

## Chapter 4 - ALCOHOLIC BEVERAGES<sup>[1]</sup>

### Footnotes:

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**Editor's note**— [Ord. No. 710-15, §§ 1, 2\(Att.\), adopted November 3, 2015](#), repealed the former chapter 4, §§ 4-1—4-4, and enacted a new chapter 4 as set out herein. The former chapter 4 pertained to similar subject matter and derived from Code 1971, §§ 3-15, 3-19, 3-28; Ord. No. 475.85, § 2, 2-19-85; Ord. No. 626-00, § 1, 11-7-00.

**Cross reference**— Administration, Ch. 2; buildings and building regulations, Ch. 6; health and sanitation, Ch. 10; occupational licenses and business regulations, Ch. 14; planning, Ch. 19; zoning, App. A; emergency management, Ch. 8; mayor designated as authority to declare emergencies and prohibit alcoholic beverages, § 8-1.

**State Law reference**— Taxation of alcoholic beverages prohibited, F.S. § 561.342(3); regulation of hours of sale and location permitted, F.S. §§ 562.14(1), 562.45(2); sale of malt beverages for off-premises consumption not subject to municipal zoning, F.S. § 563.02(1)(a); sales to habitual drunkards, F.S. § 562.50.

### Sec. 4-0. - Definitions.

Words relating to liquor licensing used in this chapter, shall have the meanings ascribed to them in state statute. The following additional definitions shall also apply to this section and appendix A zoning:

*Wine and craft beer cafe:* A duly licensed place of business serving wine and/or craft beer for consumption on the premises where the package sale in sealed containers of wine by the bottle and craft beer in six packs or greater for consumption off the premises is incidental to the sale of wine and craft beer for consumption on the premises, and that derives not less than 20 percent of its gross revenue from the on-premises sale of food and nonalcoholic beverages. A wine and craft beer cafe shall have 20 seats or more at standard height dining room tables or booths, and not less than 50 percent of the beer sold shall be craft beer. Craft beer shall further be defined as a beer produced by a brewery with annual production of 6,000,000 barrels (bbbls) of beer or less and with less than 25 percent of the craft brewery owned or controlled (or equivalent economic interest) by a beverage alcohol industry member that is not itself a craft brewer.

*Restaurant:* A business advertised and held out to the public to be a place where full-course meals are prepared, in a full service kitchen with a commercial stove, refrigerator and oven, and served on a regular basis from a prepared menu, which facility provides seating with standard height dining room tables or booths of adequate size to accommodate the service of full-course meals in accordance with the number of chairs found at the table, with such seating exclusive of seating at bars, counters or cocktail tables. The primary operation of the restaurant shall be for the serving of full-course meals. As required in the state alcoholic beverage laws, a restaurant must derive at least 51 percent of its gross revenue from the sale of food and nonalcoholic beverages. Revenue records provided to the state shall be provided to the village, upon written request, for determination of percentage requirements. No person shall attempt to circumvent the intent of this subsection by any artifice or scheme, such as the serving of stock meals. The term "stock meals" as used in this subsection, includes but is not limited to the serving of cold plates, snacks, hors d'oeuvres, microwave oven heated foods or previously prepared sandwiches.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

Sec. 4-1. - Consumption on premises license.

- (1) It shall be unlawful for any person to sell, for consumption on the premises where sold, any liquor, wine and beer within the village.
- (2) This prohibition shall not apply:
  - a. To any person who was licensed to sell liquor, wine, and beer for consumption on the premises within the village on or before February 19, 1985; or
  - b. Where the village has granted special approval to a person for the sale of wine and beer for consumption on the premises of a properly licensed bona fide restaurant in the B-1 or B-2 districts; or
  - c. Where the village has granted special approval to a person for the sale of liquor, wine and beer for consumption on the premises of a properly licensed bona fide restaurant in the B-1 or B-2 district; or
  - d. Where the village has granted special approval to a person for the sale of wine and craft beer for consumption on the premises and for the package sale in sealed containers of wine by the bottle and craft beer in six-packs or greater for consumption off the premises of a properly licensed wine and craft beer cafe in the B-1 district or B-2 district; or
  - e. On the premises of a properly licensed village owned country club in the P district; or
  - f. On the premises of a properly licensed university in the S-1 district.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

Sec. 4-2. - Special approval required.

