

**CITY OF LIVE OAK  
CODE OF ORDINANCES  
ARTICLE III. ALCOHOLIC BEVERAGES**

**Sec. 18-71. Regulations.**

**(a) Purpose.**

The sale, service, and/or consumption of alcoholic beverages have the potential to generate activity which may impact other uses, property owners, or residences in an adverse manner. Such impacts may be mitigated in different ways, including but not limited to hours of operation, sales, service or consumption, adequate distance separation, and unlawful instances. Article III provides requirements to achieve such mitigation.

**(b) Applicability.**

All restaurants and other food service establishments, bars, recreation centers, liquor package stores and other retail uses which sell, serve or allow consumption of alcoholic beverages, as well as private clubs, banquet halls or leased establishments or structures, or any other legally permissible location where alcohol consumption may take place, shall meet the requirements of Article III, in addition to all applicable: State of Florida licensing requirements, requirements of the Land Development Regulations, and those of other Code of Ordinances for the City of Live Oak.

**(c) Fees** for certain actions by the City pertaining to this Article shall be according to the fee schedule adopted by Resolution by the City Council.

**(d) Definitions.**

The following definitions of terms, or references to definitions, shall apply to this Article III; and shall be utilized for existing establishments, activities, or locations or those proposed to be instituted or established.

- (1) The definitions contained in the beverage law of the State of Florida, as defined in F.S. §561 – 569, as amended, and as interpreted by the courts of this State and the State Director of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, and all other definitions listed herein, shall apply to the terms in this Article III Alcoholic Beverages, in its entirety. The State Statute definition shall supplement any local definition found to be in conflict.
- (2) The City of Live Oak, Florida hereby further adopts by reference all definitions as found in §561.01 and § 565.01.
- (3) *Alcoholic beverage establishment* and *establishment* shall mean any place of business, club, organization, entity or person, licensed by the State or otherwise permitted to sell, serve, or dispense, or allow consumption of any alcoholic beverages for consumption on or off the licensed premises. Instances where any portion of Article III Alcoholic Beverages is to be applied pertaining to the type of establishment or type of use of an establishment, the type of operations shall be that which was approved in writing by the City by method of the issuance of a Certificate of Use for the subject location.

- (4) **Banquet Hall**, also termed as Reception Hall, Reception Center, Function Hall, Community Center, and other similar terms. Shall mean a privately held building or portion of a building or lot designated, equipped or utilized for the purposes of hosting a party, banquet, reception or other social event; however does not include recognized bonafide single-family residential homes or dwelling units, or areas within a church or religious organization utilized for receptions or other activities where alcohol consumption may take place.

Said establishments are deemed commercial in nature, and may be owner occupied or leased out to individuals or groups seeking to host such an event. For the purposes of this Article, references to such establishments shall mean that they are conducting or would propose to be dispensing, or allowing consumption, of alcohol on the premises, and/or conducting alcohol sales or service, as may be permitted, and under any required licensing, by applicable State laws, see also: **Recreation Facility, Commercial**.

- (5) **Bar** shall mean as defined by State Statute and further as herein, and for clarification, an establishment which is licensed, pursuant to the regulations set forth by the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation, to allow for on-premise consumption, which is devoted primarily to the retailing and on-premise drinking of malt, vinous, or other alcoholic beverages, which does not maintain a greater than 50 percent ratio of food and non-alcoholic beverage sales relative to total food and beverage sales as measured on an annual basis, see also: a business whose **principal business is the sale of alcoholic beverages**.

The provisions and standards which apply to a bar shall be applicable only to those establishments which are wholly in compliance with the City's Comprehensive Plan and Land Development Regulations, and which further have obtained such designation and approvals in writing by the Land Development Regulation Administrator as provided in and required by the Comprehensive Plan and Land Development Regulations, as amended.

Additionally, standards and actions as enumerated in Sec. 18-71 (i) Conversion of use shall be immediately applied to any establishment, regardless of current state or local licensing status, which is deemed by city officials upon inspection to be operating said establishment as a bar, IE: charging a cover charge for entrance, relocating eating tables and chairs for a DJ and/or dance floor area, or shutting down food service while continuing to stay open.

- (6) **Church** shall mean property owned in fee simple by a religious institution or organization, which contains a stand-alone building, or portion of a building, where worship services are regularly being performed or conducted on an on-going basis; and shall not mean a commonly platted area which has common or shared parking, such as shopping centers, strip malls; and shall not mean any leased or rented tenant space, building or property.
- (7) **Club, Private** shall mean a non-commercial establishment organized for a common purpose to pursue common goals, interests, or activities and may be characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution or bylaws. The term "private club" shall not include casinos, night (social) clubs, bingo, banquet, community or reception halls (centers), internet cafés, bottle clubs, bars or other similar establishments. For the purposes of this Article, references to such establishments shall mean that they are conducting or would propose to be dispensing, or allowing consumption, of alcohol on the premises, and/or conducting alcohol sales or service, as may

be permitted, and under any required licensing, by applicable State laws

- (8) **Consumption** and **Consume** shall mean and include the ingestion or intake of a substance or liquid into the human body.
- (9) **Dispense, Service** and **Serve** shall mean and include the handling, apportionment, preparation, gift, distribution, or serving, directly or indirectly, of any amount of an alcoholic beverage to or for any person by an officer, owner, operator, lessee, guest or employee of the licensed business establishment. For purposes of this definition, permitting or allowing any person to carry alcoholic beverages on the premises of any establishment to be transferred or consumed thereon, shall constitute the dispensing of such beverages.
- (10) **Full-Course Meal**, as required, must include all of the following:
- a. Salad or Vegetable;
  - b. Entrée;
  - c. Beverage (may be purchased separately);
  - d. Bread or similar item included on plate or delivered to table.
- (11) **Reserved.**
- (12) **Off-Premises** shall mean any location that is not defined as on-premises.
- (13) **On-Premises** shall mean within any building or structure which establishment has been granted an alcoholic beverage license, which is under one roof or has common entrances or connecting or affiliated structures, together with the “licensed premises” as defined in the State Beverage Law.
- (14) **Open Container** shall mean any bottle, can, glass, cup or other vessel, other than the original unbroken sealed container, containing an alcoholic beverage.
- (15) A business whose **principal business is the sale of alcoholic beverages**, shall include, but is not limited to a: bar, cocktail lounge, tavern, nightclub or similar establishment; further defined as a business whose gross sales of alcoholic beverages, sold for on-premises consumption, comprises fifty-one percent (51%) or more of the total gross sales of: food, non-alcoholic beverages, alcoholic beverages and other goods or services offered by the establishment.
- (16) **Recreation Facility, Commercial** shall mean a privately held building or portion of a building or lot designated and equipped for the conduct of sports, exercise, leisure time activities or other recreational activities, operated for a profit or not-for-profit and which can be open only to bone fide members and guests of the organization, or open or made available to the public, or certain activities or equipment located inside the building made available, for a fee or other consideration, or operating under and as a licensed commercial business. Said establishment may also provide for food service and seating, and if allowed by State law and local ordinance, a bar area. The term “Commercial Recreation Facility” shall not include casinos, night clubs, bottle clubs, bars, restaurants, or gentleman’s clubs; or that portion of a Bowling Alley which is provided for to be a bar area. For the purposes of this Article, references to such establishments shall mean that they are conducting or would propose to be dispensing, or allowing consumption, of alcohol on the premises,

and/or conducting alcohol sales or service, as may be permitted, and under any required licensing, by applicable State laws, see also: **Banquet Hall**.

