

1 Introduced by the Council President at the request of the DIA:
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4 **ORDINANCE 2023-863**

5 AN ORDINANCE AMENDING SECTION 154.101
6 (DEFINITIONS), PART 1 (IN GENERAL), CHAPTER 154
7 (ALCOHOLIC BEVERAGES), *ORDINANCE CODE*, TO ADD
8 CERTAIN DEFINITIONS; CREATING A NEW SECTION
9 154.115 (JACKSONVILLE RIVERWALK SPECIALTY
10 CENTER), PART 1 (IN GENERAL), CHAPTER 154
11 (ALCOHOLIC BEVERAGES), *ORDINANCE CODE*, TO CREATE
12 AND ESTABLISH THE JACKSONVILLE RIVERWALK
13 SPECIALTY CENTER DOWNTOWN; PROVIDING FOR
14 CODIFICATION INSTRUCTIONS; PROVIDING AN
15 EFFECTIVE DATE.
16

17 **WHEREAS**, Jacksonville’s Northbank Riverwalk, as designed,
18 extends along the north side of the St. Johns River, from the western
19 edge of the Fuller Warren bridge right-of-way to Metropolitan Park,
20 offering Downtown visitors fantastic river and wildlife views as they
21 leisurely amble along its paved pathway; and

22 **WHEREAS**, Jacksonville’s Southbank Riverwalk lies directly
23 across the St. Johns River from the Northbank Riverwalk, this similar
24 special use path, which is in parts a concrete boardwalk over water,
25 extends along the south side of the St. Johns River and offers
26 beautiful views of the downtown skyline, riverboats, birds, and
27 dolphins; and

28 **WHEREAS**, the Northbank Riverwalk and Southbank Riverwalk are
29 lined with adjacent parks, such as Corkscrew Park, Riverfront Plaza,
30 Shipyards West Park, St. Johns River Park and Friendship Foutain, and
31 the parks at RiversEdge, and others, as well as over 50,000 square

1 feet of leasable space in adjacent commercial developments; and

2 **WHEREAS**, establishing a specialty center along the Northbank
3 and Southbank Riverwalks will allow patrons the opportunity to
4 purchase alcoholic drinks at designated locations along the
5 Riverwalks and enjoy imbibing their beverages as they stroll along
6 the St. Johns River, taking in all the beauty that Jacksonville has
7 to offer; and

8 **WHEREAS**, Florida Statutes defines a "specialty center" as a
9 defined geographic area with a development of at least 50,000 square
10 feet of leasable area containing restaurants, entertainment
11 facilities and specialty shops, located adjacent to a navigable water
12 body; and

13 **WHEREAS**, Section 561.20(2)(b), *Florida Statutes*, allows the
14 sale of alcoholic beverages by vendors within a specialty center, for
15 consumption by patrons located within the defined geographic area of
16 the specialty center open container area; and

17 **WHEREAS**, the creation of the Jacksonville Riverwalk Specialty
18 Center will attract patrons and increase economic activity to the
19 Downtown area, which will bestow benefit upon both visitors and
20 residents; and

21 **WHEREAS**, on October 18, 2023, the DIA Board approved Resolution
22 2023-10-06, approving this amendment to Chapter 154 of the Ordinance
23 Code, to create and establish the Jacksonville Riverwalk Specialty
24 Center within Downtown, a copy of which is attached hereto as **Exhibit**
25 **1**; now therefore

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

27 **Section 1. Amending Section 154.101 (Definitions), Part 1**
28 **(In General), Chapter 154 (Alcoholic Beverages), Ordinance Code.**
29 Section 154.101 (Definitions), Part 1 (In General), Chapter 154
30 (Alcoholic Beverages), *Ordinance Code*, is hereby amended to read as
31 follows:

1 Chapter 154 - ALCOHOLIC BEVERAGES

2 Part 1. - IN GENERAL

3 * * *

4 Sec. 154.101. - Definitions.

5 Whenever used in this Chapter, the following definitions
6 pertaining to alcoholic beverages shall apply:

7 (a) *Alcoholic beverages* means and includes distilled spirits and
8 all beverages containing one-half of one percent or more of
9 alcohol by volume.

10 (b) Approved Container means a plastic cup that bears the
11 Jacksonville Riverwalk Logo, is no larger than 16 ounces and
12 is approved by the city for sale and use in the Jacksonville
13 Riverwalk Specialty Center.

14 ~~(b)~~(c) *Fourteen percent alcoholic beverages* means and includes
15 all beverages containing more than 14 percent of alcohol by
16 volume. The determination of the percentage of alcohol by
17 volume shall be made as provided in F.S. § 561.01.

