

Home-Brew Special Event Process

1. Applications should be submitted to the Central Services Department (150 E. Hancock Avenue) no less than 10 days prior to the event.
2. Application fee is \$50 (non-refundable).
3. An applicant can receive no more than six (6) home-brew special event permits within the same calendar year. Applications must be submitted for each home-brew event. However, no additional permit fees will be charged to applicant for subsequent applications submitted during a calendar year.

Ordinances Attached

6-5-1 Special Events Ordinance – the sections that were modified to allow Home-Brew Special Events are underlined in Section 6-5-12.

6-3-1 Licenses and Business Regulations, Alcoholic Beverages – Portion included with this package is for Home-Brew Special Events. The entire section of 6-3-1 is not attached.

**Athens-Clarke County Government
Central Services Department
Home-Brew Special Event Application**

Name of Sponsor:
Telephone Number(s):
Event Location Address (please include zip code):
Sponsor Mailing Address (please include zip code):
Email Address:
Estimated Number of Participants:
Date and Times of Event:
Zoning District:
Description of Event:
Description of Prizes/Awards:

My signature below acknowledges that I have received a copy of the Home-Brew Special Events Ordinance, that I meet the eligibility requirements to host a Home-Brew Special Event, and that I agree to comply with the Home-Brew Special Events Ordinance.

I hereby agree to indemnify, defend, and hold harmless, Athens-Clarke County and its representatives from all claims, demands, loss, fines, or liabilities to the extent arising out of or in connection with the Home-Brew Special Event, except such injury or harm as may be caused solely and exclusively by the negligence of Athens-Clarke County or its authorized representatives.

Signature

Date

CHAPTER 6-5. - SPECIAL EVENTS

Sec. 6-5-1. - Definitions.

The following definitions shall apply to the interpretation and enforcement of this chapter:

Manager: The manager of the government of Athens-Clarke County, Georgia, or his designee for the administration of this chapter.

Producer: Any person, group of persons, organization, association, club, or other entity responsible for planning, producing and conducting an event.

Special event: The term "special event" or "event" shall mean any organized activity having as its purpose entertainment, recreation and/or education, such as a festival or celebration, foot or vehicle race, parade or march, rally or assembly which takes place on a public street, sidewalk or right-of-way, or occurs on private property and impacts government services on public rights-of-way.

Vendor: Any person or persons who engage 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 itinerant basis on any public street, sidewalk, or right-of-way. The definition of vendor, as used in this chapter, shall not be construed to include or prohibit a permanent business, operating under the provisions of the business license ordinance and other applicable laws, from displaying goods or merchandise on a public sidewalk immediately in front of and adjacent to the permanent business structure so long as such displays do not impede the normal flow of pedestrian traffic and so long as other laws and ordinances pertaining to such business or displays are complied with.

(Ord. of 9-1-92, § 1)

Sec. 6-5-2. - Permits.

- (a) *Required.* It shall be unlawful for any person, group, organization, association, club or other entity to conduct or cause to be conducted any special event in Athens-Clarke County without having obtained a valid permit for such event.
- (b) *Geographic limitation; responsibility for police and sanitation service.* A special event shall be limited to the specific geographic area(s) within which the event is to take place and the producer of a special event shall be responsible for the provision of police and sanitation services within the boundaries of the event for a period of two hours past the conclusion of the event or until the area is cleared of all activities and structures related to such event.
- (c) *Time limitation.* Except for clearing of the area, no special event shall be allowed to continue beyond the time approved on the permit for the event.
- (d) *Delineation of boundaries; preservation of areas for circulation.* The outermost boundaries of the special event shall be fully and clearly delineated on a map, which shall be no smaller than 8½ × 11 inches in size, and attached to the application for a permit. All public streets and/or sidewalks within and adjacent to such area(s) shall be clearly identified. The manager, or designee, shall require, as part of the approval for the event, that areas no less than five feet in width shall be designated and preserved for public circulation and access to adjoining business establishments outside the area(s) delineated for the event.
- (e) *Maps for walks or runs.* The producer of a special event such as a walk or run, as to which the provisions of subsection (d) above would not be practicable, shall submit with the application for a permit a map, which shall be no smaller than 8½ × 11 inches in size, showing the exact route of the course for the walk or run.