- (17) **Religious Institution** shall mean an institution which meets the federal government’s definition of a church and other religious institution, under the clearly-defined guidelines of the Internal Revenue Service. More specifically, institutions which have:
- a. A distinct legal existence and religious history,
  - b. A recognized creed and form of worship,
  - c. Established places of worship,
  - d. A regular congregation and regular religious services, and
  - e. An organization of ordained ministries.
- (18) **Residential Property** shall mean any parcel of land in the corporate city limits, which contains a Dwelling Unit, as defined by the Land Development Regulations, or any vacant property which is assigned a zoning, according to the Official Zoning Atlas, as amended, when said zoning district name contains the term “Residential”. Residential Single-Family shall mean the same, except that said zoning district name also contains “RSF” or “Single-Family”.
- (19) **Restaurant** shall mean an eating and drinking establishment which prepares and serves food on-site, and also which is serving or making available for purchase alcoholic beverages, that is governed by either (1) a State of Florida series SRX alcoholic beverage license or (2) by another State of Florida consumption on premises license, and which derives at least fifty-one percent (51%) of its gross revenue from the sale of food and nonalcoholic beverages, as documented in writing by a professionally licensed third party accounting or tax preparation firm, or other acceptable documentation as determined by the city, as measured on an annual basis.

To meet this definition, the establishment shall also maintain a minimum of seventy-five percent (75%) of the gross floor area which is open to customers or the public, as customer seating, aisles, entranceway, or publically accessed food buffet area. Bathrooms, kitchen cooking and prep areas, and storage areas shall not be included in the gross floor area considered in this calculation.

Additionally, standards herein which pertain to restaurants shall not apply, regardless of current state or local licensing status, when said establishment is deemed by city officials upon inspection to be operating said establishment as a bar, IE: charging a cover charge for entrance, relocating eating tables and chairs for a DJ and/or dance floor area, or shutting down food service while continuing to stay open, in which case standards and actions as enumerated in Sec. 18-71 (i) Conversion of use shall be applied.

A Restaurant may have a bar area in which alcoholic beverages are served and consumed with or without the accompanying sales and consumption of food; however, such bar area shall be no more than twenty percent (20%) of the total gross floor area of the restaurant establishment, with the number of seating within said area also limited to twenty percent (20%) of the total number of seats approved for the restaurant establishment.

All tables, booths or counters shall meet or exceed the minimally acceptable standard of two-hundred fifty-six (256) square inches of space per patron.

- (20) **Sale(s)** and **Sell** shall mean, as defined in §561.01; and also, for purposes of this definition, permitting or allowing any person to carry alcoholic beverages on the premises of any establishment, to be transferred or consumed thereon, shall constitute the sale of such beverages.
- (21) **School, School Building or Educational Building** shall mean any state, county, city, private or church school buildings, where students are taught subjects commonly taught in the common schools of this state, and which are public schools or private schools, as defined in the K-20 Education Code of the Florida Statutes, under Chapter 1000 – 1013.
- (22) **Taproom, Brewpub, Brewer, and/or Breweries** shall be according to a determination by the Development Manager, as to whether they are operating as a bar, restaurant, or distributor, in accordance with those definitions, and additional evaluation by city staff.

**(e) Heritage Square District Exemptions.**

A new business proposed within the adopted Heritage Square District, which would be regulated by 18-71 (f) or 18-73 (d) regarding distance separation standards, may apply for a waiver or reduction to the same, as follows:

- (1) Application on city forms for such is submitted to the City Development Manager / Planning and Zoning Office.
- (2) Application shall be circulated for review and approval internally to the following: Development Manager, CRA Director or Specialist, Fire Chief, Police Chief, Public Works Director, and City Manager.
- (3) Once approved by all City Departments, the request shall be placed on the next available CRA Community Redevelopment Agency agenda, for consideration of approval by method of a Resolution of Support.
- (4) Once a Resolution is adopted by the CRA Community Redevelopment Agency, the request shall be placed on the next available City Council agenda, for consideration of a Resolution to grant a waiver or reduction specific to the proposed business and location.
- (5) Once approved, a change in business type or location from that specifically granted shall require a new application to be submitted and processed as outlined herein.

