

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2019-25

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA AMENDING THE CITY OF CORAL GABLES CODE CHAPTER 6, "ALCOHOLIC BEVERAGES," SECTION 6-4, "ADMINISTRATIVE REVIEW BY CITY MANAGER WITH APPROVAL BY CITY COMMISSION FOR RETAIL BEVERAGE AND RETAIL LIQUOR STORE LICENSES ISSUED TO NONRESTAURANT FACILITIES," PROVIDING EXCEPTION FOR LARGE PERMANENT SEAT EVENT SPACES, OR VENUE FACILITIES; PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the provisions relating to regulation of alcoholic beverages for nonrestaurant facilities pursuant to Section 6-4 of the Coral Gables Code was not intended to apply large-scale permanent seat event space or venue facilities; and

WHEREAS, regulation of alcoholic beverages currently limits the area for serving alcoholic beverages to 45 square feet, a limitation not for appropriate for large scale permanent seat event space or venue; and

WHEREAS, the Coral Gables Code wishes to clarify the application of Section 6-4 with respect to large scale permanent seat event space or venue and with update the language regarding "occupational licenses,"

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "**WHEREAS**" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Section 6-4 of the City Code of the City of Coral Gables is hereby amended to read as follows:¹

Sec. 6-4. - Administrative review by city manager with approval by city commission for retail beverage and retail liquor store licenses issued to nonrestaurant facilities.

(a) Retail beverage and retail liquor store licenses issued by the state, as permitted by state law limiting the number of permitted licenses for the sale of alcoholic beverages and intoxicating liquors, may be issued by the city commission, after administrative review by the city manager, for the following:

(1) Art galleries, including private art galleries, for the retail sale of art.

¹ Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

(2) Theaters.
(3) Museums.
(4) Other nonrestaurant facilities as determined on an individual basis by the city commission. In approving such facilities, the city commission may impose appropriate conditions and safeguards to protect the public health, safety and welfare.

(b) In order for a nonrestaurant facility to qualify for a retail beverage or retail liquor store license under this section, the following minimum requirements shall be met in addition to other requirements set out elsewhere in this chapter:

(1) That the nonrestaurant facility shall have a valid certificate of use and Local Business Tax occupational license.

(2) The sale of alcoholic beverages and intoxicating liquors shall be only incidental to the primary function of the facility.

(3) Permanent bars or counters with a surface area not exceeding 45 square feet shall be permitted. It is provided, however, that this restriction shall not apply to an event space or venue facility with a minimum of 4,000 or more permanent seats.

(4) Total receipts from the sale of alcoholic beverages and intoxicating liquors shall not exceed 25 percent of the total annual gross receipts of any nonrestaurant facility. It shall be the responsibility of the nonrestaurant facility to maintain records open for inspection by the city to demonstrate compliance with this requirement.

(5) Nonrestaurant facilities holding a state retail beverage or retail liquor store license shall always be subject to inspection by the city manager or his or her designee for the purpose of determining that such nonrestaurant facilities are in compliance with the existing requirements.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida that the provisions of this Ordinance shall become and be made a part of the City Coral Gables Code of Ordinances; and, that the sections of this “ordinance” may be changed to “section” or “article”, or other appropriate word or phrase to accomplish such intention.

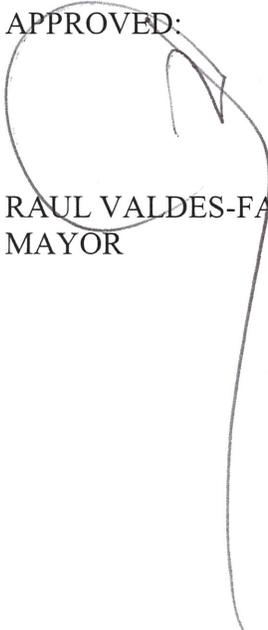
SECTION 6. If the Official Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF AUGUST
A.D., 2019.

(Moved: Fors, Jr., /Seconded: Keon)
(Yeas: Fors, Jr., Keon, Lago, Mena, Valdes-Fauli)
(Unanimous: 5-0 Vote)
(Agenda Item: F-2)

APPROVED:



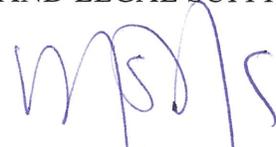
RAUL VALDES-FAULI
MAYOR

ATTEST:



BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY