

Introduced by Council Member Arias and Co-Sponsored by Council Members Peluso and Johnson and amended by the Neighborhoods, Community Services, Public Health and Safety Committee:

ORDINANCE 2025-772-E

AN ORDINANCE REGARDING SIDEWALK CAFÉS AND BARS;
AMENDING SECTION 154.108 (CONSUMPTION ON
VENDOR'S PREMISES), PART 1 (IN GENERAL), CHAPTER
154 (ALCOHOLIC BEVERAGES), *ORDINANCE CODE*, TO
EXPAND THE PREMISES AREA; AMENDING SECTION
250.801 (DEFINITIONS), PART 8 (DOWNTOWN SIDEWALK
CAFES), CHAPTER 250 (MISCELLANEOUS BUSINESS
REGULATIONS), *ORDINANCE CODE*, TO EXPAND THE
DOWNTOWN AREAS FOR SIDEWALK CAFES AND BARS;
PROVIDING FOR CODIFICATION; PROVIDING AN
EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Jacksonville:

**Section 1. Amending Section 154.108 (Consumption on
vendor's premises), Part 1 (In General), Chapter 154 (Alcoholic
Beverages), Ordinance Code.** Section 154.108 (Consumption on vendor's
premises), Part 1 (In General), Chapter 154 (Alcoholic Beverages),
Ordinance Code, is hereby amended to read as follows:

CHAPTER 154 - ALCOHOLIC BEVERAGES

PART 1. - IN GENERAL

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Sec. 154.108. - Consumption on vendor's premises.

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(b) It is unlawful for any person to consume any alcoholic
beverages, including beer and wine, on the premises of any

vendor, except within the building which is the address of
 such vendor, on a patio adjacent to such building, or
 within a recreational area contiguous and attached to the
 building, and maintained and controlled by the vendor
 exclusively for recreational purposes, including but not
 limited to, golf facilities, tennis facilities, boating
 and fishing facilities, swimming facilities or other
 recreational purposes; provided, that such patio or
 recreational area meets the distance limitations of Chapter
 656. As it relates to locations within the Downtown
 Overlay, as defined by Section 656.361.2 of this Code,
 alcoholic beverages may also be consumed as part of the
 operation of a downtown sidewalk café or bar as set forth
 in Part 8 of Chapter 250 of this Code, and as it relates
 to those shopping districts described in Section 209.902
 of this Code, alcoholic beverages may also be consumed as
 part of the operation of a sidewalk café as set forth in
 Part 9 of Chapter 250 of this Code.

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**Section 2. Amending Section 250.801 (Definitions), Part 8
 (Downtown Sidewalk Cafes), Chapter 250 (Miscellaneous Business
 Regulations), Ordinance Code.** Section 250.801 (Definitions), Part 8
 (Downtown Sidewalk Cafes), Chapter 250 (Miscellaneous Business
 Regulations), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 250 - MISCELLANEOUS BUSINESS REGULATIONS

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PART 8. - DOWNTOWN SIDEWALK CAFES

Sec. 250.801. - Definitions.

Adjacent means being located in the area bounded by the café,
 bar or restaurant property, the invisible line extending from the
 property side lot lines to the street, and the street, and any

1 sidewalk extension that provides more space and amenities for people
2 using the street for extended seating, as approved by DIA. For those
3 café, bar or restaurant properties that are located at the
4 intersection of two or more streets, the area includes that portion
5 of the sidewalk located between the invisible line extending from the
6 two property front lot lines to the street.

7 Bar means a bona fide standard bar which does not have a
8 requirement to derive any portion of its sales from food or other non-
9 alcoholic beverages located within the Downtown Overlay as defined by
10 Section 656.361.2 located within the boundaries of the E-Town
11 (Entertainment Town) Zone and shall be subject to the following
12 criteria:

- 13 a. All beverages (including alcoholic beverages) are
14 prohibited from being prepared outside the main structure
15 on the premises of the bar (including the sidewalk area or
16 alleyway) and all beverages (including alcoholic
17 beverages) must be served from within the main structure
18 on the premises of the bar.
- 19 b. The bar shall be properly licensed by the State of Florida
20 to serve alcoholic beverages (including those served in
21 the sidewalk cafe area or alleyway).
- 22 c. The bar owner shall, in addition to all other requirements
23 of law, take reasonable steps to insure that alcoholic
24 beverages are consumed only by patrons of the bar who are
25 of legal age and not by passersby or persons who are not
26 of legal age or who are obviously intoxicated. Patrons of
27 the bar shall not be allowed to leave the bar or sidewalk
28 cafe area while drinking alcoholic beverages. Reasonable
29 steps shall include the use of moveable barriers, such as
30 moveable planters or fences to define the permitted area,
31 supervision of the outside area by security or staff

1 personnel, and/or surveillance by electronic monitors.
2 Failure by the bar owner to take such reasonable steps and
3 use them at all times that alcoholic beverages are consumed
4 in the sidewalk cafe area is grounds for termination of
5 the sidewalk cafe permit and shall not be deemed an adverse
6 action against the issuance of any future the sidewalk cafe
7 permit.

8 *Cafe or restaurant* means a bona fide standard cafe or restaurant
9 located within the boundaries of the ~~Central Business District, as~~
10 ~~defined by the Comprehensive Plan, the boundaries of which are~~
11 ~~coterminous with the~~ Downtown Overlay as defined by Section 656.361.2
12 ~~656.361.12~~, (and meeting the definition of commercial zone) and shall
13 be subject to the following criteria:

- 14 a. All food must be prepared on the premises of the cafe or
15 restaurant (excluding the sidewalk area) and all food and
16 beverages must be served from the premises of the cafe or
17 restaurant.
- 18 b. The cafe or restaurant shall, on an annual-calendar year-
19 basis, derive not less than 51 percent of its gross income
20 from the sale of food and nonalcoholic beverages prepared,
21 sold and consumed on the premises and sidewalk area.
- 22 c. The cafe or restaurant shall be open for the sale and
23 purchase of prepared food at any time alcoholic beverages
24 are available for sale and purchase.
- 25 d. The cafe or restaurant owner shall comply at all times with
26 the Downtown Property Maintenance Code.

27 * * *

28 ~~E-Town (Entertainment Town) Zone means properties located within~~
29 ~~the E-Town (Entertainment Town) Zone area, which abuts Bay Street~~
30 ~~from Liberty Street to Ocean Street, Forsyth Street from Liberty~~
31 ~~Street to Main Street, Ocean Street from Bay Street to Adams Street,~~

~~Adams Street from Newnan Street to Main Street, Newnan Street between
Bay Street and Forsyth Street and Market Street between Bay and
Forsyth Street.~~

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Section 3. Codification Instructions. The Codifier and the Office of General Counsel are authorized to make all chapter and division "tables of contents" consistent with the changes set forth herein. Such editorial changes and any other changes necessary to make the *Ordinance Code* consistent with the intent of this legislation are approved and directed herein, and changes to the *Ordinance Code* shall be made forthwith and when inconsistencies are discovered.

Section 4. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Dylan Reingold

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