

City of North Port:

Sec.6-4 No place of business shall be established for the sale of alcoholic beverages within the corporate limits of this municipality that is within 800 feet of an established church or school. Such distance shall be measured by taking the shortest route of ordinary pedestrian travel along public thoroughfare from the main entrance of the vendor's place of business to the main entrance of the nearest church and, in the case of a school, to the nearest point of the school facilities.

Sarasota County:

Sec. 6-128. - Alcoholic beverage establishment defined.

As used in this section, the term "alcoholic beverage establishment" is defined as: any premises devoted during any time of operation predominantly or totally to serving alcoholic beverages, for consumption on the licensed premises, in which the serving of food, if any, is merely incidental to the consumption of any such beverage. A place of business constitutes an alcoholic beverage establishment in which the service of food is merely incidental in accordance with this definition if the premises derives no more than 10 percent of its gross revenue from the sale of food consumed on the licensed premises. This definition shall be construed consistent with any judicial construction given to the term "stand-alone bar" found in F.S. § 386.203(11). This definition does not include sporting facilities where events sanctioned by nationally recognized regulatory athletic or sports associations are held; nor hotels, motels, and bona fide restaurants whose primary business is the service of full course meals, where such businesses are licensed by the State's Division of Hotels and Restaurants or bona fide indoor entertainment facilities such as billiard halls, arcades, bowling alleys or movie theaters in which the serving of alcohol, if any, is ancillary to the indoor entertainment and the premises derives no more than 40 percent of its gross revenues from the sale of alcohol on the premises. This definition does not include any airport vendor holding a special airport license, as defined by F.S. § 561.01(13).

Sec. 6-31. - Location restrictions as to sales for on-premises consumption.

- (a) *Findings of fact.* It is hereby found and determined that the sale of alcoholic beverages, particularly liquors, for on-premises consumption, other than in restaurants, within 800 feet of an established church or school within the unincorporated area of Sarasota County presents a threat to the health, safety, morals and general welfare of the public.
- (b) *Restriction on the sale of alcoholic beverages for on-premises consumption.* No place of business, shall be established for the sale of alcoholic beverages for on premises consumption within the unincorporated area of Sarasota County within 800 feet of an established church or school. Such distance shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the vendor's place of business to the main entrance of the nearest church and, in the case of a school, to the nearest

point of the school grounds in use as part of the school facilities. This section shall not apply to locations that are licensed as food service establishments, pursuant to F.S. ch. 509, and; 1) have a license that requires at least 51 percent of their gross revenues from the sale of food and nonalcoholic beverages, or 2) sell beer and/or wine as the only alcoholic beverages.

City of Sarasota:

Sec. 5-18. - Alcoholic beverage establishments.

- (a) As used in this section, the term "alcoholic beverage establishment" is defined as any licensed premises devoted during any time of operation predominantly or totally to serving alcoholic beverages, intoxicating beverages, or intoxicating liquors, or any combination thereof, for consumption on the licensed premises; in which the serving of food, if any, is merely incidental to the consumption of any such beverage; and the licensed premises is not located within, and does not share any common entryway or common indoor area with, any other enclosed indoor workplace, including any business for which the sale of food or any other product or service is more than an incidental source of gross revenue. A place of business constitutes an alcoholic beverage establishment in which the service of food is merely incidental in accordance with this subsection if the licensed premises derives no more than ten (10) percent of its gross revenue from the sale of food consumed on the licensed premises.

Zoning Code Sec. VII-602 Specific standards for certain uses

(3) No bar, outdoor bar, nightclub, or alcoholic beverage store shall be permitted at any location within 500 feet from the nearest school or church/synagogue sanctuary, a property residentially zoned, or another bar, outdoor bar, nightclub, or alcoholic beverage store. However, when a bar, outdoor bar, or nightclub (alcoholic beverage store excluded) is located above the ground floor, ten feet shall be subtracted from the 500-foot requirement for each story the facility is located above the ground floor. (For example: the separation requirement for a facility located on the third floor of a building is 480 feet.) Such minimum separation distance shall be measured in a straight line, in any direction, from the nearest point of any tenant space containing the bar, outdoor bar, nightclub, or alcoholic beverage store to the nearest property line of a zoning lot containing a school, nearest perimeter door of a church/synagogue sanctuary, or perimeter of a residentially zoned property. In the case of another bar, outdoor bar, nightclub or alcoholic beverage store, the measurement shall be taken in a straight line, in any direction, from the nearest point of any tenant space to the nearest point of the other tenant space.

a. Whenever a license to sell alcoholic beverages has been lawfully procured from the division of alcoholic beverages and tobacco and thereafter a school, church/synagogue or residentially zoned property is established within a distance from the licensed premises which would otherwise be prohibited; the establishment of the school, church/synagogue or residentially zoned property shall not render the

licensed premises in violation of the minimum separation distance standard of these regulations.

b. Bars, outdoor bars, and nightclubs may be located on the same premises as alcoholic beverage stores. Consequently, the 500-foot separation requirement shall not apply to the proximity between an alcoholic beverage store and a bar, outdoor bar, or nightclub.

c. As used in this section, the term school shall mean a state-accredited public or private school for children from the preschool or kindergarten level through senior high school, but shall not be deemed to include any other types of schools.

