

AN ORDINANCE PROVIDING FOR THE ADDITION OF CHAPTER THREE, ENTITLED ALCOHOLIC BEVERAGES, SECTION 3-2 (C) ENTITLED SALE NEAR CHURCHES OR SCHOOLS WHICH CREATES A WAIVER FOR A RESTRAURANT TO SERVE ALCOHOLIC BEVERAGES WITHIN 500 FEET DISTANCE OF A CHURCH OR SCHOOL OF THE DEFUNIAK SPRINGS MUNICIPAL CODE, ADOPTING CODES BY REFERENCE, AND PROVIDING FOR AN EFFECTIVE DATE.

Be it ordained by the City Council of the City of DeFuniak Springs, Florida, that Chapter 3, Section 3-2 Entitled Sale near churches or schools of the DeFuniak Springs Municipal Code be amended as follows.

Sec. 3-2. Sale near churches or schools.

(c) Written Permission Waiver.

A restaurant as defined in F. S. § 509.013, which is a public food services establishment and derives at least 51 percent of its gross revenues from the sale of food and non-alcoholic beverages shall be located within 500 feet with a written permission waiver given from the church or school. If the church is a leasee, a written permission waiver must also be received from the property owner.

The written permission waiver must be executed by the governing board or authority of the church or school. The governing board or authority shall be determined by Florida Statutes or the church or school's controlling documents.

The written permission waiver shall be notarized and returned to the city clerk's office prior to issuance or approvals of an alcoholic beverage license.

This ordinance shall become effective immediately upon its adoption.

ADOPTED THIS 11TH DAY OF AUGUST, 2014.

CITY OF DEFUNIAK SPRINGS, FLORIDA

By: 
Mayor, Robert "Bob" Campbell

ATTEST:


City Clerk, Loretta A. Laird