Special approval by the village manager or designee is required in addition to compliance with all state license requirements, for the sale of liquor, wine and beer for consumption on premises and for the sale of liquor, beer and wine for off-the-premises consumption.

- (1) Granting of special administrative approval to restaurants for consumption of beer and wine on premises. Notwithstanding anything to the contrary contained in the Miami Shores Land Development and Zoning Code, and in the schedule and zoning map which form a part thereof, the village manager or designee, may from time to time, grant administrative approval hereunder to restaurants, as defined in chapter 4, within any B-1 or B-2 zoning district to permit such restaurant to serve beer and wine for consumption on premises in accordance with all state regulations pertaining thereto. The village is authorized to charge an application fee of \$500.00. The village manager may determine that special administrative approval is not the appropriate action and that the applicant must instead apply to the village council for special approval for reasons including but not limited to a denial of a similar use in the same location, public opposition to the location, a concentration of similar uses in the general vicinity, record of nuisances or police reports of illegal activities at the location.
- (2) Granting of special administrative approval to restaurants for consumption of liquor, beer and wine on premises. Notwithstanding anything to the contrary contained in the Miami Shores Land Development and Zoning Code, and in the schedule and zoning map which form a part thereof, the village manager or designee, may from time to time, grant administrative approval hereunder to restaurants, as defined in chapter 4, within any B-1 or B-2 zoning district to permit such restaurant to serve liquor, beer and wine for consumption on premises in accordance with all state regulations pertaining thereto. The village is authorized to charge an application fee of \$500.00. The village manager may determine that special administrative approval is not the appropriate action and that the applicant must instead apply to the village council for special approval for reasons including but not limited to a denial of a similar use in the same location, public opposition

to the location, a concentration of similar uses in the general vicinity, record of nuisances or police reports of illegal activities at the location.

- (3) Granting of special administrative approval to wine and craft beer cafes for consumption of craft beer and wine on premises and for the sale of wine and craft beer in sealed containers for consumption off the premises. Notwithstanding anything to the contrary contained in the Miami Shores Land Development and Zoning Code, and in the schedule and zoning map which form a part thereof, the village manager or designee, may from time to time, grant administrative approval hereunder to wine and craft beer cafes, as defined in chapter 4, within any B-1 or B-2 zoning district to permit such wine and craft beer cafe to serve craft beer and wine for consumption on premises and for the sale of wine and craft in sealed containers for consumption off the premises in accordance with all state regulations pertaining thereto. The village is authorized to charge an application fee of \$500.00. The village manager may determine that special administrative approval is not the appropriate action and that the applicant must instead apply to the village council for special approval for reasons including but not limited to a denial of a similar use in the same location, public opposition to the location, a concentration of similar uses in the general vicinity, record of nuisances or police reports of illegal activities at the location.
- (4) Each applicant for special approval under section 4-2 shall submit a form provided by the village that includes but is not limited to the following information:
  - a. The name, address, telephone number and email address of the applicant. If the applicant is a corporation, the applicant shall set forth the name of the corporation exactly as shown in its articles of incorporation. The applicant corporation or partnership shall designate one of its officers or general partners to act as its responsible management officer.
  - b. The name, address, telephone number and email of the person who shall manage and operate the establishment for which the permit is requested. The name and address of a person authorized to accept service of legal notices.
  - c. The name, address, telephone number and email address of the owner of the premises, if not the applicant.
  - d. The operation of an alcoholic beverage establishment shall be the responsibility of the permittee personally (if an individual is the permittee) or a manager or designated responsible employee of the permittee at all times. The permittee shall designate the names of all such managers and designated responsible employees in the application.
  - e. The proposed business name of the alcoholic beverage establishment.
  - f. The location of the site where the alcoholic beverages are to be sold and consumed.
  - g. Type of state alcoholic beverage license being applied for or held and the type of special approval being requested.
  - h. The type of alcoholic beverages to be sold and consumed on the premises.
  - i. For a wine and craft beer cafe, the approximate number of different wines and craft beers to be sold by the glass or bottle for consumption on the premises and the approximate anticipated ratio of wine sales to craft beer sales.
  - j. A copy of the applicant's state alcohol beverage license or a copy of the applicant's state alcohol beverage license application for the location being applied for.
  - k. A business plan that describes the business, the number and type of seating, identifies the proposed hours of operation, number of employees, menu items and pertinent characteristics of the business.
  - l. The applicant shall provide the village with a detailed security plan for the facility, including, but not limited to, a policy, security procedures, the periods of time and staffing levels for security personnel, duties, responsibilities and qualifications of security staff for review and recommendation by the village chief of police.

- m. A notarized document from the property owner authorizing the applicant to apply for a special approval at the specified location.
  - n. A site plan drawn to scale showing the property, all buildings with the location of all entrances and exits identifying those to be used by the public, a parking plan identifying the number of parking spaces and including all ingress and egress points.
  - o. An alternative plan to accommodate customer parking if customer parking is not provided or is insufficient to accommodate customers. An alternative plan may include the location and number of contracted off-site parking spaces or details of valet parking to be provided.
  - p. A scaled and dimensioned floor plan of the establishment identifying each area by use including seating area, bar area, food prep, kitchen, storage, etc.
  - q. A sanitation plan, which addresses on-site facilities and off-premises issues resulting from the operation of the establishment.
  - r. Proposed location of future outdoor seating. Open air cafe (outdoor seating) shall require village council approval and shall be subject to the submittal requirements under [appendix A] section 541 and the restrictions under subsection 4-2(8)b.
  - s. Identify proximity of business to residential areas on a map.
  - t. If the proposed establishment is within 200 feet of a residential use, a noise attenuation plan.
  - u. Proximity to licensed childcare facilities located within 500 feet.
  - v. The proximity to schools located within 500 feet.
- (5) Notice requirement. Notice of the request shall be advertised on the front page of the Miami Shores Village web site at least 14 days prior to a determination by the village manager on a request for special administrative approval under this section. Upon receipt of a written request by the owner of a property within 500 feet of the application location in opposition to the granting of the special administrative approval, the village manager shall refer the application for special administrative approval to the village council for a decision.
- (6) Investigation. Except as provided herein, on receipt of an application for any approval authorized to be issued pursuant to this chapter, the village manager shall cause an investigation to be undertaken of the individual applicant, or of the principals of an applicant which is a corporation or a partnership. The investigation shall include a background check conducted by the Miami Shores Village Police Department and such other matters as the village manager deems appropriate. If the applicant is a corporation or limited liability corporation, background checks may be conducted of applicant's officers, directors, and any stockholder(s) or members owning in the aggregate more than 15 percent. If the applicant is a partnership, background checks will be conducted of all general partners, and any limited partner.
- (7) Evaluation criteria: Without limiting the generality of the following, an evaluation of the application by the village manager/designee and any evaluation by council shall consider the following:
- a. The report of the Miami Shores Village Police Chief.
  - b. Petitions and testimony from persons who are in favor of or opposed to the issuance of a license, and who reside in, own or lease property in close proximity.
  - c. The number and series of licenses in close proximity.
  - d. Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies.
  - e. The residential and commercial population of the community and its likelihood of increasing, decreasing or remaining static.
  - f. Residential and commercial population density in close proximity.

