

**CITY OF MCINTYRE**

**RESOLUTION ENACTING OPERATING HOURS FOR NIGHTCLUBS**

**WHEREAS**, Article IX, Section II, Paragraph II of the Constitution of the State of Georgia, entitled "Home Rule for Municipalities," allows the governing authority of each County to have the legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which is not inconsistent with the Constitution of the State of Georgia; and

**WHEREAS**, the Georgia General Assembly has delegated by law certain powers to provide municipalities with the authority to exercise certain common functions of local government, including to provide for the general health and safety of its residents; and

**WHEREAS**, Title 36, Chapter 35, Article 3 of the Official Code of Georgia authorizes municipalities to adopt clearly reasonable ordinances and regulations relating to its property and affairs; and

**WHEREAS**, the City of McIntyre, Georgia, through its duly elected governing authority, the Mayor and Council, has determined that it is in the best interest of the citizens of the City that the operating hours of nightclubs within the city limits be regulated for the health, safety, and economic interests of its citizens; and

**NOW THEREFORE, BE IT RESOLVED AND ORDAINED** by the Mayor and Council of the City of McIntyre, Georgia, that:

**Section 1:** The proposed Operating Hours for Nightclubs resolution, after being duly considered and weighed by the Mayor and Council in session, is found to further the interests of the City of McIntyre and its residents.

**Section 2:** The Mayor and Council of the City of McIntyre hereby enact the following resolution setting operating hours for nightclubs:

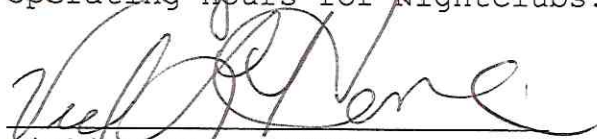
*Nightclub* shall mean an establishment dispensing alcoholic beverages for consumption on the premises, and characterized as a venue for music, dancing, comedy, or other forms of entertainment, not including adult entertainment. While a nightclub may provide food service, more than 50% of its annual gross food and beverage sales income must be derived from the sale of alcoholic beverages. This term does not include bar, tavern, or any other drinking establishment.

Nightclubs shall only be allowed to operate or otherwise be open to the public between the following hours:

- A. Monday through Friday between the hours of 10:00 a.m. and 11:59 p.m.;
- B. Saturday between the hours of midnight (12:00 a.m.) and 2:00 a.m. and between the hours of 10:00 a.m. and 11:59 p.m.; and
- C. Sunday between the hours of midnight (12:00 a.m.) and 2:00 a.m.

**Section 3:** This resolution shall become effective immediately upon its passage, and all resolutions in conflict herewith are, to the extent of such conflict, hereby repealed.

**NOW THEREFORE BE IT PROCLAIMED, RESOLVED, AND ORDAINED** by the Mayor and Council of the City of McIntyre, Georgia, this 6 day of May, 2024, this Resolution Enacting the Operating Hours for Nightclubs.

  
Vicki Horne, MAYOR

  
ATTEST