

ORDINANCE NO. 2003 - 23

AN ORDINANCE AMENDING ORDINANCE 81-22 AS AMENDED, WHICH REGULATES THE HOURS OF SALE OF ALCOHOLIC BEVERAGES ON SUNDAYS; SPECIFICALLY AMENDING SECTION 1, PURPOSE; SECTION 3, DEFINITIONS; AND SECTION 4, LIMIT OF SALE; TO ALLOW THE SALE OF ALCOHOLIC/INTOXICATING BEVERAGES ON SUNDAYS AT 12 NOON FOR RESORT BUSINESSES AND ALL RESTAURANTS IN THE UNINCORPORATED AREAS OF AMELIA ISLAND, AND EXEMPTING RESTAURANTS FROM THE 1,000 FEET AIRLINE DISTANCE RESTRICTIONS OF ORDINANCE 97-19, AS AMENDED, WITHIN SAID AREA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has been requested by certain non-resort restaurants in the unincorporated areas of Amelia Island to allow the sale of alcoholic beverages, with meals, commencing at 12 Noon on Sundays;

WHEREAS, the existing regulations allow resort businesses in the in the unincorporated areas of Amelia Island to sell alcoholic/intoxicating beverages, with meals, commencing at 12 Noon on Sundays; and,

WHEREAS, the non-resort restaurants located in the unincorporated areas of Amelia Island are disadvantaged because the existing regulations prevent them from selling alcoholic/intoxicating beverages, with meals, before 2:00 p.m. on Sundays.

NOW, THEREFORE, BE IT ORDAINED THIS 28th day of April, 2003, by the Board of County Commissioners of Nassau County, Florida that Ordinance 98-12 be amended as follows:

1. Section 1. Purpose.

The purpose of this Ordinance is to allow resorts in the unincorporated areas of Amelia Island that contribute monies pursuant to Ordinance 88-31, which levied the Tourist Development tax, and restaurants located in the unincorporated areas of Amelia Island to sell alcoholic/intoxicating beverages, with meals, commencing at 12 Noon on Sundays.

2. Section 3. Definitions. For the purposes of this ordinance, the following terms and/or definitions shall have the meaning given herein:

- (1) "Resorts" shall mean businesses in the Tourist Overlay District in the unincorporated areas of Amelia Island that contribute monies pursuant to Ordinance 88-31 and have rooms for public lodging available on a daily or weekly basis and that provide services generally provided by a hotel.
- (2) "Meals" shall mean food prepared and served in a restaurant.
- (3) "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; or any establishment 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.

3. Section 4. Limit of Sale.

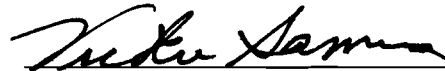
No alcoholic beverages shall be sold, served or permitted to be served between the hours of 2:00 a.m. and 2:00 p.m. on Sundays, except for the following:

1. Resort businesses in the Tourist Overlay District in the unincorporated areas of Amelia Island that contribute monies pursuant to Ordinance 88-31, the Tourist Development Tax Ordinance, may sell, serve, or permit to be served alcoholic/intoxicating beverages on Sunday commencing on 12 Noon. 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 on 12 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 71-16 and Ordinance 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.

4. Section 4. Effective Date.

This ordinance shall take effect upon receipt in the Secretary of State's Office.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



VICKIE SAMUS

Its: Chairman

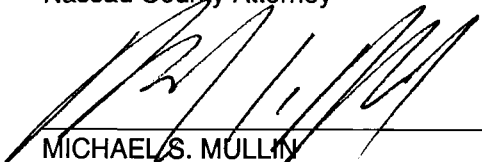
ATTEST:



J. M. "CHIP" OXLEY, JR.

Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

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