

ORDINANCE NO.: 15-03

AN ORDINANCE OF LIBERTY COUNTY, FLORIDA, EXTENDING AN INTERIM MORATORIUM REGARDING ALL PERMITS FOR THE SALE OF ALCOHOL FOR CONSUMPTION ON PREMISES; PROVIDING FOR CONFLICTING PROVISIONS; SEVERABILITY AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE AND AN EFFECTIVE DATE THEREIN.

WHEREAS, the Board of County Commissioners of Liberty County, Florida is authorized by Chapter 125, Florida Statutes, to adopt ordinances necessary for the exercise of its powers; and

WHEREAS, in 1976 the Board of County Commissioners adopted Ordinance 75-6, "An Ordinance regulating the hours of sale of alcoholic beverages for on-premise consumption and prohibiting the consumption of alcoholic beverages in a place where alcoholic beverages are sold for on-premises consumption within certain hours; providing penalties for the violation and providing for an effective date."

WHEREAS, numerous laws have changed since 1976 regarding the sale of alcoholic beverages; and

WHEREAS, it is the desire of the Board to update Ordinance 75-6 to incorporate the changes in the law and to reconsider any restrictions the Board may desire regarding the sale of alcoholic beverages for consumption on premises; and

WHEREAS, the Board has written the Attorney General for clarification regarding these issues and is awaiting a response; and

WHEREAS, the Board believes that it will take at least three (3) months to conduct public workshops and to advertise any amendments to Ordinance 75-6; and

WHEREAS, an interim moratorium is needed so that the Board will have sufficient time to conduct such workshops and to advertise such Ordinance; and

WHEREAS, the Board of County Commissioners intends to limit the duration of this moratorium to three (3) months, in order to allow for the amendment process to occur; and

WHEREAS, the proposed ordinance has received a public hearing before the Board of County Commissioners; and

WHEREAS, the Board finds it is in the best interest of the citizens of Liberty County to adopt the proposed interim moratorium; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA THAT:

1. An interim moratorium shall be in effect for an additional three (3) months regarding all permits for the sale of alcohol for on premises consumption.
2. Conflict with other Ordinances. All Ordinances or parts of Ordinances of the Liberty County Board of County Commissioners that are in conflict with this Ordinance are hereby repealed to the extent of such conflict.
3. Severability. If any provisions or portion of this Ordinance is declared by any Court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.
4. Effective Date. This Ordinance shall take effect as provided by law.

PASSED AND ADOPTED THIS 4th DAY OF JUNE, 2015.

**BOARD OF COUNTY COMMISSIONERS
LIBERTY COUNTY**



DEXTER BARBER, CHAIRMAN



ATTEST:



KATHLEEN E. BROWN
CLERK OF COURT