

ORDINANCE NO. 2024 - _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING ARTICLE X OF CHAPTER 12 OF THE CLAY COUNTY CODE, EVENT PERMIT, TO AMEND SEC. 12-181. DEFINITIONS TO ADD A DEFINITION OF READY-TO-DRINK BEVERAGE; TO AMEND SEC. 12-195(2)(c). EVENTS INVOLVING CONSUMPTION OF ALCOHOLIC BEVERAGES ON COUNTY-OWNED PROPERTY TO INCLUDE READY-TO-DRINK BEVERAGES IN CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Article X of Chapter 12 of the Clay County Code, being the Clay County Event Permit Ordinance, is hereby amended as provided in Sections 2 and 3 below:

Section 2. Section 12-181, Definitions, is hereby amended to add the definition of *Ready-to-Drink beverage* between *Public property* and *Resolution* as follows:

Public property. Any public street, sidewalk, place, property, easement, structure or facility owned, dedicated, controlled or otherwise under the proprietary jurisdiction and control of Clay County.

Ready-to-drink beverage. All beverages containing more than one-half of 1 percent alcohol by volume but not more than 15 percent alcohol by volume, in its original packaged container, and which packaged container is not greater than 17 fluid ounces in volume.

Resolution. A resolution by the board of county commissioners setting forth the dollar amount of fees and costs associated with an event permit, which resolution may be amended from time-to-time by the board of county commissioners.

Section 3. Section 12-195(2)(c), Events involving consumption of alcoholic beverages on county-owned property, is hereby amended as follows:

- (2) Clay County Fairgrounds located at 2497 FL-16, Green Cove Springs, Florida.
 - (a) A user agreement must be entered into with the county;
 - (b) Any private (by invitation only) function involving five hundred (500) people or less if the following conditions are met:
 - i. The function is not open to the general public;
 - ii. The consumption of alcoholic beverages is limited to the inside of the exhibit halls, and/or covered pavilion, and/or a tent, and shall not be allowed outside of those areas;
 - iii. The hours during which alcoholic beverages are sold, possessed, or consumed at a designated event shall comply with Clay County Code chapter 3, article I, section 3-2 and shall terminate sixty (60) minutes before the determined end of the event;

- iv. Food service must accompany the service of alcoholic beverages;
- (c) Any private (by invitation only) function involving more than five hundred (500) people or any public function if the following conditions are met:
 - i. Only beer, ready-to-drink beverages, and/or wine are served or sold;
 - ii. The hours during which ~~alcoholic beverages~~ beer, ready-to-drink beverages, and/or wine are sold, possessed, or consumed at a designated event shall comply with Clay County Code chapter 3, article I, section 3-2 and shall terminate sixty (60) minutes before the determined end of the event; and
 - iii. Food service must accompany the service of beer, ready-to-drink beverages, and/or wine.
- (d) Additional general liability and spectator liability insurance coverage naming the county as an additional insured in amounts to be determined in the event planning meeting shall be in place for the duration of the event; and
- (e) A user shall be responsible to ensure that the requirements of this article are followed.

Section 4. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. This Ordinance shall become effective as prescribed by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this 13th day of February, 2024.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

BY: _____
Jim Renninger, Its Chairman

ATTEST:

Tara S. Green,
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board