

ORDINANCE NO. 2005- 1

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, TEMPORARILY AMENDING ORDINANCE NO. 90-48, PERTAINING TO THE REGULATION, SALE, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES, INCLUDING BEER, MALT BEVERAGES, WINES, AND LIQUOR, BY PERSONS AND ENTITIES HOLDING A STATE BEVERAGE LICENSE. THIS AMENDMENT TEMPORARILY AMENDS THE HOURS PERTAINING TO SALES, SERVICE, OR CONSUMPTION OF CERTAIN TYPES OF ALCOHOL BEVERAGES DURING THE GENERAL TIME PERIOD OF NATIONAL FOOTBALL LEAGUE SUPER BOWL XXXIX ACTIVITIES DURING A CERTAIN PERIOD IN FEBRUARY 2005; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County Ordinance 90-48 regulates the sale, service, and consumption of alcoholic beverages, including beer, malt beverages, wines and liquor, by persons and entities holding a state beverage license in St. Johns County; and

WHEREAS, on November 1, 2000, Jacksonville, Florida was named as the host of Super Bowl XXXIX which will be held on February 6, 2005; and

WHEREAS, Super Bowl XXXIX is a major sporting event with national and international attention and attendance which will have a significant economic impact over the land region within a sixty (60) mile radius of Jacksonville's Alltel Stadium; and

WHEREAS, the Board of County Commissioners of St. Johns County is in support of the City of Jacksonville's hosting of Super Bowl XXXIX, and wishes to reasonably accommodate visitors participating in the event; and

WHEREAS, restaurants, shops and attractions are being encouraged to remain open later than their normal hours to accommodate the large number of visitors, offering them the opportunity to experience as much of the County as possible during their stay; and

WHEREAS, temporarily amending St. Johns County hours of alcoholic beverage sale and consumption will generally align the hours with the City of Jacksonville for a portion of the Super Bowl celebration;

NOW, THEREFORE, to assist the hospitality industry in its challenge to provide the highest level of quality service to visitors attending Super Bowl XXXIX and affiliated events, St. Johns County wishes to extend the serving hours of alcohol in duly licensed establishments from Thursday, February 3, 2005, through Sunday, February 6, 2005.

NOW THEREFORE, be it ordained by the Board of County Commissioners of St. Johns County, Florida, that

Section 1.

1. Paragraphs (a) and (b) as contained in Ordinance 90-48 be temporarily amended as follows:

(a) Beer, malt beverages, and wines, as defined in sections 563.01 and 564.01, Florida Statutes, as amended, may be sold for off premise consumption in any place holding a valid license from the state beverage department between the hours of 6:00 a.m. and 2:00 a.m. of the following day on each day, including Sundays and may be sold, served or consumed in any place holding a valid license from the state beverage department between the hours of 7:00 a.m. and 2:00 a.m. of the following day on each day, including Sundays.

(b) Liquors, as defined in section 565.01, Florida Statutes as amended, may be sold, served or consumed in any place holding a valid license from the state beverage department between the hours of 7:00 a.m. of one day and 2:00 a.m. of the following day; provided, however, that the sale of such liquors on Sunday shall be from 1:00 p.m. to 2:00 a.m. of the following Monday.

2. The effective dates of the amended hours of operation cited in the amendment shall be from Thursday, February 3, 2005 to and including Sunday, February 6, 2005.

3. On Monday, February 7, 2005, at 6:00 a.m., Ordinance 90-48 shall be deemed to be fully in effect as it was originally enacted, specifically with paragraphs (a) and (b) specifically as they are cited out in the original Ordinance 90-48, and this present ordinance shall be deemed to have been sunsetted and no longer in effect.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 3. Effective date. This Ordinance shall take effect upon its being filed with the Department of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 12th day of January, 2005.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Bruce A. Maguire
Bruce A. Maguire, Chairman

ATTEST: Cheryl Strickland, Clerk of Court

Rendition Date: 01/14/05

By: Wannae King
Deputy Clerk

Effective Date: 01/18/05

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared CHARLES BARRETT who on oath says that he is an Accounting Clerk of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida: that the attached copy of advertisement, being NOTICE OF HEARING in the matter of ALCOHOL REGULATIONS was published in said newspaper in the issues of DECEMBER 30, 2004.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 3RD day of JANUARY, 2005.

by [Signature] who is personally known to me or who has produced PERSONALLY KNOWN as identification.

[Signature of Patricia A. Bergquist] (Signature of Notary Public)



Patricia A. Bergquist My Commission DD275991 Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

COPY OF A

NOTICE OF PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS... NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Wednesday, January 12, 2005 at 9:00 a.m. in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida, to consider adoption of the following ordinance: AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, TEMPORARILY AMENDING ORDINANCE NO. 90-48, PERTAINING TO THE REGULATION, SALE, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES, INCLUDING BEER, MALT BEVERAGES, WINES, AND LIQUOR, BY PERSONS AND ENTITIES HOLDING A STATE BEVERAGE LICENSE. THIS AMENDMENT TEMPORARILY AMENDS THE HOURS PERTAINING TO SALES, SERVICE, OR CONSUMPTION OF CERTAIN TYPES OF ALCOHOL BEVERAGES DURING THE GENERAL TIME PERIOD OF NATIONAL FOOTBALL LEAGUE SUPER BOWL XXXIX ACTIVITIES DURING A CERTAIN PERIOD IN FEBRUARY 2005; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. 1), St. Augustine, Florida and may be examined by parties interested prior to the public hearing. Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact ADA Coordinator, at (904) 823-2235 at the St. Johns County Courthouse, 4010 Lewis Speedway, Room 276, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the meeting. BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA CHERYL STRICKLAND, ITS CLERK By: Patricia DeGrande, Deputy Clerk L3128-4 Dec 30, 2004



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FLORIDA DEPARTMENT OF STATE

Glenda E. Hood

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

January 18, 2005

Ms. Cheryl Strickland
Clerk
St. Johns County
Minutes & Records Division
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 14, 2005 and certified copies of St. Johns County Ordinance Nos. 2005-1 through 2005-5, which were filed in this office on January 18, 2005.

Sincerely,

Liz Cloud
Program Administrator

LC/kcs

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