

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ARTICLE I, SECTION 4-3, DISTANCE RESTRICTIONS FOR CERTAIN LAND USES AND HOURS OF SALE OF ALCOHOLIC AND INTOXICATING BEVERAGES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners, in Ordinance 2017-37, established regulations for the sale of alcoholic and intoxicating beverages; and

WHEREAS, the regulations set forth in Ordinance 2017-37 address certain areas of the unincorporated section of Nassau County; and

WHEREAS, the regulations set forth in Ordinance 2017-37 were different east of I-95 and west of I-95; and

WHEREAS, the Board of County Commissioners finds that the regulations for alcoholic and intoxicating beverages should be the same on both sides of I-95.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, that Article I, Section 4-3 of the Code of Laws and Ordinances of Nassau County, Florida, shall be further amended to read as follows:

Sec. 4-3. – Distance Restrictions for Certain Land Uses and Hours of Sale.

Vendors of alcoholic/intoxicating beverages.

- ~~(1) Generally. Except as set forth in paragraphs (2) and (5), it shall be unlawful for any person, firm, association or corporation to establish, maintain or carry on the business of vendor of alcoholic/intoxicating beverages for off premises or on premises consumption or wine and beer vendors, to allow the consumption on premises or sale for off premises~~

~~of alcoholic/intoxicating beverages within one thousand (1,000) feet in distance measured from building to building at their closest points to any established school or church, except as may be provided herein; provided that nothing herein contained shall affect any such business, vending alcoholic/intoxicating beverages both for sale or for consumption on or off the premises, which was actually being legally carried on within such distance of any established school or church on or before the effective date of this article.~~

(21) ~~Restaurants and v~~Vendors, including wine and beer vendors and restaurants, located in the unincorporated areas ~~east of I-95~~ serving or selling alcoholic/intoxicating beverages for on premises or off premises consumption, shall be exempt from the generally applicable distance regulations which state that the sale of alcoholic or intoxicating beverages shall not be permitted within one thousand (1,000) feet in distance measured from building to building at their closest points to any established school or church.

~~(3) The distance requirements described in this section shall be applied reciprocally to churches and schools.~~

(42) ~~Restaurants and v~~Vendors of alcoholic/intoxicating beverages and wine and beer vendors and restaurants, for on premises and off premises consumption, in the unincorporated areas of Nassau County, ~~east of I-95~~ may sell, serve, or permit to be served alcoholic/intoxicating beverages on Sunday commencing at 7:00 a.m. ~~The ability for restaurants to sell, serve, or permit to be served alcoholic/intoxicating beverages shall only be in conjunction with meals.~~

(53) The sale of alcoholic/intoxicating beverages and wine and beer, whether for restaurants and vendors for on premises or off premises consumption, in the unincorporated areas of

Nassau County, ~~including the areas east of I-95,~~ shall not be permitted between the hours of 2:00 a.m. and 7:00 a.m. on Sundays.

- (6) ~~Except as set forth in paragraph (4) above, no vendors of alcoholic/intoxicating beverages or wine and beer for on premises or off premises consumption, shall sell, serve, or permit to be served the herein described beverages between the hours of 2:00 a.m. and 2:00 p.m. on Sundays.~~

EFFECTIVE DATE:

The effective date of this Ordinance shall be upon its being filed with the Department of State.

DULY ENACTED this _____ day of _____, 2021.

ATTEST AS TO CHAIRMAN'S
SIGNATURE:

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

THOMAS FORD
Its: Chairman

APPROVED AS TO FORM BY THE
NASSAU COUNTY ATTORNEY:

MICHAEL S. MULLIN