **Toombs Park basketball court renovation project is completed.**
- **Boys & Girls club building renovation project has been placed on hold. Further discussion is scheduled for Monday, August 16, 2021.**
- **Public Wi-Fi project is complete and available for connection.**



30 East Broad Street
Camilla, GA 31730



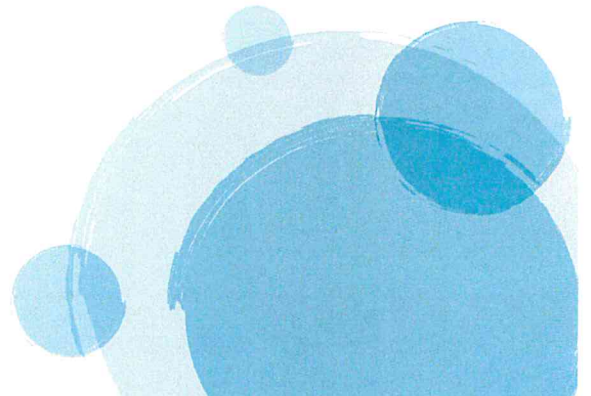
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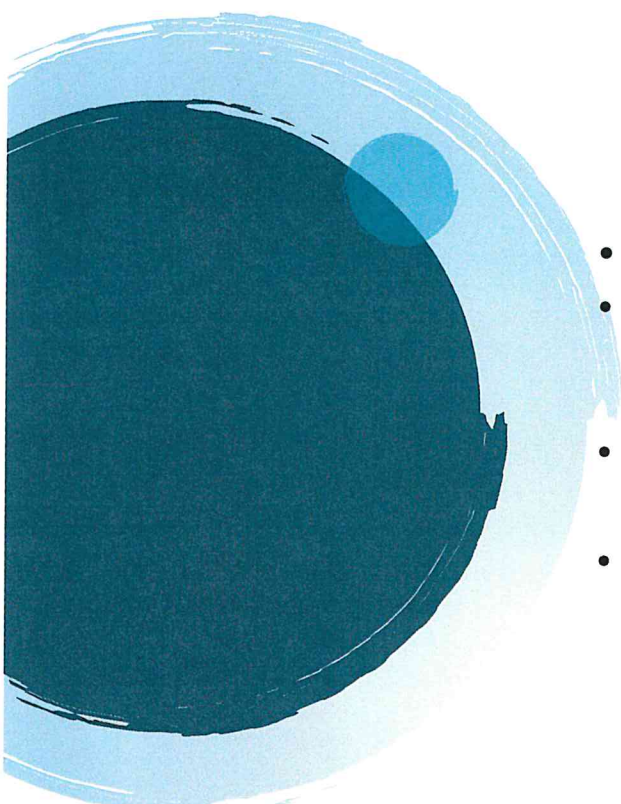



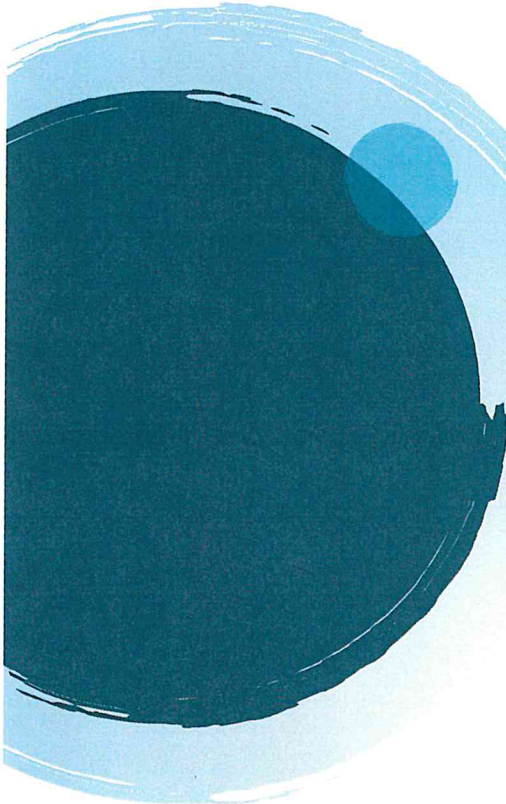
steves@cityofcamilla.com



www.camillaga.net



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- The following SPLOST Paving Project is completed.
 - TSPLOST Paving & Sidewalk Project is in the design phase. Due to project estimated cost and funding projections, bids are now scheduled to be received September 16, 2021 and construction completion is scheduled October 29, 2021.
 - LMIG Paving bids are scheduled to be received September 16, 2021 and construction is scheduled to be completed by October 29th.
 - The 2020 CDBG was delayed originally due to bonding difficulties with the contractor. Pipe material availability has now delayed the project. Staff is working through the engineer to resolve this supply chain issue. The work will start as soon as pipe arrives and the revised completion deadline is now December 25, 2021. The engineer has developed additional improvements to be presented to Council for approval after the August 17, 2021 Public Hearing is completed.
 - Gateway sign plans are being prepared and negotiations are underway with property owners for easement acquisition for both US19 North & South locations. Surveys have been completed for the required sign easements. Completion is scheduled for September 30, 2021.
 - Demolition & Renovation of Dilapidated Properties (10 during 2021) continue at a successful pace. Seven (7) are completed and three (3) are in progress and an additional five (5) are in discussion with property owners.
 - Camilla Police Department completed 21st Century Policing Training for all officers and a Community presentation was held in the Camilla Depot and broadcast on the City's Facebook account.
 - The GEFA water & sewer projects are in the design phase and bids are being advertised. Construction of the water & sewer projects are scheduled for January 31, 2022.
 - Airport Hangar construction is complete. The lease agreement is executed and the tenant has started installing leasehold improvements.
 - UPDATE: The FAA/GDOT funded corporate hanger bid opening is scheduled for September 2, 2021 and completion is scheduled for December 2021.
 - The DCA PlanFirst application was submitted May 12, 2021.
- 



Covid-19 Update

Due to the recent surge in Covid-19 infections, City Facilities are once again limited to the public and customers are escorted to meet individually with staff only when proper personal protections are in place. Employees and visitors are now required to wear face coverings inside of City Facilities and vehicles.

CUMMULATIVE TOTAL FOR MITCHELL COUNTY

- Total positive tests – 1739
- Total hospitalization – 243
- Total reported deaths – 77

THIS WEEK

Friday August 6 – August 12, 2021

- Weekly new positive tests – 59
- Weekly new hospitalization – 3
- Weekly new reported deaths - 0

PRIOR WEEKS

Friday July 30 – August 5, 2021

- Weekly new positive tests – 54
- Weekly new hospitalization – 3
- Weekly new reported deaths - 0

Friday July 23 – July 29, 2021

- Weekly new positive tests – 32
 - Weekly new hospitalization – 1
 - Weekly new reported deaths - 0
- 

CITY OF CAMILLA
COMMUNITY DEVELOPMENT BLOCK GRANT
PUBLIC HEARING - AMENDMENT
GRANT No 19P-X-101-2-6116

The City of Camilla will hold a PUBLIC HEARING on *August 17th* at *12:00 pm* at the Camilla City Hall, 30 East Broad Street, Camilla, GA 31730, It will be held in the 4th floor conference room and will also be accessible by phone for any citizens wishing to attend. Please call toll free 1-866-527-1159 Attendee Code 41358 on August 17, 2021 @ 12:00 p.m. for the purpose of discussing the approved activities and proposed amended activities of the Camilla Community Development Block Grant. On October 16, 2020, Camilla was awarded CDBG funds of \$750,000 to perform: sewer improvements in the following locations: Marietta Street, N. Scott Street, Palmer Street, N. Butler Street, W. Circle, and W. Oakland Avenue in Camilla GA.

The proposed amendment will include street paving/overlaying on the following Streets: Marietta Street, N. Palmer Street, Oak Street and a portion of West Circle in Camilla GA.

Items to be discussed at the hearing include:

- 1) The amount of funds received and a description of the activities.
- 2) Amendments to the Community Development Block Grant sewer improvements project.
- 3) The amount of funds available for each activity and the amount of funds that will benefit low and moderate income persons.
- 4) The plan, if applicable, to minimize or prevent displacement of persons and the plan to assist persons who may be displaced.
- 5) Fair Housing laws and Camilla's plan to further fair housing.

The Public is invited to attend this Hearing to be informed of the amended project activities.

The City of Camilla is committed to providing all persons with equal access to its services, programs, activities, education and employment regardless of race, color, national origin, religion, sex, familial status, disability or age. For a reasonable accommodation, alternative format or language, please contact Cheryl Ford, City Clerk at: (229) 330-2325 or email: cford@cityofcamilla.com.

Persons with hearing disabilities can contact the Georgia Relay Service at (TDD) 1-800-255-0056 or 1-800-255-0135 (Voice).



August 16, 2021

Mr. Joseph Thomas, Sr., President
Georgia B. Williams Nursing Home, Inc.
P.O. Box 245
Camilla, Georgia 31730

Dear Mr. Thomas:

On behalf of the City Council of the City of Camilla, please accept this letter of support for the Georgia B. Williams Nursing Home Restoration Project in Camilla, Georgia. This home represents invaluable historical and cultural significance in our community and will have a positive impact on our quality of life, distinctiveness, and economic vitality. As a certified local government we value historic places in our community and are committed to preserving and enhancing historic places with community partners to improve preservation.

The City Council of the City of Camilla approved conditional use of the property located at 176 Dyer Street as a museum and enrichment center on June 14, 2021 along with use of the adjacent property for patron parking. We appreciate the willingness of Georgia B. Williams Nursing Home, Inc. to rehabilitate and restore this historic home to offer our community cultural art and enrichment programs.

This home is part of Camilla's historic fabric and we endorse all efforts and actions in your endeavor to preserve and protect our community's historical and cultural heritage.

Sincerely,

Kelvin M. Owens
Mayor



Beatrice Borders
1892-1971

Our Mission Statement:

The mission of the historical Georgia B. Williams Nursing Home, Inc. is to ensure that the historical contribution of this dwelling never be forgotten by maintaining its existence so that it will continue to provide service in the communities of southwest Georgia



Georgia B. Williams Nursing Home, Inc.

P. O. Box 245
Camilla, Georgia 31730
gbw@beasbabies.org
July 23, 2021

Council of the City of Camilla
% Mayor Kevin Owens
30 E. Broad Street
P.O. Box 328
Camilla, Georgia 31730

Dear Mayor Owens:

Georgia B. Williams Nursing Home, Inc. is pleased to announce to you that your letter of support has helped the organization dearly. We cannot be more grateful. On July 3, 2021 The National Trust of Historic Preservation named the historic Georgia B Williams Nursing Home as one of 11 most endangered places in America. This announcement has brought much attention to our cause. On July 1st, the organization received notification of a \$5,000.00 grant awarded from the Johana Favrot Fund, and on July 15th, GBWNH, Inc. was awarded a grant from the African American Cultural Heritage Action Fund in the amount of \$75,000.00. All these grants were given by supporters of The National Trust of Historic Preservation.

Praise God that we are closer than before, however we are still three-fourths away from accomplishing our mission. GBWNH, Inc. must continue to seek funding. Therefore, we are asking if you will continue to support the cause with your letters of support to be included in our funding application packages to show that our community governments support our project. We cannot do it without you. We are asking if you will send us an updated letter that we can use for the other three applications that we will submit this year. By giving us a general letter with **no date**, and salutation addressed: **Dear Grantor**, you won't have to continue to send letters. For checks and balances, whenever your letter is submitted to a grantor, you will receive an email copy informing you of the grantor to whom your letter was sent. This will help you keep up with our organization, and help us meet application deadlines that might conflict with your meeting dates. The next application's deadline is September 1, 2021.

Please continue to help us move closer to our goal. We cannot do this without your letters of support.

Sincerely yours,

Joseph Thomas

Joseph Thomas
(President)

Jacquelyn Briscoe
Administrator
706 486-4648
708 817-8512

*Board
Members*

Secretary

Charlie Dixon
Member-at-Large
229 886-8381

Delma Marcus
Member-at-Large
229 336-7470

Devian S Smith
Treasurer
229 336-8740

Joseph Thomas, Sr.
President
229 344-6516

Gracie Toombs
Member-at-Large
229 294-2957

Joseph White
Member-at-Large
229 328-3337