

## **ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE TOWN OF LADY LAKE, FLORIDA; AMENDING ORDINANCE NO. 2012-05, CHAPTER 3 SECTION 3-2 OF THE CODE OF ORDINANCES REGULATING THE TIME FOR SALE OF ALCOHOLIC AND INTOXICATING BEVERAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Lady Lake has determined that these amendments will promote and protect the general health, safety, and welfare of the public; and

**WHEREAS**, Lady Lake has the statutory authority to enact ordinances regulating the hours of business and location of place of business, and prescribing sanitary regulations therefore, of any licensee under the Beverage Law within its corporate limits pursuant to §562.45 Florida Statutes.

**NOW, THEREFORE, THE COMMISSION OF THE TOWN OF LADY LAKE HEREBY ORDAINS:**

### **Section 1. Amendment**

That Chapter 3, Section 3-2 of the Town of Lady Lake Code of Ordinances is hereby amended to read as follows:

#### **Sec. 3-2. - Hours of sale and operation**

- a) No alcoholic beverages or intoxicating beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license issued by the Division of Alcoholic Beverages and Tobacco within town limits between the hours of midnight and 7 a.m. on Saturday and Sunday mornings and between the hours of 11:00 p.m. and 7 a.m. on all other days.
- b) Subsection (a) shall not apply to businesses whose license allows for package sales. These businesses may sell alcoholic or intoxicating beverages during such hours as their establishments legally remain open for the sale of other goods, but those businesses shall comply with license requirements for off-premise consumption only.

### **Section 2. Severability.**

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance; and it shall be construed to have been the Town Commission's intent to pass this Ordinance without such unconstitutional, invalid or

inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

**Section 3. Conflicts.**

All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**Section 4. Codification.**

The provisions of this Ordinance shall be codified as and become part of the Codes of Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section", "Article", or other appropriate word.

**Section 5. Applicability.**

This Ordinance does not have retroactive applicability and does not apply to applications filed prior to the effective date of this Ordinance.

**Section 6. Effective Date.**

This ordinance shall become effective upon adoption.

**PASSED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final Reading.

**TOWN OF LADY LAKE, FLORIDA**

\_\_\_\_\_  
Jim Rietz, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Wilson, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Derek Schroth, Town Attorney