

ORDINANCE NO.: 94-04

SECRETARY OF  
MAR 31 1 33 PM '94  
FILED

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, PROVIDING FOR RESTRICTIONS UPON LOCATION AT WHICH OPEN CONTAINERS OF ALCOHOLIC BEVERAGES MAY BE CONSUMED; PROVIDING FOR AND SETTING DISTANCE CRITERIA FROM LICENSED ESTABLISHMENTS WITHIN WHICH OPEN CONTAINERS OF ALCOHOLIC BEVERAGES WILL BE PROHIBITED; PROVIDING FOR SIGNAGE PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

**SECTION 1. OPEN CONTAINERS PROHIBITED - IN CERTAIN AREAS**

**A. DISTANCE FROM LICENSED ESTABLISHMENT**

It shall be unlawful for anyone to consume or possess open containers of beer, wine, alcoholic beverages, or intoxicating liquors on public rights-of-way within five hundred (500') feet of a premises which is licensed for the sale of alcoholic beverages. The distance set forth herein shall be measured from the shortest route of ordinary pedestrian travel along public thoroughfares from the principal entrance of the establishment dealing in intoxicating beverages to the location of the violation of this section.

**B. SIGN REQUIRED**

Each establishment open to the public and employing or selling intoxicating beverages or alcoholic beverages shall at all times have, located in the interior as well as the exterior portions of the building licensed for sale of such beverages at a location which can be readily seen and read by customers of the establishment, a sign prominently displayed of a size at least one (1) foot by two (2) feet containing the following information:

**IT IS UNLAWFUL TO CONSUME OR POSSESS ALCOHOLIC BEVERAGES IN AN OPEN CONTAINER ON PUBLIC RIGHTS-OF-WAY WITHIN 500 FEET OF THIS ESTABLISHMENT - COUNTY ORDINANCE 94-04.**

**C. PENALTIES**

A violation of this section will be punishable by a fine of fifty (\$50.00) dollars.

**SECTION 2. SEVERABILITY**

It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence phrase or provision of this Ordinance is for any reason

held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3. INCLUSION IN THE CODE**

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of Hernando County as an addition or amendment thereto and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

**SECTION 4. EFFECTIVE DATE**

This Ordinance shall become effective upon receipt of official acknowledgement from the Secretary of State that said Ordinance has been filed.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS** in Regular

Session this 22nd day of March, 1994, A.D.



**BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA**

Attest: Michelle L. Hentoman,  
KAREN NICOLAI *Deputy Clerk*  
Clerk

By: *June Ester*  
JUNE ESTER  
Chairman