

Jacksonville alcoholic beverage code- on www.municode.com

Sec. 154.113. Certain practices prohibited.

(a) Within the licensed premises or in any room or part thereof, it shall be unlawful and a class D offense for any vendor of alcoholic beverages licensed by the state to sell and serve alcoholic beverages for on-premise consumption, or for his employees or agents to:

(1) Dispense any alcoholic beverages for consumption on the premises free of charge or at any time during a calendar week at a price other than the vendor's initial price that week for substantially the same amount and the same brand of alcoholic beverage dispensed, except at private functions not open to the public, which shall mean any function wherein the vendor has agreed to the use of all or part of his licensed premises by a person, firm, or organization for a set period of time for a valuable consideration;

(2) Deliver more than two alcoholic beverage drinks to one person at one time for consumption by that one person;

(3) Sell, offer to sell or deliver to any person or group of persons any alcoholic beverage drinks at a price less than that regularly charged for such drinks during the same calendar week, except at private functions not open to the public, as defined in subsection (1);

(4) Sell, offer to sell or deliver to any person any unlimited number of alcoholic beverage drinks during any set period of time for a fixed price, except at private functions not open to the public, as defined in subsection (1);

(5) Sell, offer to sell or deliver alcoholic beverage drinks to any persons on any one day or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public, as defined in subsection (1);

(6) Sell, offer to sell or deliver malt beverages or mixed alcoholic beverage drinks by the pitcher except to two or more persons at any one time;

(7) Increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week;

(8) Encourage, conduct, permit or authorize, on the vendor's premises, any game or contest which involves consumption of alcoholic beverages or the awarding of alcoholic beverages as prizes;

(9) Encourage, conduct, permit or authorize, on the vendor's premises, "fight nights" or other similar amateur events, by whatever name, in which persons are allowed, engaged, encouraged or compensated for fighting, boxing, wrestling, kick boxing or using martial arts skills in a combative manner creating a public display and intended or purported to serve as entertainment, except as permitted in Section 154.113(c) hereof.

(10) No vendor, his employees or agents, shall advertise or promote in any way, whether within or without the vendor's premises, any of the practices prohibited by subsections (1) through (9) of this Section.

(b) Nothing contained in this Section shall be construed to prohibit vendors from offering free food or entertainment at any time; or to prohibit a vendor from including an alcoholic beverage drink as part of a meal package; or to prohibit the sale or delivery of wine by the bottle or carafe when sold with meals or to more than one person; or to prohibit free wine tastings conducted or sponsored by an authorized agent of a distiller or wholesale or retail distributor; or to provide room services to registered guests.

(c) The provisions of Section 154.113(a)(9) shall not be construed to apply to any match, contest or exhibition in a licensed premises, or in any location in which alcoholic beverages are served, in which:

(1) The contestants are all amateurs. For purposes hereof, an amateur means a person who is not a professional as defined in F.S. § 548.002 and who engages in a match, contest or exhibition that is governed and authorized by USA Boxing, American Boxing and Athletic Association, International Sports Combat Federation, International Kickboxing Federation or Jacksonville Fraternal Order of Police Consolidated Lodge 5-30; and

(2) The match, contest or exhibition is governed and authorized by USA Boxing, American Boxing and Athletic Association, International Sports Combat Federation, International Kickboxing Federation or Jacksonville Fraternal Order of Police Consolidated Lodge 5-30; and

(3) The contestants, and any alternates, have registered and are matched at least seven days before the match, contest or exhibition; and

(4) The contestants have not consumed, used or are under the influence of any alcoholic beverage or illegal drug; and

(5) The following items are posted at the entrance to the licensed premises at least one hour before and throughout the duration of each match:

(i) Original written certification that the match or contest is sanctioned by one of the organizations listed in Section 154.113(c)(2);

(ii) A list of the matched pairings for each contest, including a list of alternates and the pairings for which the alternates qualify; and

(iii) A sworn statement, certified by a notary public licensed by the State of Florida, that the matched pairings for each contest were established at least seven days before the contest. The sworn statement shall be certified and dated at least seven days before the match.

In addition to the provisions of Section 154.113(a), any promoter or person participating in a match, contest or exhibition in violation of Sections 154.113(a) or 154.113(c) shall be guilty of a Class D offense. In addition to the foregoing penalty, if a law enforcement officer determines that the requirements of Sections 154.113(a)(9) and 154.113(c) have not been satisfied, the law enforcement officer may immediately terminate the fight, contest or exhibition. For purposes hereof, the term "promoter" means any person, including any officer, director, employee or stockholder of a corporate promoter, who produces, arranges or stages any match, contest or exhibition in a licensed premises.

The provisions of Section 154.113(c) shall not apply to:

(i) Any match, contest or exhibition governed by F.S. Ch. 548, or

(ii) Professional wrestling events governed and authorized by a nationally recognized sanctioning body in which the contestants derive at least 50 percent of their annual gross income from professional wrestling.

(Ord. 85-1567-819, § 5; Ord. 2002-516-E, § 1; Ord. 2002-619-E, § 1)