

ORDINANCE NO. 2019-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AMENDING SECTION 205.09 (SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT DESIGNATED RECREATIONAL FACILITIES) OF CHAPTER 205 (PARKS AND RECREATION) OF THE CODE OF INDIAN RIVER COUNTY, FLORIDA IN ORDER TO ALLOW FOR CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE GIFFORD YOUTH ACHIEVEMENT CENTER SUBJECT TO THE TERMS OF THE LEASE; AND PROVIDING FOR CODIFICATION, SEVERABILITY, REPEAL OF CONFLICTING PROVISIONS, AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA THAT:

Section 1. Enactment Authority.

Article VIII, section 1 of the Florida Constitution and chapter 125, Florida Statutes vest broad home rule powers in counties to enact ordinances, not inconsistent with general or special law, for the purpose of protecting the public health, safety and welfare of the residents of the county. The Indian River County Board of County Commissioners specifically determines that the enactment of this ordinance is necessary to protect the health, safety and welfare of the residents of Indian River County.

Section 2. Amendment of Section 205.09 (Sale and consumption of alcoholic beverages at designated recreational facilities) of Chapter 205 (Parks and Recreation).

New language indicated by underline, and deleted language indicated by ~~strikethrough~~.

Section 205.09 (Sale and consumption of alcoholic beverages at designated recreational facilities) of Chapter 205 (Parks and Recreation) of the Code of Indian River County, Florida is hereby amended to read as follows:

CHAPTER 205. PARKS AND RECREATION.

* * *

Section 205.09. - Sale and consumption of alcoholic beverages at designated recreational facilities.

Notwithstanding the provisions of section 205.03(26), the consumption of alcoholic beverages shall be permitted at the Gifford Youth Achievement Center, subject to the terms of the lease with the County, and the sale and consumption of alcoholic beverages shall be permitted at the Indian River County Fairgrounds and at the South County Intergenerational

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Recreation Center, provided the vendor at any of the above named facilities first obtains a permit for such purposes issued by the department. The department may issue a permit for sale and/or consumption of alcoholic beverages when it has been established that the following conditions have been satisfied:

* * *

Section 3. Codification. It is the intention of the Board of County Commissioners that the provision of this ordinance shall become and be made part of the Indian River County Code, and that the sections of this ordinance may be renumbered or re-lettered and the word ordinance may be changed to section, article or such other appropriate word or phrase in order to accomplish such intention.

Section 4. Severability. If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall remain in full force and effect.

Section 5. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Effective Date. This ordinance shall become effective upon adoption by the Board of County Commissioners and filing with the Department of State.

This ordinance was advertised in the Indian River Press Journal on the 28th day of November, 2019, for a public hearing to be held on the 10th day of December, 2019, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

Chairman Susan Adams	_____
Vice-Chairman Joseph E. Flescher	_____
Commissioner Tim Zorc	_____
Commissioner Peter D. O'Bryan	_____
Commissioner Bob Solari	_____

The Chairman thereupon declared the ordinance duly passed and adopted this ___ day of December, 2019.

**BOARD OF COUNTY COMMISSIONERS OF
INDIAN RIVER COUNTY, FLORIDA**

By: _____
Susan Adams, Chairman

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**ATTEST: Jeffrey R. Smith, Clerk
and Comptroller**

By: _____
Deputy Clerk

EFFECTIVE DATE: This Ordinance was filed with the Department of State on the ____ day of December, 2019.