

ORDINANCE NO. 2002-40

AN ORDINANCE AMENDING ORDINANCE NO. 97-19, AS AMENDED, KNOWN AS THE NASSAU COUNTY ZONING CODE, WHICH REGULATES THE DISTANCE RESTRICTIONS OF VENDORS OF ALCOHOLIC BEVERAGES FROM CHURCHES AND SCHOOLS; SPECIFICALLY AMENDING ARTICLE 33, TO INCLUDE DISTANCE RESTRICTIONS FOR VENDORS OF ALCOHOLIC AND INTOXICATING BEVERAGES FROM CHURCHES AND SCHOOLS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 95-14, adopted by the Board of County Commissioners on July 25, 1995, amended Ordinance No. 83-19, as amended, which established a comprehensive zoning code and zoning maps for the unincorporated portion of Nassau County, Florida, specifically amending Article 32, Distance Restrictions of Vendors of vendors of Alcoholic Beverages from Churches and Schools, to include "intoxicating" in the title of Article 32 and to incorporate "alcoholic" in Paragraph A of Article 32, and it has been determined that said language was inadvertently excluded in Ordinance No. 97-19, when codified, which is the existing Nassau County Comprehensive Zoning Code for Nassau County, Florida; and

WHEREAS, it is necessary to add "intoxicating" and "alcoholic" in this amendment to address the scrivener's error.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, this 26th day of August, 2002, that Ordinance No. 97-19, as amended, shall be further amended as follows:

1. ARTICLE 33: DISTANCE RESTRICTIONS OF VENDORS OF ALCOHOLIC/INTOXICATING BEVERAGES FROM CHURCHES AND SCHOOLS:

A. It shall be unlawful for any person, firm, association or corporation to establish, maintain or carry on the business of vendor of alcoholic/intoxicating beverages within one thousand (1,000) feet in an airline distance measured from building to building at their closest points to any established school or church; provided that nothing herein contained shall affect any such business, vending intoxicating beverages both for sale for consumption on or off the premises, which was actually being legally carried on within such distance of any established school or church at the time of the passage of this ordinance.

B. Section 5.03 - Conditional Use and Section 5.05 - Variance shall not apply to this Article.

2. EFFECTIVE DATE.

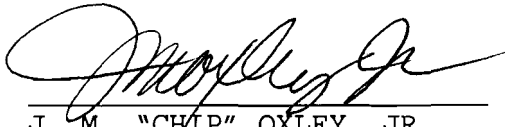
This Ordinance shall become effective upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



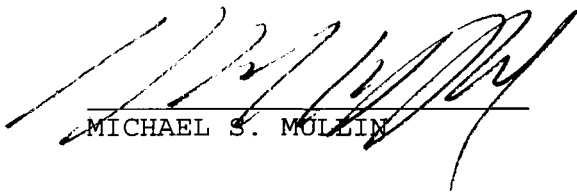
NICK D. DEONAS
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN