

FILED FOR RECORD
R. B. SHORE

2009 DEC 16 PM 3:18

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

ORDINANCE NO. 09-65

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA,
AMENDING SECTION 2-3-2 OF CHAPTER 2-3 OF THE
MANATEE COUNTY CODE ENTITLED ALCOHOLIC
BEVERAGE RELATED REGULATIONS AND PROVIDING
FOR HOURS OF SALE FOR "OPERATORS" OF
ALCOHOLIC BEVERAGE ESTABLISHMENTS;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODIFICATION; AND PROVIDING AN EFFECTIVE
DATE.**

CLERK OF THE CIRCUIT COURT
TALLAHASSEE, FLORIDA

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FILED

WHEREAS, Ordinance 06-42 was adopted by the Board of County Commissioners of Manatee County on May 23, 2006; and

WHEREAS, that part of Ordinance 06-42 codified at Section 2-3-2 of the Manatee County Code referenced "Hours of sale"; and

WHEREAS, Section 2-3-2 of the Manatee County Code was intended to require establishments dealing in alcoholic beverages to close between 2:30 a.m. and 7:00 a.m.; and

WHEREAS, it is the intent of this ordinance to clarify the provision of Section 2-3-2 to prohibit an "operator," as defined by Section 2-3-1(a)(3), of an alcoholic beverage establishment from remaining open between the hours of 2:30 a.m. to 7:00 a.m.; and

WHEREAS, the amended section is drafted to correct any defects in the section that may detract from its enforceability.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: Amendment to Code of Laws. The Manatee County Code of Laws is hereby amended to substitute the following as Section 2-3-2 of Chapter 2-3:

Sec. 2-3-2. Hours of sale.

It is unlawful for any operator of an alcoholic beverage establishment in Manatee County to permit said establishment to remain open for business, to permit the public to remain in or upon the premises of said establishment, or to permit the consumption of alcoholic beverages in or upon such premises between the hours of 2:30 a.m. and 7:00 a.m. of any day; provided, however, in the case of restaurants, hotels and motels, such establishments may be kept open for business during such hours but no alcoholic beverages may be sold or consumed during such hours.

Ordinance 09-65

SECTION 2: Codification. The amended provision of the Manatee County Code adopted in Section 1 of this ordinance shall be codified as indicated. The codifier shall not codify any other findings or sections of this ordinance not designated for codification.

SECTION 3: Effective Date. This Ordinance shall take effect immediately upon filing with the Department of State in Tallahassee, Florida.

PASSED AND DULY ADOPTED in open session, with a quorum present and voting this 1ST day of DECEMBER, 2009.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: Dr. Gwendolyn Y. Brown
Dr. Gwendolyn Y. Brown, Chairman

Attest:

R.B. SHORE
CLERK OF THE CIRCUIT COURT

By: Russell R. Shore
Dr.



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 1ST day of

DECEMBER, 2009

R.B. SHORE
Clerk of Circuit Court

By: Russell R. Shore D.C.

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FLORIDA DEPARTMENT of STATE

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA
CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

December 8, 2009

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Ms. Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 1, 2009 and certified copy of Manatee County Ordinance No. 09-65, which was filed in this office on December 7, 2009.

As requested, one date stamped copy is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

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