**ORDINANCE 2024-03**

**AN ORDINANCE AMENDING CHAPTER 10 “ALCOHOLIC BEVERAGES” OF THE HIGH SPRINGS CODE OF ORDINANCES; LIFTING RESTRICTIONS ON ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES ON SUNDAYS FOR BUSINESSES DERIVING LESS THAN 51 PERCENT OF THEIR REVENUE FROM THE SALE OF FOOD AND NONALCOHOLIC BEVERAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION**

**WHEREAS**, Chapter 10 of the High Springs Code of Ordinances regulates the sale of alcoholic beverages within the City limits; and

**WHEREAS,** on December 16, 2008, the City Commission amended Chapter 10 in Ordinance 2008-34 to allow for the sale of alcohol during specific hours on Sunday for malt beverages and unfortified beverages at businesses that derive at least 51 percent of their gross revenue from the sale of food and nonalcoholic beverages; and

**WHEREAS,** on April 9, 2015, the City Commission amended Chapter 10 in Ordinance 2015-03 lifting restrictions on the type of alcohol for Sunday on-premises consumption at businesses that derive at least 51 percent of their gross revenue from the sale of food and nonalcoholic beverages; and

**WHEREAS**, the Commission has determined that removing regulatory barriers to business, such as restrictions on the sale of alcoholic beverages on Sundays by businesses that derives less than 51 percent of their gross revenue from the sale of food or nonalcoholic beverages will encourage growth and development of the City, enhance economic prosperity, diversity, and opportunity; and

**WHEREAS,** the City Commission of the City of High Springs has determined that it is desirable to amend Section 10-2 (d) of the High Springs Code of Ordinances to lifting restrictions on, on-premise consumption of alcoholic beverages to allow alcohol to be sold on Sundays for all businesses with alcoholic beverage licenses;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS:

**Section 1**: Section 10-2 of the High Springs Code of Ordinances entitled “Hours of Sale” is hereby amended to read as follows (words **~~struck through~~** have been deleted, and words **underlined** have been added):

(c) Sales for on-premises consumption of alcoholic beverages in any business holding a beverage license**~~, which business derives at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages,~~** shall be permitted on Monday through Thursday, inclusive, and Saturday between the hours of 7:00 a.m. and 12:00 midnight, on Friday between the hours of 7:00 a.m. and 2:00 a.m. immediately following, and Sunday between the hours of 1:00 pm. and 11:00 p.m.When December 31 occurs on a Saturday through Thursday, sales of all alcoholic beverages on those days shall be permitted to continue until 2:00 a.m. immediately following.

**(d) ~~Sales for on-premises consumption of alcoholic beverages in any business holding a beverage license, which business derives less than 51 percent of its gross revenue from the sale of food and nonalcoholic beverages, shall be permitted on Monday through Thursday, inclusive, and Saturday, between the hours of 7:00 a.m. and 12:00 midnight, and on Friday between the hours of 7:00 a.m. and 2:00 a.m. immediately following. When December 31 occurs on a Monday through Thursday or Saturday, such sales of alcoholic beverages on those days shall be permitted to continue until 2:00 a.m. immediately following. When December 31 occurs on a Sunday, such sales of alcoholic beverages shall be permitted from 6:00 p.m. of the Sunday until 2:00 a.m. immediately following.~~**

Section 2. Severability. If any provision 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.

Section 3. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall become effective upon its passage at second and final reading.

Section 5. Codifier. All text shown in **~~bold and strike through~~** is to be deleted. All text shown in **bold and underline** is adopted.

 DONE THE FIRST READING, by the City Commission of the City of High Springs, Florida, at a regular meeting, this 28 day of March , 2024.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of High Springs, Florida, by the City Clerk of the City of High Springs, Florida on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 2024 through the \_\_\_\_\_\_ day of\_\_\_\_\_\_\_\_, 2024.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2024.

BY THE MAYOR OF THE CITY OF HIGH SPRINGS, FLORIDA

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Katherine Weitz, Mayor

ATTEST, BY THE CLERK OF THE

CITY COMMISSION OF THE CITY OF

HIGH SPRINGS, FLORIDA:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Angela Stone, City Clerk

APPROVED AS TO FORM AND

LEGALITY:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

S. Scott Walker, City Attorney