(Ord. of 9-1-92, § 1; Ord. of 3-1-94, § 1)

Sec. 6-5-3. - Application; fee.

- (a) A producer of a special event shall make application for a permit for such event at the office of the manager on a form prescribed by the manager. Application forms may be obtained from the office of the manager, the office of the clerk of commission, and the police department.
- (b) An application for a special event should be filed at least 60 days prior to the date the event is scheduled to occur. However, no application shall be accepted earlier than one year prior to the date of the event.
- (c) A nonrefundable application fee of \$25.00 shall be paid at the time the application for a permit is filed. Such fee shall be payable to Athens-Clarke County by cash, money order, or cashier's check.

(Ord. of 9-1-92, § 1)

Sec. 6-5-4. - Identification of producer.

The producer of an event, if a group or organization, shall be fully identified on the application. However, a special event permit shall be issued only to an individual person, who may be the actual producer or a designated agent of the producer, and such individual person shall be solely and fully responsible for compliance with all provisions, including all financial requirements, of this chapter and other applicable laws.

(Ord. of 9-1-92, § 1)

Sec. 6-5-5. - Administrative review.

The manager shall cause the application to be circulated to each government department and/or other agency whose services the manager determines would be affected by the nature and activities of the proposed event. Each such department or agency shall review the application and note the services which it will be required to perform, the number of personnel to perform such services, the length of time to perform such services, the cost to perform such services, and any other information which would assist the manager in facilitating the event and services required.

(Ord. of 9-1-92, § 1)

Sec. 6-5-6. - Special conditions on permit.

Each department of the government reviewing an application may recommend in writing certain conditions or restrictions as deemed necessary to facilitate the event, to comply with other laws or regulations, and/or to ensure the safety, health and welfare of the community. In reviewing the recommendations of the departments, the manager may impose such conditions or restrictions as a part of the permit and such special conditions so imposed shall be construed to have the full force and effect of law as a provision of this chapter. A violation of such conditions or restrictions shall be deemed a violation of this chapter.

(Ord. of 9-1-92, § 1)

Sec. 6-5-7. - Final approval of permit; minimum review period.

- (a) The manager is authorized to approve and issue a permit for a special event after considering all comments and conditions of the reviewing departments and agencies as well as other information pertaining to the proposed event as described on the application, and after the payment of all applicable fees and costs.

- (b) A minimum of 30 working days shall be allowed for the administrative review of an application and the issuance of a permit.
- (c) The government shall approve, tentatively approve or deny the permit no later than 30 working days following the date the completed application is filed. If the permit is denied, the producer shall be notified in writing of the denial and the reason(s) for the denial. The manager may tentatively approve an application for a permit received more than 135 days prior to the proposed special event. A tentative approval reserves the locations, dates and times of a special event and is subject to revision based upon the manager's subsequent review, in accordance with paragraph (a) of this Code section, of information received following issuance of a tentative permit. If a permit is tentatively approved, final approval and issuance of the permit shall occur no later than 90 days prior to the special event.

(Ord. of 9-1-92, § 1; Ord. of 5-7-2013, § 1)

Sec. 6-5-8. - Emergency issuance of permit.

In extraordinary circumstances, the manager or the chief of police, as his designee, shall be authorized to waive or otherwise expedite any or all of the review process and to issue a special event permit upon payment by the producer of all applicable fees and costs for such event.

(Ord. of 9-1-92, § 1)

Sec. 6-5-9. - Permit fees.

- (a) The fee for a permit to conduct a special event shall be based on all services to be provided by the government for such event and shall be equal to the estimated actual cost to the government to provide such services. The initial permit fee shall be the aggregate of the estimated costs of such services calculated by each government department. If, at the conclusion of the event, the cost of government services is greater than the initial payment, the producer of the event shall be billed for the difference. Failure to pay the outstanding amount within 30 days of the billing date shall be a violation of this chapter.
- (b) The initial permit fee must be paid in full prior to the issuance of a permit and no later than 72 hours prior to the date of the event.
- (c) The fees required in this section shall be in addition to any other fees which may be required by any other ordinances or regulations that might be applicable.
- (d) No producer of any special event, except as otherwise provided for, shall be exempt from the payment of the appropriate fees and charges required under this chapter.

(Ord. of 9-1-92, § 1)

Sec. 6-5-10. - Liability.

The producer of any special event shall hold harmless the Unified Government of Athens-Clarke County, its officers, employees and agents from liability of damages arising from any acts or omissions emanating from a special event. Proof of such waiver shall be filed with, and made a part of, the application form. The producer shall be responsible for providing any and all other insurance that may be necessary for any special event.

(Ord. of 9-1-92, § 1)

Sec. 6-5-11. - Vendors.

- (a) *Sales permitted.* The sale of food, including the sale of beer and/or wine, or any merchandise or services of any type by a vendor shall be allowed as a component of a special event provided such vendor is approved and authorized in writing by the producer of the event and shall be conducted in accordance with such conditions and limitations as shall be imposed in writing by the producer and submitted as part of the application for a permit.
- (b) *Authorization of vendors.* The producer of a special event shall have sole responsibility and authority to allow or disallow sidewalk or street vending as a component of an event and to designate the location and activities of such vendors. It shall be unlawful for any vendor to engage in such business at any location or in any manner not authorized by the producer of the event.
- (c) *Identification required.* Any vendor authorized by the event producer shall be required to prominently display on his or her person a badge identifying the vendor as an authorized participant in the event. Such identification shall be not less than three inches by three inches, shall state that the bearer is an official participant in the event, and shall bear the signature of the producer of the event.
- (d) *Permit not required.* Vendors authorized by the producer of an event as a component of the event shall not be required to obtain any separate vendors permit to operate during the period of the event. However, all other vendors, of whatever nature, not authorized as a participant in the special event shall obtain the appropriate licenses and permits as required under other applicable ordinances.
- (e) *Unauthorized vending prohibited.* It shall be unlawful for any vendor not authorized by the producer of a special event as provided under this section to engage in such business within a distance of 25 yards of such event from one hour before until one hour after the event.
- (f) *Exemption.* Whether or not approved by an event producer, a vendor that has been assigned a fixed location for the purpose of vending within the Athens Downtown Tax District may continue to engage in such business at that assigned location during any special event in accordance with the Vendors Ordinance (6-6-8.n) and other applicable laws.
- (g) *Food sales.* The vendor of any food, whether hot or cold, as a part of a special event shall be subject to all rules and regulations of the county health department. It shall be the responsibility of the producer of an event to assure compliance with this section by any such vendors.

(Ord. of 9-1-92, § 1; Ord. of 3-1-94, §§ 2, 3)

Sec. 6-5-12. - Sale of beer and/or wine.

Special outdoor cafe areas where beer and/or wine may be dispensed and consumed shall be permitted only within the delineated boundaries of a special event subject to the following conditions:

- (1) The dispensing or consumption of beer and/or wine shall not be permitted at any special event which, due to the size of such event, does not require the closing of at least one city block.
- (2) The producer of a special event shall have the discretion to provide special outdoor cafe areas where beer and/or wine may be served within the delineated boundaries of the event.
- (3) Whenever any event will include the dispensing and consumption of beer and/or wine, the producer of such event, at least 45 days prior to the event, shall meet with appropriate staff members of the Athens-Clarke County government as designated by the manager in order to review the plans, conditions and restrictions pertaining to the event. Prior to the issuance of a permit for the event, the producer shall sign a statement of understanding of and agreement to the terms and conditions imposed on the event. Such statement shall become a part of the conditions of the permit for the event.
- (4) A special outdoor cafe area within a special event where beer and/or wine is permitted shall be securely enclosed on all sides by a fence, barricade or other similar such structure approved by the chief of police, or his designee, so as to completely separate that area from the areas in

which alcoholic beverages are not permitted. Every special outdoor cafe permitted under this section shall be rectangular in shape with one of the longer sides of such special outdoor cafe area abutting a street curb.

