



City of North Port

ORDINANCE NO. 2025-31

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REGARDING SALES OF ALCOHOLIC BEVERAGES IN PROXIMITY TO CHURCHES AND SCHOOLS; AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, SECTIONS 6-1. AND 6-4.; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Section 562.45(2)(a) authorizes the City Commission of the City of North Port, Florida to adopt ordinances regulating the hours, location, and sanitary regulations of any licensee under the Beverage Law within the city; and

WHEREAS, Section 562.45(2)(a), Florida Statutes, generally prohibits the sale of alcoholic beverages for on-premises consumption within 500 feet of a school, except for older licenses issued before July 1, 1999, certain restaurants that primarily serve food, or locations specifically approved by the City Commission through the public hearing process set forth in Section 166.041(3)(c), Florida Statutes; and

WHEREAS, certain locational limitations on businesses engaged in alcoholic beverage sales are more restrictive than surrounding communities and inconsistent with the City Commission's Strategic Plan Economic Development and Growth Management Pillar and the Economic Development Element of the Comprehensive Plan; and

WHEREAS, the City Commission finds that these amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City's website on or before the date the newspaper published notice of this ordinance's final reading.

SECTION 2 – ADOPTION

- 2.01 Chapter 6 of the Code of the City of North Port, Florida is hereby amended as follows:

"Chapter 6 – ALCOHOLIC BEVERAGES

ARTICLE I. – IN GENERAL

Sec. 6-1. - Definitions and word usage.

The definitions set forth in Chapter 561, Florida Statutes, apply to this article, along with the following definitions provided for purposes of this article only. The definitions applicable to The Beverage Law apply to this article.

Alcoholic beverage establishment. A commercial business licensed to sell alcoholic beverages for consumption on the premises, the primary purpose of which is the service of alcoholic beverages rather than the service of food. This definition is intended to be consistent with, and is hereby aligned with, the legal concept of a "stand-alone bar" as set forth in §386.203, Florida Statutes as may be amended from time to time.

Church. A building or group of buildings, located on a fee simple parcel of land, in which religious services and activities are conducted.

School. A state-accredited public or private school for children from the kindergarten through grade 12.

...

Sec. 6-4. – ~~Sale~~ Alcoholic beverage establishments near churches or schools.

(1) *Required separation.* No place of business shall be established for the sale of alcoholic beverages within the corporate limits of this municipality that is Alcoholic beverage establishments are prohibited within 8600 feet of an established church or school. Such distance shall be measured by mapping taking the shortest pedestrian route, of ordinary pedestrian travel along via a public right-of-way thoroughfare from the alcoholic beverage establishment's main primary public entrance of the vendor's place of business to the main entrance of the nearest church and, in the case of a school, and/or to the nearest point of the a school facilities.

(2) *Exemption.* Business locations wherein an alcoholic beverage establishment existed before the establishment of a church or school within the distance prescribed in paragraph (1) are not subject to the required separation, provided that the service of alcoholic beverages for consumption on premises is not discontinued for a period of more than one (1) year.

..."

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

- 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 5 – CODIFICATION

- 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

- 6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on October 14, 2025.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on October 28, 2025.

CITY OF NORTH PORT, FLORIDA

PHIL STOKES
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY