

ORDINANCE 2013 - 05

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE 81-22, AS AMENDED, AMENDING NASSAU COUNTY CODE OF LAWS AND ORDINANCES SECTION 4-8, SUNDAY SALES, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners finds that altering the hours of Sunday alcohol service, for the resort areas, is not detrimental to the health, safety or welfare of the citizens of Nassau County, Florida.

NOW, THEREFORE, BE IT ORDAINED this 22nd day of April, 2013, by the Board of County Commissioners of Nassau County, Florida, that Ordinance 81-22, as amended, shall be further amended as follows:

1. Section 4-8 - Sunday Sales

(a) Short title. This section shall be known as the "Sunday Hours of Sale of Alcoholic Beverages".

(b) Purpose. The purpose of this section is to regulate the hours of sale of alcoholic beverages on Sundays.

(c) Definitions. For the purposes of this section, the following terms and/or definitions shall have the meaning given herein:

Alcoholic beverages shall mean all beverages containing more than one percent of alcohol by weight.

County shall mean the unincorporated areas of Nassau County, Florida.

Establishments shall mean any place of business where alcoholic beverages are sold, served or permitted to be served or consumed, and licensed under the direction of alcoholic beverages and tobacco.

Meals shall mean food prepared and served in a restaurant.

Resorts shall mean businesses in the tourist overlay district in the unincorporated areas of Amelia Island that contribute monies pursuant to Ordinance No. 88-31 and have rooms for public lodging available on a daily or weekly basis and that provide services generally provided by a hotel.

Restaurant shall mean the area or areas designated by the resort that have food prepared for immediate consumption, and served and sold in that designated area and said designated area shall be licensed and authorized by the ~~health department~~ appropriate governmental agency, or any establishment, not designated by a resort, whose principal business is the sale of food to the consumer in a ready-to-consume state, and whose principal method of operation includes customers who are served foods or beverages by a restaurant employee at the same table or counter at which the items are consumed, and is licensed and authorized by the ~~health department~~ appropriate governmental agency.

Sale shall mean any transfer of an alcoholic beverage for a consideration, any gift of an alcoholic beverage in connection with or as a part of a transfer of property other than an alcoholic beverage for a consideration, or the serving of an alcoholic beverage, or permitting an alcoholic beverage to be served or consumed, in any place holding a license under the division of alcoholic beverages and tobacco.

(d) Limit of sale. No alcoholic beverages shall be sold served or permitted to be served between the hours of 2:00 a.m. and 2:00 p.m. on Sundays, except for the following:

(1) Resort businesses, including restaurants within the resorts, in the tourist overlay district in the unincorporated areas of Amelia Island, licensed by the appropriate governmental agency, that contribute monies pursuant to Ordinance No. 88-31, the Tourist

Development Tax Ordinance, may sell, serve, or permit to be served alcoholic/intoxicating beverages on resort owned or controlled property on Sunday commencing at ~~12:00 noon~~ 7:00 a.m. ~~The ability to sell, serve, or permit to be served alcoholic/intoxicating beverages shall only be in conjunction with meals.~~

(2) Restaurants in the unincorporated areas of Amelia Island may sell, serve, or permit to be served alcoholic/intoxicating beverages on Sunday commencing at 12:00 noon. The ability to sell, serve or permit to be served alcoholic/intoxicating beverages shall only be in conjunction with meals.

(3) Restaurants located in the unincorporated areas of Amelia Island serving alcoholic/intoxicating beverages, with meals, shall be exempt from any restrictions of Ordinance No. 71-16 and Ordinance No. 97-19, as amended, which state that the sale of alcoholic or intoxicating beverages shall not be permitted within one thousand (1,000) feet in airline distance measured from building to building at their closest points to any established school or church.


(e) *Resolutions.* All resolutions in conflict with the provisions of this section are hereby repealed.

(f) *Violations and penalties.* Any person that shall fail to comply with or violate any of the provisions of this section, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00) and/or imprisoned for a term not exceeding sixty (60) days.

2. Effective Date. The effective date of this ordinance shall be upon its being filed

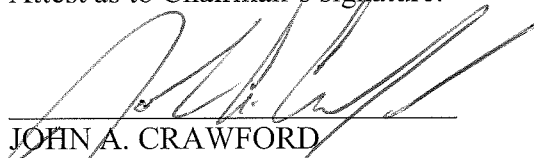
in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



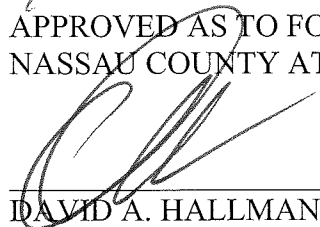
DANIEL B. LEEPER
Its: Chairman

Attest as to Chairman's signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

APPROVED AS TO FORM BY THE
NASSAU COUNTY ATTORNEY:



DAVID A. HALLMAN

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