

ORDINANCE NO. 905

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF ORDINANCES 881, CHAPTER 18 “LAND DEVELOPMENT CODE”, ARTICLE VII, “SPECIFIC USES”, SECTION 18-60 “ALCOHOLIC BEVERAGES AND DISTRIBUTION; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS AND ORDINANCES; SEVERABILITY; AND FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of DeFuniak Springs, Florida has determined it to be in the best interests of the City to amend the City Code to address the City’s current regulations of alcoholic beverages, and;

WHEREAS, the City Council recognizes that the State of Florida has a well-established framework regulating alcoholic beverages sales and distribution, and;

WHEREAS, the City Council desires to eliminate provisions of the City Code that shift the authority to grant or deny specific rights and privileges regulated by the City, State, or Federal government away from those public institutions to private enterprises, and;

WHEREAS, the City Council believes the amendments to the City Code contained herein are in the best interests of the public,

NOW THEREFORE, be it ordained by the City Council of the City of DeFuniak Springs, Florida, that Chapter 18 “Land Development Code”, Article VII, “Specific Uses”, Section 18-60, as contained in Ordinance 881 shall hereby be amended to read as follows:

Section 18-60. Entitled “Alcoholic Beverages and distribution”.

(a) *Hours of sale.* It shall be unlawful to sell alcoholic beverages between the hours of 2:00 a.m. and 7:00 a.m. of any day.

(b) *Licensure Required.* Any person or entity engaging in any form of licensed alcohol distribution, including service or sale, shall be required to maintain in good standing all necessary licensure and permits, and shall produce proof thereof to the City at the time of application for occupation license, and any subsequent renewals thereof.

(c) *Consumption on public property.* Consumption of alcoholic beverages on public property shall be permitted only as part of properly permitted events. The issuance of such permit(s) shall require compliance with all applicable laws, rules and regulations set forth by the State of Florida and the City of DeFuniak Springs.

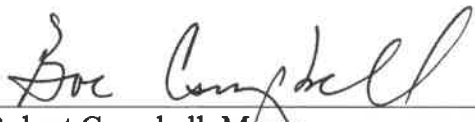
Repeal of Conflicting Provisions, Motions, and Ordinances. The adoption of this Ordinance shall repeal and supersede any and all prior conflicting provisions of City law or

policy, including those made by prior motion of the City Council, Resolution of the City Council, or Ordinance, whether specifically named herein or not.

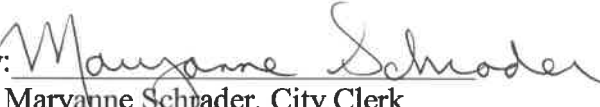
Severability. Any provisions of this Ordinance that is deemed to be unlawful shall be deemed severed upon such a determination with all remaining provisions continuing in full force and effect.

THIS ORDINANCE SHALL TAKE EFFECT UPON ADOPTION.

Adopted this 25th day of November 2019.


Robert Campbell, Mayor

ATTEST:

By: 
Maryanne Schrader, City Clerk