**(f) Distance Buffer Area Separation Requirements for establishment of use(s).**

- (1) No distance restrictions for establishment of use(s) shall apply to establishments, except liquor package stores, who are licensed, pursuant to the regulations set forth by the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation, to sell alcoholic beverages or package sales for off-premise consumption;
- (2) No distance restrictions for establishment of use(s) shall apply to establishments which meet the definition of a Restaurant;

- (3) Multiple-family type residential dwelling units, when located in Future Land Use Classifications or Zoning Districts which are assigned as Commercial Mixed, or Central Downtown, which allow for a certain percentage of residential dwelling units in conjunction with permitted commercial uses, shall not be considered, for the purposes of distance separation, to affect proposed establishments when located within the same classification or district, in the associated table herein.
- (4) The following Distance Separation Table shall apply to any new or proposed establishment or change of use of an existing location, or for an existing one seeking to upgrade their alcohol license class, at any location within the incorporated city limits. No new establishment, change of use, alcohol license class upgrade, or re-establishment of a nonconforming location, is permitted, when said distance separation requirements have not been, or would not be met.
- (5) Distance Separation Table: (All measurements listed are in linear feet)

Establishment Type:	Required Distance From:			
	Church	School	Residential Property	Same Establishment Type
<b>Banquet Hall</b>	500	500	250	n/a
<b>Commercial Recreation Facility</b>	500	500 (*)	250	n/a
<b>Bar</b>	500	500	250	500
<b>Liquor Package Store</b>	500	500 (*)	250	500
<b>Private Club</b>	100	100	250	n/a

- (6) Measurements for distance purposes:

Said distance between differing uses, shall be computed by direct line measurement, from the nearest portion of the building or tenant space in which the establishment is, or is proposed to be located, to the nearest portion of the property line boundary on which there is located a church, school or residential property, as may be applicable.

(\*) Schools which are located on parcels 10 or more acres in area, where educational facilities are 250 or more feet setback from applicable property boundaries, measurement shall be calculated at 50% of the stated numeric standard.

Measurements for like-kind establishments shall be by direct line measurement from the closest outside wall of one such establishment to the closest outside wall of another such establishment. The Development Manager, or designee, shall be responsible to conduct such measurements utilizing field work and/or GIS map techniques. A paper survey prepared by a State of Florida licensed professional, and submitted by the applicant shall also be acceptable, upon satisfactory inspection by the Development Manager, or designee.

State law references: Authority to regulate location of alcoholic beverage business F.S. §562.45(2).

**(g) Consumption, sale and consumption, possession, generally.**

- (1) The City Manager may, by letter, waive the provisions of any part or all of Section 18-71 (g)(2) or 18-71 (g)(3)(a), for special events.
- (2) ***Parks and Recreation Areas.***  
It shall be prohibited and unlawful for any person to consume or to have in his/her possession any alcoholic beverages in a publicly owned park or recreation area, or on any public school property, or at any publically owned and operated recreation centers or swimming pools, or at the stadium, commonly known as Langford Stadium.
- (3) ***Other areas generally.***
  - a. It shall be prohibited and unlawful for any person to consume or have in his/her possession any alcoholic beverages in any open container on any public street, road, alley, byway, thoroughfare, sidewalk (except in a licensed restaurant, sidewalk cafe, etc), or on any public or semi-public parking facility in the city, or any property publically owned or controlled.
  - b. It shall be prohibited and unlawful for any person to have in his/her possession any alcoholic beverages in any open container while in or on any motor vehicle on any public or semi-public parking facility in the city.
  - c. The term "semi-public parking facility" shall include any privately owned area wherein motor vehicles may be parked by the public in conjunction with any business, enterprise, commercial establishment, office building or multiple-family residential building.
  - d. It shall be prohibited and unlawful for any person to consume or have in his/her possession any alcoholic beverages in an open container on any other privately owned property, except at a location which has an established residential home or dwelling unit, and only as a lawful guest and with the consent of the owner or person in charge of such privately owned residence.

Cross references: Streets, sidewalks and other public places, ch.23.

- (4) ***Bottle Club Establishments.***  
Bottle Club Establishments or those seeking to operate as such, as defined by Florida Statute, are prohibited and unlawful in the City Limits of Live Oak, Florida.

