

Chapter 6 ALCOHOLIC BEVERAGES¹

Sec. 6-1. State law definitions adopted.

The definitions in Florida Statutes chs. 561, 562, 563, 564, 565, 567 and 568 (2001) shall be adopted.
(Code 1983, § 3-101; Ord. No. 972, § 1, 9-24-02)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 6-2. Closing hours for business establishments serving and/or selling alcoholic beverages.

The prohibited hours for establishments dealing in alcoholic beverages shall be as follows:

- (1) Alcoholic beverages in sealed containers for consumption off premises shall not be sold from 3:00 a.m. to 8:00 a.m. any day of the week.
- (2) Alcoholic beverages for consumption on premises shall not be sold from 3:00 a.m. to 8:00 a.m. any day of the week.

(Code 1983, § 3-102; Ord. No. 972, § 1, 9-24-02; Ord. No. 988, § 1, 8-26-03; Ord. No. 1168, § 1, 9-15-10; Ord. No. 2018-15, § 1, 1-8-19)

County code reference—Hours of sale, §§ 6-29, 6-30.

State law reference(s)—Municipalities may regulate hours of sale of alcoholic beverages, Florida Statutes § 562.14.

Sec. 6-3. Open containers and consumption prohibited.

- (a) It shall be unlawful for any person to consume and for any person to carry in any cup or open or unsealed container any beer, wine, fortified wine, liquor, alcoholic beverages, or intoxicating beverages, on the streets, sidewalks, alleys, or other open property within the city in which the public at large is invited. "Other open property" includes parking lots of commercial establishments, and within the picnic shelters/pavilions at Archibald Park, Kitty Stuart Park, and John's Pass Park to include an area, designated by markers, which extends 20 feet in all directions from the outer edge of the shelter, beach access easements, and all public parking lots. The term "other open property" excludes other public parks and public beaches. Glass containers and/or bottles associated with the consumption of alcoholic beverages shall be prohibited from the public beaches and public parks of the city.
- (b) Notwithstanding the prohibitions set forth in subsection (a) of this section, the city manager, acting with the approval of the board of commissioners, may suspend the operation of this section through special permit in writing for street dances, bazaars or carnivals, celebrations, civic functions, fund raising endeavors, city sponsored events, or other related activities of a community nature.

¹**County code reference**—Alcoholic beverages, ch. 6.

Cross reference(s)—Businesses, ch. 18.

State law reference(s)—Alcoholic beverages, F.S. chs. 561—567.

(Code 1983, § 3-104; Ord. No. 972, § 2, 9-24-02; Ord. No. 1067, § 1, 12-13-05; Ord. No. 1131, § 1, 7-22-08; Ord. No. 2013-02, § 1, 11-19-13)

Editor's note(s)—Ord. No. 972, § 2, adopted September 24, 2002, repealed § 6-3 in its entirety, which pertained to exceptions to closing hours and derived from the Code of 1983, § 3-103. Said ordinance also redesignated the former §§ 6-4 and 6-5 as §§ 6-3 and 6-4. The historical notation has been retained for reference purposes.

Sec. 6-4. Conformity with zoning code.

- (a) No premises shall be used, nor a use or occupancy permit issued, for the sale of alcoholic beverages for package sales or on-the-premises consumption, unless approved by the board of commissioners.
- (b) No application for permission to use premises for the sale of alcoholic beverages shall be granted unless the property which is subject to the application is within a zoning district under the zoning code which permits such uses. (See chapter 110 of this Code.)
- (c) The city clerk shall maintain an up-to-date and accurate record showing the disposition of all applications for permission to use premises for the sale of alcoholic beverages. The city clerk shall also maintain a record of all premises in which vending of alcoholic beverages is permitted.

(Code 1983, § 3-107; Ord. No. 972, § 2, 9-24-02)

Editor's note(s)—See note at § 6-3.

Cross reference(s)—Zoning, ch. 110; zoning regulations relating to alcoholic beverages, § 110-526 et seq.

State law reference(s)—Authority to regulate location, Florida Statutes § 562.45(2).