- g. Evidence concerning the nature of the proposed business, its potential market, and its likely customers.
  - h. Effect on vehicular traffic in close proximity.
  - i. Parking provided by the applicant, available parking in the area, alternative parking plans for off-site parking, valet parking and other options to accommodate customer transportation needs.
  - j. The compatibility of the proposed business with other activity in close proximity.
  - k. The likely effect or impact of the proposed premises on business or the residential neighborhood whose activities might be affected by granting the license.
  - l. The history for the past five years of liquor violations and reported criminal activity at the proposed premises or premises in close proximity, the applicant shall be provided a copy of the report prior to the decision of the village manager or designee.
  - m. Comparison of the hours of operation of the proposed premises to the existing businesses in close proximity.
  - n. Proximity to licensed childcare facilities.
  - o. The proximity to schools located within 500 feet.
  - p. The compatibility of the use and the extent to which it may disrupt the normal activity of the neighborhood shall be considered.
  - q. The security plan for the business.
  - r. The burden of proof that the grant of the special approval will not have an adverse effect on surrounding properties lies with the applicant.
- (8) In approving the issuance of a special permit under chapter 4, the village manager, designee, or village council if the issuing authority may impose any reasonable conditions or additional provisions that are deemed necessary to serve the purposes of the Miami Shores Village Code of Ordinances as set forth in appendix A, zoning, and section 100 thereof. Said permits shall be non-assignable, shall create no vested rights and are subject to being revoked by the village council upon such terms and conditions as may be specially provided for therein. Without limiting the generality of the forgoing, the village manager, designee or village council if the issuing authority shall at a minimum, attach the following conditions to the granting of a special approval under section 4-2:
- a. The applicant shall provide the village with a copy of the alcohol beverage license and any renewal thereof for the location that is the subject of this request within ten working days of its granting by the state.
  - b. Open air cafe (outdoor seating) shall be referred to the planning and zoning board for a recommendation and requires village council approval. An open air cafe in conjunction with a special approval granted or applied for under chapter 4 is subject to the requirements of appendix A, section 541 for both public and private property. In addition to the requirements of appendix A, section 541, outdoor seating shall be restricted to building frontage directly on NE 2nd Avenue and shall not be permitted along building frontages on side streets or on the Biscayne Boulevard right-of-way. Outdoor seating shall not be permitted on private property behind buildings, on roof decks or on balconies in the B-1 or B-2 districts.
  - c. The operation of an alcoholic beverage establishment shall be the responsibility of the permittee personally (if an individual is the permittee) or a manager or designated responsible employee of the permittee, at all times. The permittee shall designate the names of all such managers and designated responsible employees and shall advise the village manager in writing whenever any change is made.

- d. The applicant shall provide the village with a copy of any notice of violation issued for the premises by the county, state or federal government within three days of its issuance.
  - e. Outdoor sound systems shall be prohibited.
  - f. No dance floor, dancing or live entertainment shall be permitted.
  - g. The licensee shall provide the village (and effectively implement) a detailed security plan for the facility, including, but not limited to, a policy, security procedures, the periods of time and staffing levels for security personnel, duties, responsibilities and qualifications of security staff within 14 days of this special administrative approval. The information shall be kept current and all changes immediately provided to the village manager.
  - h. The licensee shall provide 24-hour emergency contact information to the village's police and fire departments and shall keep this information updated.
  - i. The restaurant and wine and craft beer cafe applicant shall retain and keep appropriate business records concerning purchase of liquor, wine and beer and sales receipts. Such business records shall be organized and maintained according to standard business practices and in such form as to be auditable for purposes of confirming that the licensee satisfies the sales ratio of alcoholic beverages to the sale of food and nonalcoholic beverages. A licensee who fails to maintain the business records required by this section, or to otherwise make such records available to the village upon reasonable request to do so, is subject to revocation of this approval. The applicant shall yearly provide the village with an opinion by certified public accountant indicating that he or she has reviewed the books and records of the licensee and that the restaurant or wine and craft beer cafe licensee complies with subsection 4-2(8)j.1. or 4-2(8)k.1. as appropriate, for the most recent 12-month period.
  - j. Restaurants shall comply with the following:
    - 1. At least 51 percent of the restaurant's total gross monthly revenues shall come from the retail sale on the licensed premises of food and non-alcoholic beverages.
    - 2. The restaurant shall not sell liquor, beer and wine for consumption off the premises.
  - k. Wine and craft beer cafes shall comply with the following:
    - 1. At least 20 percent of the wine and craft beer cafe's total gross monthly revenues shall come from the retail sale on the licensed premises of food and non-alcoholic beverages.
    - 2. A wine and craft beer cafe or wine cafe shall have a food and beverage menu, but food may be limited to hors d'oeuvre or cold sandwiches, snacks, appetizers, small plates/tapas, or other similar offerings, and shall have the food and non-alcoholic beverages identified on the menu available for sale on the premises and available during business hours.
    - 3. The wine and craft beer cafe or wine cafe shall have an area for the preparation of food to be served.
  - l. This approval is for the use and type of alcoholic beverage license specified only. A new special approval shall be required for any change in use or change in type of alcoholic beverage license for the premises.
- (9) Expiration of approval. After the following time periods, the special approval of a location for the sale or consumption of alcoholic beverages on the premises granted in accordance with this section shall expire, and become null and void:
- a. In the case of an existing structure, the approval shall expire six months from the date of approval unless, within that period of time, operation of the alcoholic beverage establishment has commenced. For purposes of this subsection, the term "operation" shall be defined as the sale of alcoholic beverages in the normal course of business.

