

1 A bill to be entitled
 2 An act relating to Martin County; amending chapter 63-
 3 1619, Laws of Florida, as amended; limiting the issuance
 4 of special alcoholic beverage licenses to restaurants that
 5 serve a certain number of patrons, occupy a certain amount
 6 of floor space, and are located within the legal
 7 boundaries of the community redevelopment areas of the
 8 county; providing an effective date.

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

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

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

HB 657

2011

29 restaurants providing service for 150 or more patrons at tables
30 and occupying more than 2,500 square feet of floor space;
31 provided, 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

HB 657

2011

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.