

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, REPEALING SECTION 113.26(G) OF THE CODE OF ORDINANCES, WHICH PROVIDES FOR THE “SUNSET” OF THE EXTENDED HOURS LICENSE SYSTEM FOR THE SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR RETROACTIVITY.

WHEREAS, Section 113.26 of the Code of Ordinances creates a system for an establishment that sells alcoholic beverages for on-premises consumption to apply for an extended hours license that allows the sale of alcoholic beverages for on-premises consumption until 4:00 a.m.; and

WHEREAS, Section 113.26(G) of the Code of Ordinances provides for the repeal of Section 113.26 effective October 1, 2014; and

WHEREAS, it appears that notwithstanding Section 113.26(G), the City and all other persons affected by extended hours licenses have continued to act fully in accordance with the “extended hours license” system; and

WHEREAS, the City Manager, the Acting City Attorney and the Police Chief recommend that the City Commission repeal Section 113.26(G) retroactive to October 1, 2014 in order to recognize the continued operation of the system since that date and declare the Commission’s desire to continue the system in the future;

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

Section 1: That Section 113.26 of the Code of Ordinances is hereby amended to read as follows:

TITLE XI: BUSINESS REGULATIONS

\* \* \*

CHAPTER 113: ALCOHOLIC BEVERAGES

\* \* \*

*HOURS OF SALE*

\* \* \*

(Coding: Words and figures underscored are additions to existing law; words and figures ~~struck through~~ are deletions.)

§ 113.26 EXTENDED HOURS LICENSE.

\* \* \*

~~(G) — Legislative review. This section shall stand repealed on October 1, 2014, unless reviewed and saved from repeal through reenactment by the City Commission.~~

\* \* \*

(G H) *Temporary extension of hours waiver.*

\* \* \*

Section 2: That it is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the provisions of this ordinance may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 5: That this ordinance shall be in full force and effect retroactive to October 1, 2014.

ADVERTISED on \_\_\_\_\_, 2017.

PASSED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

PASSED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ORDINANCE REPEALING SECTION 113.26(G), WHICH PROVIDES FOR THE  
SUNSET OF THE EXTENDED HOURS LICENSE SYSTEM

ATTEST:

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PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM & LEGALITY  
for the use and reliance of the  
City of Hollywood, Florida only:

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DOUGLAS R. GONZALES, CITY ATTORNEY