



## Legislation Text

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File #: 20-3662, Version: 1

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### ITEM: ORDINANCE NO. 2020-04 (ALCOHOLIC BEVERAGES HOURS OF SALE)

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 6, SECTION 6-2, "ALCOHOLIC BEVERAGES, HOURS OF SALE" OF THE VILLAGE'S CODE OF ORDINANCES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Approval of the proposed Ordinance amending Chapter 6, Section 6-2 (Alcoholic Beverages, Hours of Sale) of the Wellington Code of Ordinances for all businesses that sell alcoholic beverages to remove antiquated restrictions, simplify the regulations and provide for equal treatment of licensed businesses.

**EXPLANATION:** This proposed code amendment was prompted by requests received from several businesses to eliminate the prohibition of alcohol sales until noon on Sundays. These Wellington businesses believe they are at a competitive disadvantage with businesses located in the unincorporated areas around Wellington and those within neighboring communities, none of which have sales restrictions on Sunday mornings. Staff also researched this regulation in numerous municipalities in Palm Beach County and around the State of Florida, and found that prohibition of alcohol sales between the hours of 7:00 AM and noon is rare. Our current restriction is effectively an antiquated carryover of the old "Blue Laws" that have been abandoned by nearly all counties and municipalities. Further, while reviewing the "Sunday Sales" issue, it became apparent that the current provisions of the Alcohol Sales Section of the Code of Ordinances are overly complicated and also treat businesses that sell for on-site consumption and those that sell for off-site consumption differently. The proposed amendments (attached) will change the prohibition of alcohol sales between the hours of 3:00 AM and noon to between 3:00 AM and 7:00 AM on Sundays and change the prohibited sales hours for all other days to be the same timeframe. This amendment will create a uniform standard for all days of the week and all businesses licensed to sell alcoholic beverages. Finally, a penalty provision for violating the regulations is added, because there are no prescribed penalties currently.

**BUDGET AMENDMENT REQUIRED:** NO

**PUBLIC HEARING:** YES                      **QUASI-JUDICIAL:** NO

**FIRST READING:**                              **SECOND READING:** YES

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** N/A

**WELLINGTON FUNDAMENTAL:** Protecting our Investment

**RECOMMENDATION:** Approval of the proposed ordinance amending Chapter 6, Section 6-2 (Alcoholic Beverages, Hours of Sale) of the Wellington Code of Ordinances for all businesses that sell alcoholic beverages to remove antiquated restrictions, simplify the regulations, and provide for equal treatment of licensed businesses.