



Commission Agenda Item Request Form

MEETING DATE: SEPTEMBER 22, 2025

SUBJECT: DISCUSS, CONSIDER, AND ACT ON ORDINANCE 2025-06. AN ORDINANCE AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" OF THE HIGH SPRINGS CODE OF ORDINANCES.

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: CITY MANAGER

PREPARED BY: EXECUTIVE ASSISTANT, ASHLEY MAULDIN

RECOMMENDED ACTION: APPROVAL

Summary

CHAPTER 10 OF THE HIGH SPRINGS CODE OF ORDINANCES REGULATES THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY LIMITS. SECTION 10-3 PROVIDES FOR LIMITATION ON LOCATIONS FROM WHENCE ALCOHOLIC BEVERAGES MAY BE SOLD WHICH INCLUDES A RESTRICTION ON SELLING ALCOHOLIC BEVERAGES WITHIN 500 FEET OF AN ESTABLISHED CHURCH.

IT HAS BEEN DETERMINED THAT IT IS DESIRABLE TO AMEND SECTION 10-3 OF THE HIGH SPRINGS CODE OF ORDINANCES TO PROVIDE THAT THE 500-FOOT RESTRICTION AS TO CHURCHES ONLY APPLIES TO CHURCH-OWNED PROPERTY AND ESTABLISH A METHODOLOGY FOR THE RESTRICTION TO BE WAIVED UPON CONSENT BY AFFECTED CHURCHES.

ATTACHMENTS: BUSINESS IMPACT ESTIMATE, ORDINANCE 2025-06
REVIEWED BY CITY MANAGER: _____

Business Impact Estimate

Proposed ordinance's title/reference: **ORDINANCE 2025-06,
AN ORDINANCE AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" OF THE
HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR RESTRICTIONS ON 500-
FOOT REQUIREMENTS RELATED TO CHURCHES TO APPLY ONLY TO CHURCH-
OWNED PROPERTY; PROVIDING FOR WAIVER OF SUCH REQUIREMENT UPON
APPLICATION WITH WAIVERS FROM AFFECTED CHURCHES; PROVIDING FOR
SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR
CODIFICATION**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

¹ See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This Ordinance is amending Chapter 10 of the Code of Ordinances, providing for restrictions on 500 foot requirements related to churches to apply only to church-owned property, providing for a waiver of such requirement upon application with waivers from affected churches.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There is no direct compliance costs that businesses may reasonably incur.

There is no new charge or fee imposed by the proposed ordinance.

There is no anticipated regulatory costs associated with this ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: There is not a monetary fee.

4. Additional information the governing body deems useful (if any):

ORDINANCE 2025-06

AN ORDINANCE AMENDING CHAPTER 10 “ALCOHOLIC BEVERAGES” OF THE HIGH SPRINGS CODE OF ORDINANCES; PROVIDING FOR RESTRICTIONS ON 500-FOOT REQUIREMENTS RELATED TO CHURCHES TO APPLY ONLY TO CHURCH-OWNED PROPERTY; PROVIDING FOR WAIVER OF SUCH REQUIREMENT UPON APPLICATION WITH WAIVERS FROM AFFECTED CHURCHES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR CODIFICATION

WHEREAS, Chapter 10 of the High Springs Code of Ordinances regulates the sale of alcoholic beverages within the City limits; and

WHEREAS, Chapter 10, Section 10-3 provides for limitation on locations from whence alcoholic beverages may be sold which includes a restriction on selling alcoholic beverages within 500 feet of an established church; and

WHEREAS, the Commission reviewed this requirement and determined that the current restriction is overly prohibitive without the potential for relief; and

WHEREAS, the Commission has determined that providing that the 500-foot restriction as to churches only applies to church-owned property and establishing a methodology for the restriction to be waived upon consent by affected churches will encourage growth and development of the City, enhance economic prosperity, diversity, and opportunity; and

WHEREAS, the City Commission of the City of High Springs has determined that it is desirable to amend Section 10-3 of the High Springs Code of Ordinances to provide that the 500-foot restriction as to churches only applies to church-owned property and establish a methodology for the restriction to be waived upon consent by affected churches;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS:

Section 1: Section 10-3 of the High Springs Code of Ordinances entitled “Location of licensed premises” is hereby amended to read as follows (words ~~struck through~~ have been deleted, and words underlined have been added):

- (a) No alcoholic beverages shall be sold within 500 feet of an established church, which distance shall be measured by extending a straight line from the main entrance of the building of the licensed premises of the applicant to the main entrance of the church building. This restriction only applies to premises owned by churches, not premises leased or otherwise used by or as churches on premises not owned by a church. This restriction may be waived by the City Commission upon application by a requesting

individual or entity if the applicant procures a written waiver from all churches in the 500-foot zone. The City Commission shall review all such applications and rule on same.

- (b) No alcoholic beverages shall be sold within 600 feet from a public or private school, duly accredited and offering any of the grades from kindergarten through 12th grade, which measurement shall be by a straight line from the main entrance of the building of the licensed premises of the applicant to the nearest part of the school grounds normally and regularly used in connection with such school program.
- (c) Those licensees previously issued beverage licenses permitting consumption on the premises and having a beverage license for the year 2011-2012 in effect as of January 22, 2012, may continue to sell pursuant to such licenses at the same premises only and as vendors, the provisions of subsections (a) and (b) of this section to the contrary notwithstanding. Should such a license as is held or renewed be suspended, revoked, transferred to a different licensed premises, or not be renewed and kept continuously valid, such sales of alcohol shall not occur except in conformity with the terms of subsections (a) and (b) of this section.
- (d) The prohibitions and distance restrictions contained in this section in no way apply to the sale of beer or wine for off-premises consumption.

Section 2. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall become effective upon its passage at second and final reading.

Section 5. Codifier. All text shown in ~~bold and strike through~~ is to be deleted. All text shown in **bold and underline** is adopted.

DONE THE FIRST READING, by the City Commission of the City of High Springs, Florida, at a regular meeting, this ____ day of _____, 2025.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of High Springs, Florida, by the City Clerk of the City of High Springs, Florida on the ____ day of _____, 2025 through the ____ day of _____, 2025.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of High Springs, Florida, at a regular meeting, this ____ day of _____, 2025.

BY THE MAYOR OF THE CITY OF HIGH
SPRINGS, FLORIDA

Tristan Grunder, Mayor

ATTEST, BY THE CLERK OF THE
CITY COMMISSION OF THE CITY OF
HIGH SPRINGS, FLORIDA:

Angela Stone, City Clerk

APPROVED AS TO FORM AND
LEGALITY:

Danielle C. Adams, City Attorney *or*
Kiersten N. Ballou, City Attorney