- b. In the case of a new structure, the approval shall expire one year from the date of approval unless, within that period of time, operation of the alcoholic beverage establishment has commenced. For purposes of this subsection, the term "operation" shall be defined as the sale of alcoholic beverages in the normal course of business. The village manager/designee may grant one extension of up to six months if construction is substantially complete.
- (10) Expansion of area designated for permit. The area designated for special approval cannot be expanded without filing a new application for special approval in accordance with the requirements contained in this chapter. The new application must cover both the existing designated area as well as the proposed expanded area. All areas approved must be under the same alcoholic beverage license and subject to uniform rules and regulations.
  - (11) The village manager or designee shall render a decision within 45 calendar days of receipt of a complete application for special approval under this chapter 4 unless the special approval is referred to the village council for review and approval or the applicant agrees to allow additional time for the village manager or designee to consider the application.
  - (12) Appeals from the decision of the village manager or designee under the provisions of chapter 4 section 4-2 shall be heard and determined by the village council, and written notice of such an appeal shall be filed with the village clerk no later than 30 days after the date the decision being appealed. Such notice of appeal shall be in such form as the village manager may specify for all such appeals, and shall state fully the grounds of the appeal, including a statement of why the party bringing the appeal believes that the decision appealed from is unreasonable or is not in accord with the purposes of this ordinance. The village council may not consider any such appeal unless it includes the aforesaid statement. The council, if it decides, for stated reasons, that the decision being appealed was unreasonable or was not in accord with the purposes of this ordinance, may overrule or modify such decision.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

Sec. 4-3. - Revocation of special approval.

The village council shall give the holder of a special approval or special administrative approval at least 14 days' notice of any hearing to revoke said approval and has the authority to revoke an alcoholic beverage special approval or special administrative approval, or other approval upon any of the following grounds:

- (1) A determination that information contained in the application or supplemental information requested from the applicant was willfully false in any material detail.
- (2) Violation by the permit holder of any provision of this chapter, or any provision of the Miami Shores Code of Ordinances which results in the imposition of fines, or violation of any state statute which results in the revocation of the permit holder's state alcoholic beverage license by the state alcoholic beverage license board or any successor regulatory authority.
- (3) The premises where the alcoholic beverage establishment is or will be located is determined to not comply with applicable laws, including, but not limited to, building, health, zoning and fire codes and ordinances.
- (4) Repeated violation of any village ordinance at the location within the 12-month period preceding notice of the revocation hearing.
- (5) Willful violation by the permit holder of any condition imposed upon the issuance of the special exception or administrative approval.
- (6) Willful violation of any of the minimum standards of the special approval.
- (7) Willful failure to comply with any of the conditions of granting the special approval.
- (8) Failure to renew a state liquor license, or written declaration of abandonment by the tenant and owner of the premises if under lease, or by the owner himself if not under lease. An establishment

which continually maintains (renews) its state liquor license, even though it has suspended active business with the public, shall not be deemed to have been abandoned for purposes of this subsection.

(9) Revocation by the state of the state liquor license for the business.

(10) Existence upon the premises of nuisances or criminal activities, including:

- a. Any condition or activity which is a "nuisance" or a "public nuisance" or which is specifically declared to constitute a nuisance or public nuisance by any statute of the State of Florida or by any ordinance of Miami Dade County or Miami Shores Village.
- b. The frequent gathering, or coming and going, of people who have intent to purchase or use controlled substances on the premises.
- c. The making or continuing, or causing to be made or continued, of any loud, unnecessary or unusual noise upon the premises which disturbs the peace and quiet of the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.
- d. The occurrence of criminal activity at the location/premises which threatens the life, health, safety or welfare of the residents of the premises, neighbors or the public.
- e. A disproportionate need for law enforcement resources, as determined by the police department, based on police responses to the location (i.e. police reports, illegal activity on premises, calls for service, etc.) and a failure of the establishment to take reasonably requested corrective measures.
- f. The maintenance, use, rental or lease of the premise, or sub-unit thereof in a fashion where persons are allowed to congregate, gather or loiter in such a manner as to disturb the peace of other persons lawfully on the property itself or lawfully in the vicinity of the property.
- g. The use of the premises for the purpose of unlawfully selling, serving, storing, keeping, manufacturing or giving away any controlled substance, precursor, or analog as those terms are defined by state law.

