

ORDINANCE NO. 17-09

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA AMENDING SECTION 6-29 OF THE PINELLAS COUNTY CODE RELATING TO THE CLOSING HOURS OF BUSINESS ESTABLISHMENTS IN PINELLAS COUNTY DEALING IN ALCOHOLIC BEVERAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE PINELLAS COUNTY CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Board of County Commissioners (Board) adopted Ordinance No. 10-39, codified in Section 6-29 of the Pinellas County Code (Code), which authorizes the hours of sale for alcoholic beverages; and

WHEREAS, the hours of sale are currently consistent across all days of the week except for Sunday; and

WHEREAS, municipalities, through the Pinellas County Mayors' Council, have expressed interest consistency across all days of the week;

WHEREAS, the Board adopted Ordinance No. 03-68, codified in Section 6-30 of the Code creating exceptions to the hours of sale; and

WHEREAS, these exceptions create confusion and inequities for the public and operators of establishments dealing in alcohol; and

WHEREAS, providing standard hours of operation for all establishments dealing in alcoholic beverages county-wide is beneficial to business operators and public customers.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in a meeting duly assembled this 7th day of March, 2017, that:

SECTION 1. Section 6-29 (a) and (b), of the Pinellas County Code is hereby amended to read as follows:

Sec. 6-29. Closing hours.

All business establishments in Pinellas County, licensed or unlicensed, dealing in alcoholic beverages, public or private, either directly or indirectly, shall remain closed from the hours of 3:00 a.m. to 8:00 a.m. on each day of the week unless any municipality in Pinellas County establishes shorter opening hours as provided in Section 6-31 of this article.

SECTION 2. Section 6-30 of the Pinellas County Code is hereby amended to read as follows:

Sec. 6-30. Exceptions to article.

(a) Drugstores or prescription shops dealing only in medicines and drugs dispensed for medical purposes shall not be subject to the prohibitions of this article.

(b) Vendors licensed under F.S. §§ 563.02(1)(a), 564.02(1)(a) and 565.02(1)(a) shall be subject to the provisions of this article.

(c) All business establishments coming under this article which are engaged in a business primarily outside the purview of this article but which maintain a separate department or section within such establishment for the sale of alcoholic beverages shall close only that department or section in conformance with this article.

(d) Vendors licensed to sell alcoholic beverages for consumption on the premises shall be subject to the provisions of this article.

SECTION 3. 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 4. Codification.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto, and shall be appropriately renumbered to conform to the uniform system of the Code.

SECTION 5. Filing of Ordinance; Effective Date.

Pursuant to Section 125.66, Fla. Stat., a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after the enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

APPROVED AS TO FORM

By: 

Office of the County Attorney