

RESOLUTION 2012 - 152

A RESOLUTION REQUESTING THAT THE NASSAU COUNTY LEGISLATIVE DELEGATION SPONSOR A BILL REPEALING FLORIDA LAWS CHAPTER 81-440 SECTION 2(2) WHICH SETS RESTAURANT SEATING AND SQUARE FOOTAGE REQUIREMENTS FOR A SPECIAL LICENSE AT A HIGHER LEVEL THAN THE STATE MINIMUM.

WHEREAS, Section 561.20(2)(a)(4), Florida Statutes, sets a state minimum for a special license to any restaurant having 2,500 square feet of service area and equipped to serve 150 persons at one time, and deriving at least 51 percent of gross revenue from food and nonalcoholic beverages; and

WHEREAS, Chapter 81-440, Laws of Florida is a local law that limits the number of licenses which may be granted for the sale of intoxicating liquor in Nassau County; and

WHEREAS, Section 2(2) of Chapter 81-440, Laws of Florida, makes exception for a special license for bona fide restaurants in Nassau County having not less than 4,000 square feet of service area, equipped to serve at least 200 persons at one time, and deriving at least 51 percent of gross revenue from food and nonalcoholic beverages; and

WHEREAS, the higher and more restrictive Nassau County requirement prevents many national franchise restaurants from locating here and prejudices existing local establishments, who lose patrons to other jurisdictions; and

WHEREAS, the Board of County Commissioners for Nassau County, Florida, desires the minimum requirements of Nassau County restaurants for a special license be consistent with state minimums; and

WHEREAS, the Board of County Commissioners for Nassau County, Florida, desires that the Nassau County Legislative Delegation sponsor a bill repealing section 2(2) of Chapter

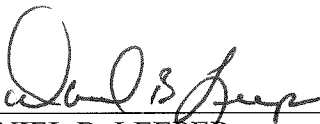
81-440, Laws of Florida, in order that the service area and number of persons served at one time requirements be set to the state minimum in §561.20(2)(a)(4), Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED this 19th day of December, 2012, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. The Board of County Commissioners of Nassau County, Florida, hereby requests that the Nassau County Legislative Delegation sponsor a bill repealing section 2(2) of Chapter 81-440, Laws of Florida, so as to set the requirements for a restaurant special license for intoxicating liquors in Nassau County to state minimum standards.

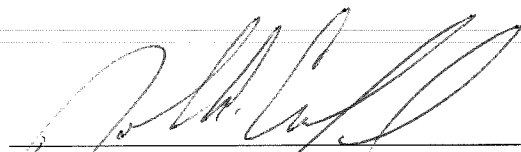
2. Copies of this Resolution shall be provided to the Nassau County Legislative Delegation.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



DANIEL B. LEEPER
Its: Chairman

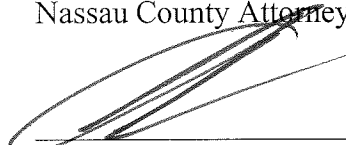
ATTEST AS TO CHAIRMAN'S
SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
12-20-12

Approved as to form by the
Nassau County Attorney



DAVID A. HALLMAN