

ORDINANCE NO. 1347

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATED TO THE HOURS OF SALE OF ALCOHOLIC BEVERAGES; PROVIDING THAT DURING MARCH EACH YEAR, UNLESS SUCH PERIOD IS EXTENDED BY RESOLUTION OF THE CITY COUNCIL, THE HOURS OF SALE WITHIN THE CITY OF ALL ALCOHOLIC BEVERAGES SHALL CEASE AT 2AM; REPEALING ALL ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, during a determinable period each spring the City experiences a high volume of college aged visitors who come to the City seeking relaxation and entertainment during a break from the rigors of academia; and

WHEREAS, during the critical mass period each Spring Break these visitors are drawn *en masse* to the sandy gulf beach and the attractions of the community, where considerable efforts are put forth by both local and non-local businesses to entertain these crowds; and

WHEREAS, the City finds that the prolonged consumption of alcohol is a marked pastime of many of these young visitors while they are here; and

WHEREAS, the City has observed and finds that after dark these young visitors tend to congregate in the City's bars in order to continue the day's festivities long into the night and early morning hours; and

WHEREAS, the City finds that alcoholic beverages purchased between the hours of 2:00 AM and 4:00 AM for consumption off-premises during college spring break are most likely to be consumed that same night in order to continue the festivities late into the night, and that the consumption of these beverages and the activities associated with their consumption are likely to occur in public places in the presence of strangers from all walks of life, all of which creates volatile and potentially dangerous situations in parking lots and places difficult to police; and

WHEREAS, the City finds that minors congregate outside liquor stores and retail establishments selling alcoholic beverages in an effort to procure those beverages through an adult willing to purchase for them (sometimes referred to as a "Hey Mister"), that this practice increases during college spring break, and that minors soliciting strangers in the wee hours of the morning to engage in illegal activity places these young visitors at risk of harm; and

WHEREAS, the City finds that upon closure of bars at 4:00 am the streets and ways of the City are filled with students under the influence of alcohol who are made vulnerable by that condition and their unfamiliarity with their surroundings, often

creating opportunities for these students to be preyed upon by persons engaged in criminal activities; and

WHEREAS, state law provides that bars must close their business during the times that the sale of alcoholic beverages is prohibited by local ordinance (Section 562.14 Florida Statutes); and

WHEREAS, based upon prior experiences with college spring break 2015 in which the City provided for the cessation of alcohol sales during the month of March, the City finds that by requiring the sale of all alcoholic beverages to cease and bars to close at 2:00 a.m. that law enforcement is better enabled to disperse crowds and deal with those visitors who are without local accommodations and whose lack of lodging has in the past been directly linked to the creation of criminal mischief after local businesses have closed.

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this Ordinance, Section 3-4 of the City's Code of Ordinances related to the hours of sale of alcoholic beverages is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

Sec. 3-4. Hours of sale.

(a) Generally. No alcoholic or intoxicating beverages may be sold, consumed or served, or permitted to be served or consumed in any place holding a license under the State Beverage Department of Florida, between the hours of 4:00 a.m. and 7:00 a.m. on the same day, except that beer and wine as defined and regulated by Florida Statutes, Chapter 563 and 564, respectively, may be sold between 4:00 a.m. and 7:00 a.m. on the same day provided such sale is for off-premises consumption only.

(b) During the period commencing March 1 at 12:01 AM and ending March 31 at 11:59 PM each year, unless that period is extended by resolution of the City Council adopted on or before the immediately preceding January 31st as authorized hereby, no alcoholic or intoxicating beverages may be sold, consumed or served, or permitted to be served or consumed in any place holding a license under the State Beverage Department of Florida, between the hours of 2:00 a.m. and 7:00 a.m. on the same day.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. The appropriate officers and agents of the City are authorized and

directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 11th day of June, 2015.


MAYOR

ATTEST:


CITY CLERK

EXAMINED AND APPROVED by me this 11th day of June, 2015.


MAYOR

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