

**ORDINANCE NO. O2012-16**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, AMENDING SECTION 4-8 OF THE CITY OF WILDWOOD CODE; PROVIDING FOR HOURS ALCOHOLIC BEVERAGES MAY BE SOLD; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Wildwood, Florida, is proposing to require as follows:

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. Section 4-8 of the City of Wildwood Code is amended as follows (cross throughs (-) shall indicate deletions and underlines ( ) shall indicate additions):

**Sec. 4-8. Business hours.**

(a) No alcoholic beverages may be sold, consumed, served or permitted to be served or consumed in any place holding a state alcoholic beverage license pursuant to F.S. Ch. 561, between the hours of 12:00 midnight and 7:00 a.m. of the following day except as provided herein.

(b) Business hours beginning on December 31 of any and every year may extend until 1:00 a.m., on certain holiday known as New Year's Eve, and alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a state alcoholic beverage license pursuant to F.S. Ch. 561 until 1:00 a.m., for that day only. These extended hours are applicable solely upon that holiday generally known as New Year's Eve and shall not be construed to allow extended hours on any other day.

(c) Alcoholic beverages may be sold, consumed, served and permitted to be served in any place holding a state alcoholic beverage license pursuant to Chapter 561, Florida Statutes, between the hours of 12:00 midnight and 2:00 a.m. under the following circumstances:

1. The place where the alcoholic beverages are served is a restaurant having at least 2500 square feet of service area equipped to serve at least 150 persons full course meals at tables at one time and deriving at least 51% of its gross revenue from the sale of food and nonalcoholic beverages.

2. The place where alcoholic beverages are sold does not operate as a package store.

3. Alcoholic beverages are not sold after the hours of serving full course meals at tables have elapsed.

SECTION 3. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 4. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this 26th day of March, 2012, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST: Joseph Jacobs  
Joseph Jacobs, City Clerk

Ed Wolf  
Ed Wolf, Mayor

First Reading: March 12, 2012  
Second Reading: March 26, 2012

Approved as to form:  
Jerri A. Blair  
Jerri A. Blair, City Attorney

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