(4) All business establishments which are in existence as of February 6, 1984 which do not meet the minimum distance requirements of this section shall nevertheless be permitted to continue in operation. Failure to meet such minimum distance requirements shall be deemed a nonconforming characteristic of use in accordance with article V.

(5) Exemptions.

a. The distance restrictions set forth above shall not be applicable to establishments which hold an alcoholic beverage license for the sale of alcoholic beverages in connection with a restaurant from the Florida Department of Business and Professional Regulation.

b. The distance restrictions set forth above shall not be applicable to bars, outdoor bars, or nightclubs which are accessory to any hotel, motel, or bowling alley.

c. Indications in the regulations pertaining to specific districts that the sale of alcoholic beverages is permitted in such zone district shall not in any way be deemed to limit, qualify or repeal any other existing city ordinance or regulation of the state relating to the licensing, dispensing or sale of such beverages or the location of alcoholic beverage establishments.

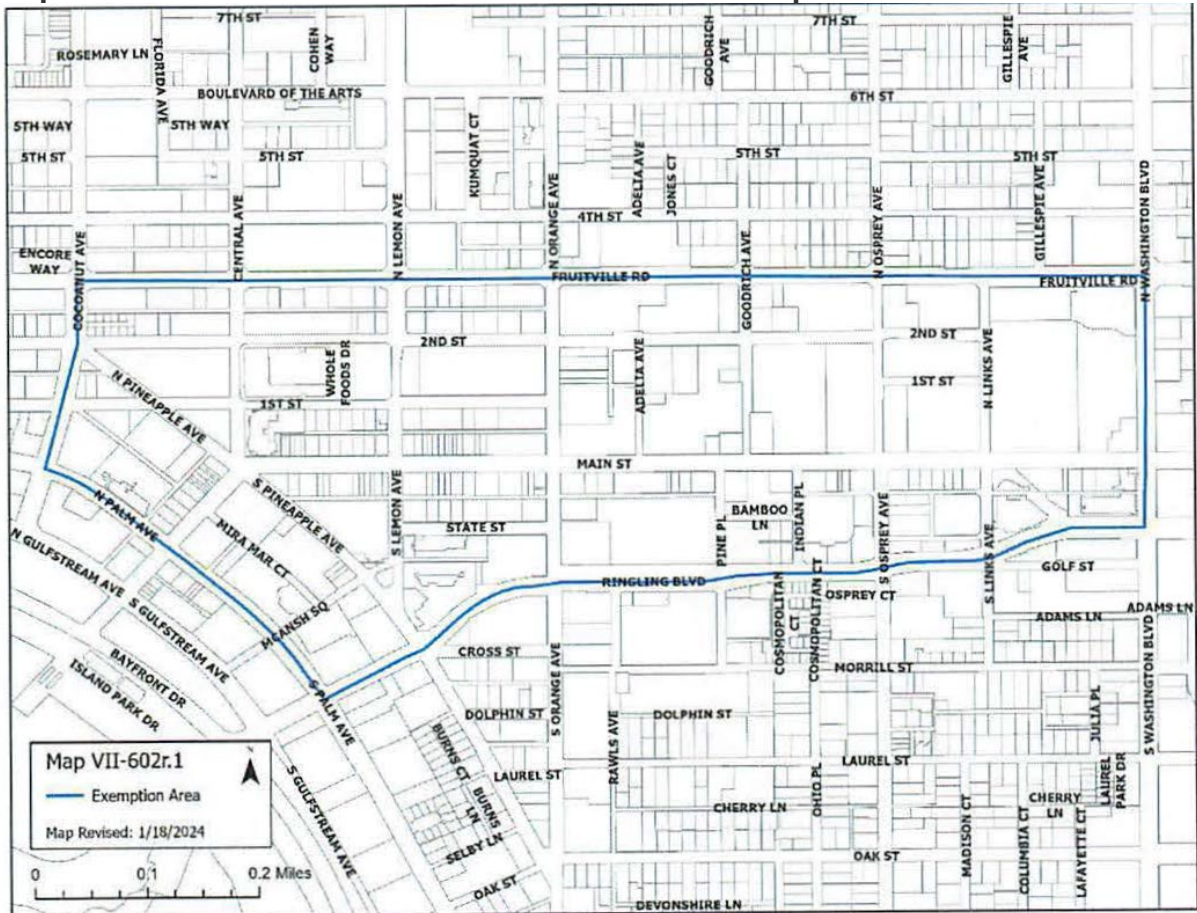
d. The distance restrictions set forth above shall not require bars, outdoor bars, or nightclubs to be separated from one another in the area designated on Map VII-602r.1. The distance requirement set forth above shall not require alcoholic beverage stores to be separated from bars, outdoor bars, or nightclubs. However; bars, outdoor bars, nightclubs, and alcoholic beverage stores within the exemption area, are required to meet the separation requirements from schools or properties residentially zoned.

Map

VII-602r.1

Exemption

Area



City of Venice:

Distance Requirement. Except for those vendors licensed in accordance with F.S. § 563.02(1)(a), as amended, and except for restaurants subject to F.S. § 561.20(2)(a)4, as amended, no vendor of alcoholic beverages shall maintain a place of business within 300 feet of an established school, church or public bathing beach within the City.