

ORDINANCE 2025-07

AN ORDINANCE OF THE CITY OF BELLEAIR BLUFFS, FLORIDA, AMENDING SECTION 102-50F. (COMMERCIAL GENERAL DISTRICT) OF ARTICLE IX (LAND USE CATEGORY) OF CHAPTER 102 (LAND DEVELOPMENT) OF PART II (GENERAL LEGISLATION) OF THE CODE OF ORDINANCES OF THE CITY OF BELLEAIR BLUFFS TO REVISE THE HOURS OF OPERATION FOR EVERY PERSONAL SERVICE, RETAIL OR COMMERCIAL USE WITHIN 250 FEET OF A RESIDENTIAL STRUCTURE TO BE CLOSED BETWEEN THE HOURS OF 1:01 A.M. AND 6:00 A.M. SUNDAY THROUGH THURSDAY AND BETWEEN 2:01 A.M. AND 6:00 A.M. ON FRIDAY AND SATURDAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City has received a text amendment application to revise the hours of operation for personal service, retail or commercial uses within 250 feet of a residential structure set forth in Section 102-50F of the Land Development Code of the City of Belleair Bluffs, Florida; and

WHEREAS, the Planning Board has reviewed the text amendment application at a public hearing and has recommended approval of the change to Section 102-50F; and

WHEREAS, the City Commission has received input from the public at two public hearings.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BELLEAIR BLUFFS, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Subparagraph F of Section 102-50 (Commercial General District) of Article IX (Land Use Category Requirements) of Chapter 102 (Land Development) of Part II (General Legislation) of the Code of Ordinances for the City of Belleair Bluffs, Florida, is hereby amended to read as follows:

- F. Hours of operation. Hours of operation. Every personal service, retail or general commercial use located within 250 feet of a residential structure, measured in the shortest direct line between any such use and said residential structure, shall be closed to the public between the hours of 1:01 a.m. and 6:00 a.m. Sunday through Thursday and between 2:01 a.m. and 6:00 a.m. on Friday and Saturday.

Section 2. That Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 3. For purposes of codification of any existing section of the Belleair Bluffs Code herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the City Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Code of Ordinances of the City Belleair Bluffs contained in Sections 1 through 5 of this Ordinance as provided for therein and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
BELLEAIR BLUFFS, FLORIDA, THIS _____ DAY OF _____, 2025.**

Mayor Chris Arbutine

ATTEST:

Alexis A. Silcox, City Clerk

PASSED ON FIRST READING:

PLANNING BOARD:

PASSED ON SECOND READING: