

1 A bill to be entitled
2 An act relating to Martin County; amending chapter 63-
3 1619, Laws of Florida, as amended; revising requirements
4 for the issuance of special alcoholic beverage licenses to
5 restaurants located within the legal boundaries of the
6 seven community redevelopment areas (CRAs) of the county;
7 providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 1 of chapter 63-1619, Laws of Florida,
12 as amended by chapter 91-389, Laws of Florida, is amended to
13 read:

14 Section 1. Except within the corporate limits of the City
15 of Stuart, Florida, and except for restaurants located in the
16 area within the legal boundaries of the seven community
17 redevelopment areas (CRAs) that provide service for one hundred
18 fifty or more patrons at tables and occupy more than two
19 thousand five hundred square feet of floor space, no limitation,
20 under the provisions of section 561.20(1), Florida Statutes, for
21 issuance of alcoholic beverage licenses under provisions of
22 section 565.02(1)(a)-(f), Florida Statutes, inclusive, shall
23 henceforth prohibit the issuance of a special license in Martin
24 County, Florida, to any bona fide hotel, motel, or motor court
25 of not less than fifty guest rooms and not more than ninety-nine
26 guest rooms, or to any bona fide restaurant containing all
27 necessary equipment and supplies for, and serving full course
28 meals regularly and having accommodations at all times for,

29 | service of two hundred or more patrons at tables and occupying
30 | more than four thousand square feet of floor space; provided,
31 | however:

32 | (a) Such special licensees shall be prohibited from
33 | selling alcoholic beverages in packages for consumption off the
34 | premises and from operating as a package store.

35 | (b) The beverage director shall suspend, revoke, or assess
36 | a civil penalty against any such license under the provisions of
37 | section 561.29, Florida Statutes, if the restaurant so licensed
38 | ceases to be a bona fide restaurant as required as a
39 | prerequisite for obtaining such license and providing that no
40 | intoxicating beverage shall be sold by such restaurant under
41 | such license after the hours of serving food have ceased.

42 | (c) That no such special license shall be moved to a new
43 | location, such licenses being valid only on the premises of such
44 | hotel, motel, motor court, or restaurant.

45 | (d) That any such special license shall be issued only to
46 | the owner of said hotel, motel, motor court, or restaurant, or
47 | in the event the hotel, motel, motor court, or restaurant is
48 | leased, to the lessee of the hotel, motel, motor court, or
49 | restaurant and the license shall remain in the name of said
50 | owner or lessee so long as the license is in existence.

51 | (e) Approval for the issuance of such license shall be
52 | first obtained from the Board of County Commissioners of Martin
53 | County, Florida, after said Board has received a written
54 | application therefor together with blueprints and specifications
55 | of the structure within which such license is to be maintained,
56 | showing the proposed location and that such structure meets the

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57 requirements hereinbefore set forth, as well as other legal
58 requirements, and also conforms to the Southern Building Code,
59 and will have adequate paved offstreet parking to accommodate
60 the patrons of such establishment. If such approval by the Board
61 of County Commissioners is arbitrarily withheld, appeal from
62 such ruling may be taken to the Circuit Court of Martin County
63 in Chancery.

64 (f) Upon obtaining approval of the Board of County
65 Commissioners of Martin County, Florida, as aforesaid, the
66 applicant may then apply to the Division of Alcoholic Beverages
67 and Tobacco, and if such division determines that such
68 application complies with the terms of this act and otherwise
69 qualifies as provided by law, then such special license shall be
70 issued.

71 (g) Any license issued under the provisions of this act
72 shall be marked "special."

73 (h) Any applicants for such a special license to be
74 located in a municipality shall also comply with all ordinances
75 and building regulations of such municipality.

76 Section 2. This act shall take effect upon becoming a law.