

NCSPPHS AMENDMENT #1

The Neighborhoods, Community Services, Public Health and Safety Committee offers the following first amendment to File No. 2023-863:

- (1) On **page 1, line 30, strike** "Foutain" and **insert** "Fountain";
- (2) On **page 2, lines 27-31, page 3, lines 1-31 and page 4, lines 1-8, strike** Section 1 in its entirety and **insert** a new Section 1 to read as follows:

"Section 1. Amending Section 154.101 (Definitions), Part 1 (In General), Chapter 154 (Alcoholic Beverages), Ordinance Code. Section 154.101 (Definitions), 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

*** * ***

Sec. 154.101. - Definitions.

(a) Whenever used in this Chapter, the following definitions pertaining to alcoholic beverages shall apply. The determination of the percentage of alcohol by volume shall be made as provided in F.S. § 561.01.

~~(a)~~ (1) *Alcoholic beverages* means and includes distilled spirits and all beverages containing one-half of one percent or more of alcohol by volume.

~~(b)~~ (2) *Fourteen percent alcoholic beverages* means and includes all beverages containing more than 14 percent of alcohol by volume.

~~(c)~~ (3) *Intoxicating beverages* means and includes only those

alcoholic beverages containing more than 4.007 percent of alcohol by volume.

~~The determination of the percentage of alcohol by volume shall be made as provided in F.S. § 561.01.~~

(b) For the purposes of this Part, the following terms, phrases, words, and their derivations, as listed in alphabetical order herein, shall have the meaning contained below:

- (1) *Approved Container* means a plastic cup that bears the Jacksonville Riverwalk Logo, is no larger than 16 ounces and is approved by the City for sale and use in the Jacksonville Riverwalk Specialty Center.
- (2) *Licensed premises* means the area licensed by the state for the sale of alcoholic beverages, pursuant to Florida Statutes, as amended.
- (3) *Licensee* means a legal or business entity, person, or persons that hold a license issued by the Florida Division of Alcohol and Tobacco for the sale of alcoholic beverages.
- (4) *Open container* means any container of alcoholic beverage which is immediately capable of being consumed from or the seal of which has been broken.
- (5) *Jacksonville Riverwalk Open Container Area* means the Riverwalk, and the Riverwalk Connectors, as shown in Figure 1 of Section 154.115 below, where possession and consumption of alcoholic beverages are permitted between the hours of 11:00 a.m. and 1:00 a.m. in conformance with this part.

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

- (3) On **page 4, line 20, strike** "city" and **insert** "City";
- (4) On **page 5, line 10, strike** "open" and **insert** "Open";
- (5) On **page 6, line 2, strike** "Figure 1: Jacksonville Riverwalk Open Container Area" and **insert** "Figure 1: Jacksonville Riverwalk Open Container Area";
- (6) On **page 1, line 1,** amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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