**(h) Consumption on certain premises prohibited during certain hours.**

- (1) It shall be prohibited and unlawful for any person firm or entity to conduct or permit any provision provided for by Article III of and pertaining to any alcoholic beverages in: Banquet Halls, Private Clubs, or Commercial Recreation Facilities, during any other days or times than those provided for under 18-73 (d ), Commercial Recreation Facilities, and (e).
- (2) The provisions of this section shall apply whether the premises holds a valid beverage license or not, and shall apply within or without any improvements located thereon.

**(i) Conversion of use.**

- (1) Bars shall be permitted to be open and operate during applicable permitted times as provided for in Section 18-73 (d), however all patrons shall exit the premises and the establishment shall close by the final time shown. Said establishments shall not remain open past this time, or be utilized for or converted into any other classification of use during any other days or times.
- (2) It is prohibited and unlawful for a restaurant to shut down food preparation, or alcohol sales and service at a certain time, and remain open or be leased out as a banquet hall, bar, private club, commercial recreation facility, or non-alcoholic club, or similar establishment.

A restaurant shall operate at all times as defined in Sec. 18-71 (d)(19). Any such establishment which is deemed by City Officials upon inspection to be conducting operations in any other manner as defined or described in Article III of the City's Code of Ordinances shall be deemed an unlawful conversion of use and shall be subject to an order to immediately shut down business operations, with all patrons exiting the premises, for the day which such unlawful conversion took place.

- (3) An owner or operator of an establishment which permanently converts the use of an establishment from one classification to another shall be then bound by all applicable Codes and Regulations of the City which may apply to the new use. Any temporary or casual conversion of use is prohibited and unlawful, and shall be subject to the same actions by City Officials as provided for in Sec. 18-71 (i)(2).
- (4) An establishment which seeks to upgrade their existing State of Florida issued alcohol license to a higher or different class of alcohol license, shall be inspected and a determination made if all current required criteria can be met, and upon finding that it can be met, the establishment would then be bound by all applicable Codes, Regulations, and Land Development Regulations for such, including submittal of any required special applications to the City which may apply to the new or change of use, and including re-inspection and written approval by Planning, Building, Fire and Code Enforcement Departments, for a determination of full code compliance.
- (5) Any establishment governed by hours and days of operation or alcohol sales, service and consumption may be occupied by owners or employees thereof, on or during other days or times, for the sole purposes of clean-up, restocking, or other required maintenance to the premises, so long as no business operations, or alcohol sales, service or consumption are conducted outside of permitted hours and days.

**(j) Nonconformities.**

- (1) If an existing legally operating use is not, or would not be, permitted by the Land Development Regulations, as amended, it is thereby nonconforming; and for the purposes herein, shall be governed by all applicable language found herein as well as that found in the Land Development Regulations, under the nonconforming sections and articles.
- (2) If an existing legally operating establishment is made nonconforming by this Article III {except as provided for under 18-71 (i) (3)}, such use shall be governed by all applicable



language as found herein, and in the Land Development Regulations under the nonconforming sections and articles.

- (3) The City shall maintain records of existing classifications of uses, as defined herein. The subsequent location or establishment of a new Church, School or Residential Property in proximity to, and within any required distance buffer area of, an existing legally operating establishment, which is required by this Article or Section to maintain distance separation, when said establishment was not previously nonconforming due to any required distance separation, this Section shall not cause that establishment to then become nonconforming due to distance separation requirements.

**(k) The failure to do any required act**, doing any act which is prohibited or unlawful, or the doing of any act contrary to the permitted or specified requirements of Chapter 18, Article 3 of the City of Live Oak Code of Ordinances, is prohibited and declared to be unlawful and an offence. Any person, firm or entity found to be in violation shall be punished as provided for in section 1-14 of the City of Live Oak Code of Ordinances, and any other provision of law or enforcement which may apply.

## **Sec. 18-72. Minors.**

- (a) Minors are prohibited from entering establishments allowing on-premises consumption of alcoholic beverages without an adult parent or adult legal guardian.
- (b) It shall be unlawful for any person who is the owner, proprietor, or keeper of an establishment holding a license to sell alcoholic beverages, as set out in F.S. chs. 561—568, which allows on-premises consumption of alcoholic beverages, to allow any person under the age of 18 years to enter or remain in such establishment unless such person is accompanied by an adult who is such person's parent or legal guardian. This section shall apply to duly licensed food service establishments to the extent that it shall exclude entry by minors into any part of such food service establishment, such as a bar or lounge, where the primary source of revenue is the sale of alcoholic beverages or where the primary activity conducted is the serving and consumption of alcoholic beverages.
- (c) It shall be unlawful for any person who is the owner, proprietor or keeper of any establishment which allows on premises consumption of alcoholic beverages, as they are defined by F.S. chs. 561—568, to allow any minor to enter or remain in such establishment unless such minor is accompanied by an adult parent of such minor or such minor's adult legal guardian.
- (d) It shall be the duty of any person who is the owner, proprietor, or keeper of any establishment described in subsections (b) or (c) of this section to post conspicuously at the entrances to such establishment a sign, in bold letters at least two inches high, stating:

**"MINORS NOT ALLOWED ON OR IN THESE  
PREMISES UNLESS ACCOMPANIED BY ADULT  
PARENT OR ADULT LEGAL GUARDIAN"**

- (e) It shall be unlawful for any person to misrepresent or misstate his age, or the age of any person, for the purpose of entering an establishment where entry into such establishment is prohibited by this section.
- (f) It shall be unlawful for any person to represent or state that he or she is the parent or legal guardian of any person, when he is not the parent or legal guardian of such person, for the purpose of entering an establishment where entry into such establishment is prohibited by this section.

**Sec. 18-73: Sales, Service or Consumption.**

(a) No alcoholic beverage establishment licensed to sell or serve alcoholic beverages pursuant to the regulations set forth by the division of alcoholic beverages and tobacco of the Department of Business and Professional Regulation of the State of Florida, shall barter, sell, trade, serve, dispense or permit consumption of alcoholic beverages on any days or at any times, in the incorporated City Limits of the City of Live Oak, Florida, other than during those permitted in this Section; to do so shall be prohibited and unlawful. This provision shall not affect the city's right to make other and further regulations relative of the sale, service or consumption of alcoholic beverages, which upon amendment and adoption, shall be immediately effective and implemented.

The type of permitted alcohol to be sold or served shall be according to that permitted by the class of license which the establishment holds, as issued by the State of Florida.

(b) No structure, establishment or premises shall be occupied, used or maintained for the purpose of the sale, service or consumption of alcoholic beverages, except in conformity with this Section and, in addition, with all other provisions applicable thereto in the Code of Ordinances, Land Development Regulations, the laws of the State and the rules and regulations of the State Department of Business and Professional Regulation; to do so shall be prohibited and unlawful.

(c) No provision or allowance is made for any establishment, location or entity that may be selling, serving, or allowing consumption of alcoholic beverages, when said establishment, location or entity is not legally operating and/or licensed, locally and/or by the State, as required.

(d) Days and Hours of permitted sales, service and/or consumption:

Legally Conforming Establishment Type	Permitted Days of the Week and Hours
	Monday to Sunday
Alcoholic beverage sales or package sales, for <i>off-premises</i> consumption of alcoholic beverages.	7:00 a.m. of each day until 2:00 a.m. the following day.
Alcoholic beverage sales, service and consumption, for <i>on-premises</i> consumption of alcoholic beverages, on the licensed premises.	
<p style="text-align: center;"><i>Sales &amp; Service</i></p> <ul style="list-style-type: none"> <li>• Bar</li> </ul>	7:00 a.m. of each day until 1:30 a.m. the following day.
<p style="text-align: center;"><i>Consumption and Operating Hours</i></p> <ul style="list-style-type: none"> <li>• Bar</li> </ul> (Bars shall otherwise be cleared out and closed.)	7:00 a.m. of each day until 2:00 a.m. the following day.

<b>Establishments which have obtained a COP-1 or COP-2 State Alcohol License which, as measured pursuant to Sec. 18-71 (f)(6), are within 100 feet of a property which is Residential Single-Family</b>		
<b>Legally Conforming Establishment Type</b>	<b>Permitted Days of the Week and Hours</b>	
	<b>Sunday through Wednesday</b>	<b>Thursday through Saturday</b>
<p><i>Sales &amp; Service</i></p> <ul style="list-style-type: none"> <li>• Restaurant &amp;</li> <li>• Recreation Facility, Commercial</li> </ul>	<p>7:00 a.m. until 11:30 p.m.</p>	<p>7:00 a.m. until 12:30 a.m. the following day.</p>
<p><i>Consumption and Operating Hours</i></p> <ul style="list-style-type: none"> <li>• Restaurant &amp;</li> <li>• Recreation Facility, Commercial</li> </ul> <p>(Said establishments shall otherwise be cleared out and closed.)</p>	<p>7:00 a.m. until 12:00 midnight.</p>	<p>7:00 a.m. until 1:00 a.m. the following day.</p>
<b>All establishments with a higher class than a COP-1 or COP-2 State Alcohol License or Establishments which have obtained a COP-1 or COP-2 State Alcohol License which, as measured pursuant to Sec. 18-71 (f)(6), are greater than 100 feet from a property which is Residential Single-Family</b>		
<b>Legally Conforming Establishment Type</b>	<b>Permitted Days of the Week and Hours</b>	
	<b>Monday to Sunday</b>	
<p><i>Sales &amp; Service</i></p> <ul style="list-style-type: none"> <li>• Restaurant &amp;</li> <li>• Recreation Facility, Commercial</li> </ul>	<p>7:00 a.m. of each day until 1:30 a.m. the following day.</p>	
<p><i>Consumption and Operating Hours</i></p> <ul style="list-style-type: none"> <li>• Restaurant &amp;</li> <li>• Recreation Facility, Commercial</li> </ul> <p>(Said establishments shall otherwise be cleared out and closed.)</p>	<p>7:00 a.m. of each day until 2:00 a.m. the following day.</p>	

Notwithstanding all other applicable sections as found in this ordinance, alcoholic beverage sales, service or consumption, at any establishment in operation, which is licensed to sell, serve or allow consumption of alcoholic beverages, pursuant to the regulations set forth by the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation of the State of Florida at the time that this ordinance for amendment is adopted, which is **non-conforming** by nature of its method of its observed operation, assigned zoning district or other applicable standards enumerated in the Land Development Regulations, so long as it remains or is deemed non-conforming in status, the provisions as found under 18-73 (d) above (legally conforming establishments) shall not apply. These establishments shall be governed by the ‘day’ and ‘hour’ standards which were applicable and in effect prior to the adoption of the amendments herein. The previous standards which they are bound to are as follows:

Non-Conforming Establishment Type	Permitted Days of the Weeks and Hours		
	Monday to Friday	Saturday	Sunday
Alcoholic beverage sales or package sales, for <i>off-premises</i> consumption of alcoholic beverages.	7:00 a.m. of each day until 12:00 midnight.	7:00 a.m. until 12:00 midnight.	Not permitted.
Alcoholic beverage sales, service and consumption, for <i>on-premises</i> consumption of alcoholic beverages, on the licensed premises.			
– <i>Sales &amp; Service</i>	7:00 a.m. of each day until 12:00 midnight.	7:00 a.m. until 12:00 midnight.	Not permitted.
– <i>Consumption</i> (Establishments shall otherwise be cleared out and closed.)	7:00 a.m. of each day until 12:30 a.m. the following day.	7:00 a.m. until 12:00 midnight.	Not permitted.

- (e) The time of sales, service or consumption prescribed herein shall be determined by the time the city is on, whether Eastern Standard Time or Eastern Daylight Saving Time.
- (f) The failure to do any required act, doing any act which is prohibited or unlawful, or doing of any act contrary to the permitted or specified requirements of Chapter 18, Article 3 of the City of Live Oak Code of Ordinances, is prohibited and declared to be unlawful and an offence. Any person, firm or entity found to be in violation shall be punished as provided for in section 1-14 of the City of Live Oak Code of Ordinances, and any other provision of law or enforcement which may apply.