

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 2012-___

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA, AMENDING CHAPTER 63 OF THE
ALACHUA COUNTY CODE OF ORDINANCES, RELATING TO
ALCOHOL SALES; PROVIDING FOR SEVERABILITY; PROVIDING A
REPEALING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE;
PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF

ALACHUA COUNTY, FLORIDA:

SECTION 1. The following sections of Chapter 63 of the Alachua County Code of

Ordinances are hereby amended to read as follows:

Sec. 63.20. - Definitions.

~~The word "sales," as used in this article, includes selling, purchasing, consuming, serving, and permitting to serve and consume alcoholic beverages. The definitions contained in the alcoholic beverage laws of the State of Florida, as set forth in Chapter 561, 562, and 564, Florida Statutes, shall apply to the terms in this chapter.~~

Sec. 63.21. - Purpose of article; statutory authority; applicability.

Pursuant to F.S. § 562.14(1), the board of county commissioners, in this ~~article~~ chapter, establishes and prescribes the only hours during which alcoholic beverages may be purchased, sold, served, or consumed, or permitted to be served or consumed, at establishments located within the unincorporated areas of the county and holding a beverage license under the laws of Florida.

Sec. 63.22. - Permitted hours of sale for off-premises consumption—Malt beverages; unfortified wine.

Packaged sales for off-premises consumption of malt beverages and unfortified wine shall be permitted on ~~Monday through Saturday, inclusive, all days~~ between the hours of 7:00 a.m. and 2:00 a.m. on the following day, ~~and on Sunday between the hours of 1:00 p.m. and 11:00 p.m.~~

Sec. 63.23. - Same—Other beverages.

Packaged sales for off-premises consumption of all alcoholic beverages except malt beverages and unfortified wine shall be permitted on ~~Monday through Saturday, inclusive, all days~~ between the hours of 7:00 a.m. and 11:00 p.m.

1 **Sec. 63.24. - Permitted hours of sale for consumption at business or club.**

2 It shall be unlawful for any person to sell to or to consume or to permit the consumption of any
3 alcoholic beverage on the premises of any business or club open to the public, which business or
4 club caters to or allows the consumption of alcoholic beverages, between the hours of 2:00 a.m.
5 and 7:00 a.m. immediately following on Tuesday, Wednesday, Thursday, Friday, or Saturday; or
6 between the hours of 2:00 a.m. and 1:00 p.m. on Sunday; or between the hours of 11:00 p.m. on
7 Sunday and 7:00 a.m. ~~on all days. immediately following on Monday. When December 24 or~~
8 ~~December 31 occurs on a Sunday, such sales of alcoholic beverages on those days shall be~~
9 ~~permitted to continue from 11:00 p.m. of the Sunday until 2:00 a.m. immediately following. All~~
10 ~~time is either Eastern Standard Time or Eastern Daylight Saving Time, whichever is in effect.~~
11 Within this section, the term "premises" shall mean the physical facilities, improvements, or
12 buildings where the business or club is located and conducted, and any parking lot or other real
13 property available to the business or club. As used herein, the terms "business" and "club" shall
14 mean any place ~~operated for profit~~ which is open to the public or to which the public is invited.
15 The provisions of this section shall apply whether or not such premises hold a valid beverage
16 license.

17
18 SECTION 2. Severability. It is the declared intent of the Board of County

19 Commissioners that, if any section, subsection, sentence, clause, phrase, or provision of this
20 ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity
21 or unconstitutionality shall not be so construed as to render invalid or unconstitutional the
22 remaining provisions of this ordinance.

23 SECTION 3. Repealing Clause. All ordinances or parts of ordinances in conflict
24 herewith are, to the extent of such conflict, hereby repealed.

25 SECTION 4. Inclusion in the Code. It is the intention of the Board of County
26 Commissioners of Alachua County, Florida, and it is hereby provided that the provisions of this
27 ordinance shall become and be made a part of the Code of Laws and Ordinances of Alachua
28 County, Florida; that the sections of this ordinance may be renumbered or relettered to
29 accomplish such intention; and that the word "ordinance" may be changed to "section," "article,"
30 or other appropriate designation.

1 SECTION 6. Effective Date. A certified copy of this ordinance shall be filed with the
2 Department of State by the Clerk of the Board of County Commissioners within ten days after
3 enactment by the Board of County Commissioners, and shall take effect upon filing with the
4 Department of State.

5 DULY ADOPTED in regular session, this ____ day of _____, 2012.

6 BOARD OF COUNTY COMMISSIONERS OF
7 ALACHUA COUNTY, FLORIDA

8
9
10 ATTEST:

By: _____
Paula M. DeLaney, Chair

11
12
13 _____
14 J. K. Irby, Clerk

APPROVED AS TO FORM

15
16
17
18 (SEAL)

Alachua County Attorney