- (5) One special outdoor cafe area, limited to no more than 300 persons and not exceeding an area greater than 4,000 square feet, may be located at any location within the event.
- (6) Additional special outdoor cafe areas shall be limited to no more than 150 persons and shall not exceed an area greater than 2,000 square feet.
- (7) No more than two special outdoor cafe areas designated for up to 150 persons shall be permitted within any one city block and shall be restricted to no more than one such area on either side of the street.
- (8) Within any city block where a special outdoor cafe designated for up to 300 persons is located, no additional special outdoor cafe areas shall be permitted.
- (9) Every special outdoor cafe permitted under this section shall provide seating and food service for every person admitted to such area. Food service shall not be required in a special outdoor cafe that has a separate home-brew special event permit.
- (10) The dispensing of beer and/or wine at any special outdoor cafe area shall be restricted to: (1) a holder of an alcoholic beverage caterer license issued by Athens-Clarke County, (2) a holder of a temporary alcoholic beverage permit issued to a bona-fide non-profit, tax-exempt civic organization by Athens-Clarke County, or (3) a holder of a separate home-brew special event permit issued by Athens-Clarke County. The name of such licensee(s) or permittee(s) and the current assigned number, as such appears on the license or permit, shall be required as a part of the application for a special event permit.
- (11) The producer of the special event shall provide, at his/her own expense, at least one security officer, approved by the chief of police, or his designee, at each special outdoor cafe area approved for the consumption of beer and/or wine.
- (12) Every area where beer and/or wine is consumed shall be conspicuously posted at all times at each point of entrance/exit with signs stating the following: "The possession of alcoholic beverages beyond this point is prohibited." The letters of such signs shall not be less than three inches in height and one-half inch in width and shall be in black letters on a contrasting light background.
- (13) It shall be unlawful for patrons of any area(s) of a special event in which beer and/or wine is permitted to bring into or take outside the designated area(s) any alcoholic beverage or to furnish any alcoholic beverage to any person outside the designated area where beer and/or wine is permitted. Provided, however, that participants in and sponsors of home-brew special events may transport malt beverages to a home-brew special event in a special outdoor cafe in accordance with applicable law.
- (14) The application for a special event at which beer and/or wine is permitted shall include, in addition to the map identifying the outermost boundaries of the event, a map no smaller than 8½ × 11 inches in size, clearly identifying the area(s), including all public streets and sidewalks within and adjacent to the area(s), where the consumption of beer and/or wine is proposed. However, no areas designated for the consumption of beer and/or wine shall encroach within the designated public circulation areas described in section 6-5-2(d).
- (15) The application for a permit for a special event at which beer and/or wine is permitted shall include a description of the area(s), including the size and the number of seats proposed for such area(s). The application also shall contain a description of the method and structures that will be used to secure and separate such area(s) from other public areas as required in subsection (4) above.
- (16) The fee for a permit to dispense and/or consume beer and/or wine at a special event shall be \$300.00 for an area designated for up to 300 persons and \$150.00 for each area designated for

up to 150 persons, payable to Athens-Clarke County, and shall be paid in addition to and remitted at the same time as any other fees provided for in section 6-5-9.

(17) Notwithstanding the provisions of this section, any person dispensing and/or consuming beer and/or wine in accordance with this section shall comply with all other laws and ordinances pertaining to the sale, possession and consumption of alcoholic beverages.

(Ord. of 9-1-92; § 1; Ord. of 3-1-94, § 4; Ord. of 5-7-2013, § 2; [Ord. of 11-4-2014, §§ 1—3](#); [Ord. of 10-6-2015\(3\), § 1](#))

Sec. 6-5-13. - Glass containers prohibited.

The use of glass containers within the area of any special event shall be prohibited.

(Ord. of 9-1-92, § 1)

Sec. 6-5-14. - Police services.

Traffic and crowd control shall be provided by the Athens-Clarke County Police Department and the number of officers and/or special arrangements shall be determined by the chief of police.

(Ord. of 9-1-92, § 1)

Sec. 6-5-15. - Toilet facilities.

The producer of a special event shall be required to provide temporary outdoor toilet facilities at any event at which 200 or more persons are expected to be in attendance. The number of toilets and their locations shall be determined by the director of the building inspection department.

(Ord. of 9-1-92, § 1)

Sec. 6-5-16. - Entertainment.

Musical entertainment shall be provided in a manner consistent with the peace and good order of the community. The producer of the event shall be responsible for full compliance with the noise ordinance.

(Ord. of 9-1-92, § 1)

Sec. 6-5-17. - Fireworks.

Any producer of an event desiring to conduct a public exhibition or display of fireworks shall first obtain a permit from the judge of probate court in accordance with the provisions set forth under state law.

(Ord. of 9-1-92, § 1)

Sec. 6-5-18. - Tents, stages, etc.

Tents, arbors, stages, grandstands or other temporary facilities constructed or erected as a part of a special event shall be approved by the director of the building inspection department.

(Ord. of 9-1-92, § 1)

Sec. 6-5-19. - Street closing.

The complete or partial closure of any street, sidewalk or other public way as a part of a special event shall be approved by the traffic engineer in consultation with the chief of police.

(Ord. of 9-1-92, § 1)

Sec. 6-5-20. - Banners, signs, etc.

Temporary, noncommercial banners or signs may be permitted overhead across public streets for the purpose of designating "starting" and "finish" lines for a race. Small banners, pennants, signs or other decorations which do not interfere with vehicular or pedestrian traffic, and which do not damage or deface any tree or public structure, may be allowed as part of a special event. Approval of the building inspection department shall be obtained by the event producer for any banners or signs permitted in this section. The producer of the event shall be responsible for the removal of such banners, pennants or decorations within 48 hours after the close of the event.

(Ord. of 9-1-92, § 1)

Sec. 6-5-21. - Duration of permit.

No permit issued under this chapter shall be valid prior to or past the date of the special event for which it is issued.

(Ord. of 9-1-92, § 1)

Sec. 6-5-22. - Cessation of activities.

The safety, health, welfare and good order of all citizens and the community shall be first and foremost and every special event shall be conducted in such manner. The chief of police may terminate any activity, whether a part of or the entire event, which does not meet this community standard. Upon notification of the event producer in person by the chief of police to cease any activity, it shall be unlawful for such producer and/or any participants to permit such activity to continue.

(Ord. of 9-1-92, § 1)

Sec. 6-5-23. - Picketing and demonstrations, etc.

Any person, group or organization engaged in any picketing, demonstrations, assembly, gathering, procession or other activity protected by the U.S. Constitution shall be prohibited from blocking the ingress and egress of any public or private place. Any person, group or organization engaged in such activities is required to make application as set forth in section 6-5-3(a). However, any such person, group or organization shall be exempt from the permit requirement in section 6-5-2 and the fees set forth in section 6-5-3(c) and section 6-5-9.

(Ord. of 9-1-92, § 1)

Sec. 6-5-24. - Funeral processions.

The provisions of this chapter shall not apply to any parade or procession conducted under the supervision and direction of a funeral director in conjunction with any funeral.

(Ord. of 9-1-92, § 1)

Sec. 6-5-25. - Sidewalk cafes; displays.

The provisions of this chapter shall not apply to any sidewalk cafes or displays as regulated by other laws or ordinances.

(Ord. of 9-1-92, § 1)

Home-brew beverage: Any malt beverage produced pursuant to O.C.G.A. § 3-5-4.

Home-brew special event: Any contest, judging, tasting, or other similar event that occurs at a central location outside of private residences whereby different home-brew beverages that have been manufactured in private residences are sampled, compared, and consumed by participants in and judges of such events for awards, money, prizes, recognition or any other valuable consideration.

Sec. 6-3-7. - Home-brew special events.

- (a) *Prohibition.* It shall be unlawful to conduct a home-brew special event except in compliance with this Chapter.
- (b) *Permits.*
 - (1) No person shall sponsor or conduct a home-brew special event unless a permit therefor is first obtained from the Manager or his or her designated representative.
 - (2) Any person seeking a home-brew special event permit hereunder shall file with the Central Services Department a written permit application at least ten business days in advance of the date proposed for such event.
 - (3) The permit application shall be on a form provided to the applicant by the Central Services Department and shall contain the name of the sponsor and/or organizer, the date, beginning and ending times and location of the event and the location of the event premises, approximate number of persons who will attend, a general description of the event, a description of the prizes or awards to be offered, and any other information that is reasonably necessary to enable the Manager to approve or deny the application in accordance with this Chapter.
 - (4) The Manager shall consider the following factors in determining whether or not to issue a permit: (1) whether or not the event as proposed complies with applicable ordinances, laws and regulations, and (2) whether or not the event as proposed poses a potential significant adverse impact on the health, safety and welfare of the event participants or on the public. The Manager may impose conditions upon the grant of a permit to minimize any significant impacts on health, safety and welfare that may be caused by an approved event, and such conditions shall be noted on the permit. The issuance of a home-brew special event permit shall be separate from and in addition to any special event permit that may be required pursuant to Chapter 6-5 of the Code of Athens-Clarke County. In reviewing an application, the Manager may consider past practices of the sponsors or organizers of the event under consideration, including whether or not representations in the application for a prior event were truthful or complete, whether or not the prior event was conducted in accordance with the application and permit, and whether or not the conduct of the prior event had a significant adverse impact on the health, safety and welfare of the event participants or on the public.
 - (5) The Manager shall grant or deny the permit at least five days prior to the scheduled date of the event, but in no instance more than 30 business days after the filing of a complete permit application.
 - (6) The permit shall be posted in the event premises at all times during the event.
 - (7) The fee for processing the application for a permit shall be \$50.00 and shall be non-refundable. An applicant may receive no more than six permits per calendar year and shall submit a separate application for each event. No additional permit fees will be charged to an applicant for subsequent applications submitted during a calendar year.
- (c) *Regulations.*
 - (1) Consumption of alcoholic beverages within the premises of a permitted home-brew special event shall be limited solely to home-brew beverages, and such home-brew beverages shall be consumed only by the participants in and judges of the home-brew special events and only within the event premises.

- (2) Home-brew special event permits shall not be issued for any location licensed under this Chapter and shall only be issued to locations in the following zones as defined in Title 9 (Zoning) of the Code of Athens-Clarke County:
 - (i) C-G, Commercial General;
 - (ii) C-D, Commercial Downtown;
 - (iii) C-N, Commercial Neighborhood;
 - (iv) C-O, Commercial Office;
 - (v) C-R, Commercial Rural;
 - (vi) E-I, Employment Industrial;
 - (vii) E-O, Employment Office;
 - (viii) I, Industrial;
 - (ix) G, Government District;
- (3) A permitted event shall begin no earlier than 8:00 a.m. Monday through Saturday and noon on Sunday and shall conclude no later than 11:00 p.m. Sunday through Thursday and 12:00 midnight on Friday and Saturday.
- (4) Home-brew beverages shall not be sold, offered for sale, or made available for consumption by the general public.
- (5) Home-brew beverages may only be transported to home-brew special events in accordance with state law.
- (6) A home-brew special event permittee shall be subject to all laws, rules and regulations of Athens-Clarke County and the state, including without limitation the provisions of section 6-3-15 of this Chapter.

[\(Ord. of 11-4-2014, § 2\)](#)