(11) Immediate revocation of approval. The village council has the authority to revoke an alcoholic beverage special administrative approval, special approval or other approval upon any of the following grounds: Conviction of the permit/approval holder, in any court of any violation of this chapter shall have the effect of automatically revoking the license of the person or entity convicted, and such revocation shall continue operative until said case is finally disposed of, and if the defendant is finally acquitted, he/she may apply for and receive a license hereunder, upon paying the regular license charge therefor.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

Sec. 4-4. - Consumption off premises license.

Retail package beverage stores licensed to sell liquor, wine and beer for consumption off premises may be permitted in the B-2 district subject to approval by the planning and zoning board.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

Sec. 4-5. - Proximity to each other of package stores for the sale of liquor, for consumption off premises.

No package store liquor license for the sale of liquor, for consumption off premises shall be issued to any person where the place of business designated in the application therefor is within 500 feet of the place of business where a package store liquor license for the sale of liquor, for consumption off premises has



previously been issued and is in force and effect, and the method of measurement shall be made by straight line from the main front entrance of the one to the main front entrance of the other.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

Sec. 4-6. - Hours of sale and commercial deliveries.

Liquor, wine and beer may be sold by the vendors and commercial deliveries may be made to the vendors hereinafter specified at the times fixed in this section and at no other time:

- (1) Grocery stores selling beer and wine for consumption off the premises:
  - a. Monday through Saturday between 7:00 a.m. and 1:00 a.m.;
  - b. On Sundays between 1:00 p.m. and 1:00 a.m.
- (2) Package stores selling liquor, beer and wine for consumption off the premises:
  - a. Monday through Saturday between 7:00 a.m. and 1:00 a.m.;
  - b. On Sundays between 12:00 p.m. (noon) and 7:00 p.m.
- (3) Country club/university: During the hours at which the club is in operation and licensed vendors on university premises during the hours the vendor is operating.
- (4) Restaurants and wine and craft beer cafes in the B-1 district for consumption on the premises and package sale of wine in sealed containers by a wine and craft beer cafe for off-the-premises consumption: Monday through Sunday between the hours of 7:00 a.m. and 12:00 a.m.
- (5) Restaurants and wine and craft beer cafes in the B-2 district for consumption on the premises and package sale of wine in sealed containers by a wine and craft beer cafe for off-the-premises consumption: Monday through Sunday between the hours of 7:00 a.m. and 1:00 a.m.
- (6) Deliveries from commercial suppliers to restaurants, and wine and craft beer cafes in the B-1 district and delivery activities: Deliveries shall not restrict traffic and all deliveries and delivery activities shall occur Monday through Sunday between the hours of 9:00 a.m. and 9:00 p.m.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

**State Law reference**— Authority to regulate hours of sale of alcoholic beverages, F.S. §§ 562.14(1), 562.45(2).

Sec. 4-6. - Violation of state law deemed violation of chapter.

Every violation of the laws of the state relating to the possessing, sale, gift, service or permitting the service of alcoholic beverages, whether heretofore or hereafter enacted, is hereby specifically made a violation of this chapter.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )

Sec. 4-7. - Prohibiting sales during emergency.

- (1) Whenever, in the opinion and judgment of the village manager, a public emergency shall be created or exist in the village which causes or tends to cause public disorder, lawbreaking, and confusion, the village manager is authorized and empowered to prohibit, by and through the issuance of his official decree, the sale, serving, or consumption of beer, wine, spirituous and other intoxicating liquors and beverages for and during a period of 24 hours as may be described in the decree, at all licensed

premises and at any other place in the village where such beer, wine, spirituous and other intoxicating liquors and beverages are sold, served, or otherwise dispensed. In issuing the decree, the village manager shall have the fact of the issuance and the contents of the decree broadcast by police and commercial radio stations and otherwise given publicity as quickly and as widely as feasible.

- (2) It is illegal for any operator, employee, or controller of any of the licensed premises or other places described in this section to sell, serve, or permit the consumption of intoxicating liquors or alcoholic beverages on the premises during the period described in the decree of the village manager.
- (3) Each violation of, or noncompliance with, any of the provisions of this section shall constitute a separate offense.

( [Ord. No. 710-15, § 2\(Att.\), 11-3-15](#) )