18 ~~(e)~~(d) *Intoxicating beverages* means and includes only those
19 alcoholic beverages containing more than 4.007 percent of
20 alcohol by volume.

21 (e) Licensed premises means the area licensed by the state for
22 the sale of alcoholic beverages, pursuant to Florida
23 Statutes, as amended.

24 (f) Licensee means a legal or business entity, person, or persons
25 that hold a license issued by the Florida Division of Alcohol
26 and Tobacco for the sale of alcoholic beverages.

27 (g) Open container means any container of alcoholic beverage which
28 is immediately capable of being consumed from or the seal of
29 which has been broken.

30 (h) Jacksonville Riverwalk Open Container Area means the
31 Riverwalk, and the Riverwalk Connectors, as shown in Figure

1 1 of Section 154.115 below, where possession and consumption
2 of alcoholic beverages are permitted between the hours of
3 11:00 a.m. and 1:00 a.m. in conformance with this part.

4 (i) Jacksonville Riverwalk Specialty Center means the area shown
5 in Figure 1 of Section 154.115 below, that includes licensed
6 premises on or near the Jacksonville Riverwalk where one may
7 exit the licensed premises with open containers onto the
8 Riverwalk Open Container Area.

9 **Section 2. Creating Section 154.115 (Jacksonville**
10 **Riverwalk Specialty Center), Part 1 (In General), Chapter 154**
11 **(Alcoholic Beverages), Ordinance Code.** Section 154.115 (Jacksonville
12 Riverwalk Specialty Center), Part 1 (In General), Chapter 154
13 (Alcoholic Beverages), *Ordinance Code*, is hereby created to read as
14 follows:

15 **Chapter 154 - ALCOHOLIC BEVERAGES**

16 **Part 1. - IN GENERAL**

17 * * *

18 **Sec. 154.115. - Jacksonville Riverwalk Specialty Center.**

19 (a) *Creation of Jacksonville Riverwalk Specialty Center.*
20 Pursuant to F.S. § 561.20(2)(b), the city does hereby create
21 and establish a specialty center along and contiguous to the
22 Northbank and Southbank Riverwalks adjacent to the St. Johns
23 River Downtown with the areas and boundaries as set forth
24 and designated in Figure 1 below, to be called the
25 Jacksonville Riverwalk Specialty Center.

26 (b) *Possession of open containers of alcohol within the*
27 *Jacksonville Riverwalk Open Container Area.*

28 (1) A person who legally obtains an alcoholic beverage from
29 a licensed premises within the Jacksonville Riverwalk
30 Specialty Center may possess and/or consume the alcoholic
31 beverage within the Jacksonville Riverwalk Open

1 Container Area so long as the alcoholic beverage is in
2 an Approved Container.

3 (2) A person may only enter a licensed premises with an
4 alcoholic beverage if the alcoholic beverage is in an
5 Approved Container and only into that portion of the
6 licensed premises that extends into the Jacksonville
7 Riverwalk Open Container Area.

8 (3) No person may possess more than two (2) open containers
9 of alcoholic beverage in an Approved Container while in
10 the Jacksonville Riverwalk open Container Area.

11 (c) *Open container in public parks not allowed.* Except by valid
12 permit or license, no person shall possess or consume in any
13 public park within the Jacksonville Riverwalk Specialty
14 Center any open container of alcoholic beverage. However, if
15 an event is permitted by the City which allows alcoholic
16 beverages in a park within the Jacksonville Riverwalk
17 Specialty Center, then that park may be included within the
18 Jacksonville Riverwalk Open Container Area for the duration
19 of the event, provided such is requested by the event permit
20 holder and approved as part of the event permit. During the
21 time of such event, alcohol may be consumed in the
22 Jacksonville Riverwalk Open Container Area in an approved
23 container issued by the holder of the event permit.

24 (d) *Open containers of alcoholic beverages purchased outside the*
25 *Jacksonville Riverwalk Specialty Center not allowed in the*
26 *Jacksonville Riverwalk Specialty Center.* Except as provided
27 in this section, possession of any open container containing
28 an alcoholic beverage within the Jacksonville Riverwalk
29 Specialty Center shall be unlawful and punishable in
30 accordance with the appropriate laws.



Legend

- RIVERWALK SPECIALTY CENTER
- RIVERWALK CONNECTORS
- RIVERWALK OPEN CONTAINER AREA



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Figure 1: Jacksonville Riverwalk Open Container Area

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 others 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/ Carla A. Lopera

Office of General Counsel

Legislation Prepared By: Carla A. Lopera