



Interoffice Memorandum

April 21, 2017

TO: Mayor Teresa Jacobs
—AND—
Board of County Commissioners

FROM: Jon V. Weiss, P. E. Director *JVW*
Community, Environmental and Development
Services Department

CONTACT PERSON: Carol L. Knox, Manager, Zoning Division
PHONE NUMBER: 407-836-5585 *CK*

SUBJECT: May 9, 2017 – Public Hearing
Ordinance relating to Hours of Sale and Consumption of
Alcoholic Beverages on the Premises of a Licensed
Establishment

On November 29, 2016, the Board of County Commissioners (Board) discussed a proposal from the Central Florida Hotel and Lodging Association (CFHLA) to amend Section 4-3 of the Orange County Code by extending the hours of sale and consumption of alcoholic beverages on the premises of a licensed establishment in unincorporated Orange County. Section 4-3 currently allows the sale and consumption of alcoholic beverages only between 11:00 a.m. and 2:00 a.m. of the next day.

The CFHLA requested the Board to consider making several changes to Section 4-3, including allowing food service establishments to sell and serve alcoholic beverages with meals beginning at 7:00 a.m. (instead of waiting until 11:00 a.m.). The majority of the surrounding local government jurisdictions allow sales to begin at 7:00 a.m. CFHLA's thought is that this change would level the playing field between food service establishments in the unincorporated area and those outside the unincorporated area.

At the November 29, 2016 meeting, the Board directed staff to bring back an ordinance allowing for the earlier hours for serving alcohol just for food establishments in hotels and motels. Subsequent to the Board discussion, the CFHLA asked that this same change in hours apply to stand-alone restaurants as well.

Page Two

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Alcoholic Beverages on the Premises of a Licensed Establishment

The attached ordinance for Board consideration would allow the earlier start for alcoholic service for food service establishments in hotel/motels and stand-alone restaurant facilities. If the Board decides not to allow for the earlier start at stand-alone restaurants too, the attached ordinance can be modified accordingly at the public hearing.

ACTION REQUESTED: Approval and execution of an Ordinance of Orange County, Florida pertaining to Alcoholic Beverages; Amending Section 4-3 of the Orange County Code relating to Hours of Sale and Consumption of Alcoholic Beverages; and Providing an Effective Date. All Districts

JVW:CLK:mof

Attachment

DRAFT
04/24/17

ORDINANCE NO. 2017-__

AN ORDINANCE OF ORANGE COUNTY, FLORIDA,
PERTAINING TO ALCOHOLIC BEVERAGES;
AMENDING SECTION 4-3 OF THE ORANGE COUNTY
CODE RELATING TO HOURS OF SALE AND
CONSUMPTION OF ALCOHOLIC BEVERAGES; AND
PROVIDING AN EFFECTIVE DATE

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

Section 1. Amendments to Section 4-3. Section 4-3 of the Orange County Code is
amended to read as follows, with underlines showing additions to the existing wording and
strike-throughs indicating deletions:

**Sec. 4-3. Hours of sale and consumption—On-premises;
catered events; hours of operation.**

(a) Except as provided by subsections 4-3(a)(1), (2),
~~and (3) and (4)~~ below, alcoholic beverages may be sold, consumed,
served or permitted to be served or consumed, in any place holding
a license under-issued by the Division of Alcoholic Beverages and
Tobacco, of the State Department of Business and Professional
Regulation, which license permits the consumption of alcoholic
beverages on the premises of the licensee, only between the hours
of 11:00 a.m. and 2:00 a.m. of the following day, each day of the
week, except that alcoholic beverages may be sold, consumed,
served or permitted to be served or consumed, in any place holding
such a license, ~~under the Division of Alcoholic Beverages and~~
~~Tobacco, State Department of Business and Professional~~
~~Regulation, which license permits the consumption of alcoholic~~
~~beverages on the premises of the licensee, between the hours of~~
11:00 a.m. on December thirty-first, and such extended time of the
following day of each year, January first as may be established by
resolution of the board of county commissioners without the
necessity for a public hearing therefor.

40 (1) At any golf course holding a license, the
42 hours of sale, consumption or service may begin at 7:00 a.m. and
end at sundown of the same day.

44 (2) At any private function at a banquet hall or
46 convention facility holding a license, the hours of sale,
consumption or service may begin at 7:00 a.m. and end at 3:00
48 a.m. of the following day, provided the hall or facility has a
minimum square footage of ten thousand (10,000) square feet
50 available for the private function.

52 (3) At any ~~private guest room at a hotel or motel~~
(as the terms are defined by state statute) holding a license, the
54 hours of sale, consumption or service may begin at 7:00 a.m. and
end at ~~3:00-2:00~~ a.m. of the following day, except that at any
56 private guest room the hours of sale or service may end at 3:00
a.m. of the following day.

58 (4) At any food service establishment (as the
60 term is defined by state statute) holding a license that is also
62 licensed to serve meals by the Division of Hotels and Restaurants
of the Department of Business and Professional Regulation, the
64 hours of sale, consumption or service may begin at 7:00 a.m. and
end at 2:00 a.m. of the following day.

66 (b) Alcoholic beverages may be sold or served at a
68 catered event by a caterer licensed by the Division of Alcoholic
Beverages and Tobacco and the Division of Hotels and
70 Restaurants, State Department of Business and Professional
Regulation, only between the hours of 9:00 a.m. and 2:00 a.m. of
the following day, each day of the week.

72 (c) For those licensed under the ~~B~~Beverage ~~L~~Law to sell
74 alcoholic beverages for consumption on the vendor's licensed
premises and whose principal business is the sale of alcoholic
76 beverages, for bottle clubs as defined in Section 561.14, Florida
Statutes, and for those licensed under the Beverage Law as
78 caterers, the "hours of operation" or "hours of business" at a
premises shall be restricted to and be the same as the hours of sale,
consumption or service set forth in Sections 4-3(a) and (b) above.
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82 *[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.]*
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Section 2. Effective date. This ordinance shall become effective on May 15, 2017.

ADOPTED this 9th day of MAY, 2017.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Teresa Jacobs
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk to the Board of County Commissioners

By: _____
Deputy Clerk