

AN ORDINANCE PERTAINING TO BOTTLE CLUBS; PROVIDING DEFINITIONS; REGULATING THE HOURS OF OPERATION OF BOTTLE CLUBS; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING AN EFFECTIVE DATE.

WHEREAS, current county ordinances regulate the hours of operation for the sale, serving, and consumption of alcoholic or intoxicating beverages upon or in any premise holding a license under the State Beverage Department of Florida, and

WHEREAS, no such activities are permitted between the hours of 12:00 o'clock midnight, and 7:00 o'clock a.m. the following morning, and

WHEREAS, in order to better assist the local law enforcement forces in controlling alcohol related violations and offenses within the County, and to better protect the health and safety of the citizens and residents of Holmes County, Florida, it is desirable that Bottle Clubs operating within the unincorporated areas of the County observe the same closing hours as those premises which are licensed for the sale, serving and consumption of alcoholic or intoxicating beverages,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, FLORIDA:

Section One: This ordinance is enacted pursuant to the powers conferred upon county governments by Sections 125.01 and 125.66, Florida Statutes.

Section Two: The words, Bottle Club, when used in this ordinance, shall have the following meaning:

"Bottle Club" means a commercial establishment, operated for a profit, whether or not a profit is actually made, wherein patrons consume alcoholic beverages which are brought onto the premises and not sold or supplied to the patrons by the establishment, whether the patrons bring in and maintain custody of their own alcoholic beverages or surrender custody to the establishment for dispensing on the premises, and which is located in a building or other enclosed permanent structure. This definition does not apply to sporting facilities where events sanctioned by nationally recognized regulatory athletic or sports associations are held, bona fide restaurants licensed by the Division of Hotels and Restaurants of the Department of Business Regulation whose primary business is the service of full course meals, or hotels and motels licensed by the Division of Hotels and Restaurants of the Department of Business Regulation.

Section Three: All Bottle Clubs operating within the unincorporated areas of Holmes County, Florida, shall remain closed between the hours of 12:00 o'clock midnight, and 7:00 o'clock a.m. the following morning. During the closed period, no patrons, customers or members shall remain in or enter into the Bottle Club.

Section Four: Any person, corporation or other business entity violating any of the provisions of this ordinance, shall, upon conviction, be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail not to exceed 60 days or by both such fine and imprisonment.

Section Five: This ordinance shall become effective upon being enacted and duly filed in the Office of the Secretary of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, FLORIDA, this 1st day of March, 1995.

HOLMES COUNTY BOARD OF
COUNTY COMMISSIONERS,

ATTEST:

Clerk

BY:

Chairman

