

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

In Re: Emergency Suspension of License

Name: Publife Mac, LLC, d/b/a The Knights Pub
License Number: BEV5800349
DBPR Case Number: 2020-029309

Order of Emergency Suspension of License

The Department of Business and Professional Regulation (or "Department"), hereby ORDERS the emergency suspension of the alcoholic beverage license of Publife Mac, LLC, d/b/a The Knights Pub, license number BEV5800349, Series 4COP Quota (or "Suspended Licensee."). The Suspended Licensee's address of record is 3900-1910 N Alafaya Trail, Orlando, FL 32826. The following Findings of Fact and Conclusions of Law support this decision:

Findings of Fact

1. Novel Coronavirus Disease 2019 (or "COVID-19") is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza.
2. On March 9, 2020, the State of Florida's Governor, Ron DeSantis (or "Governor DeSantis"), issued [Executive Order Number 20-52](#) and declared a state of emergency for the entire State of Florida as a result of COVID-19, which was extended on May 8, 2020, through Executive Order 20-114.
3. On March 20, 2020, Governor DeSantis issued Executive Order Number 20-71. In order to protect the public health, safety, and welfare from the dangers associated with COVID-19, and pursuant to section 252.36(5)(g)-(h), Florida Statutes, Governor DeSantis suspended all sales of alcoholic beverages for consumption on the premises by all vendors licensed to sell alcoholic beverages for consumption on the premises.

4. On April 29, 2020, Governor DeSantis issued Executive Order 20-112, Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery, effective May 4, 2020. Bars, pubs, and nightclubs that derive more than 50% gross revenue from the sale of alcoholic beverages shall continue to suspend the sale of alcoholic beverages for on-premises consumption, and directing the Department of Business and Professional Regulation to utilize its authorities under Florida law to implement and enforce the provisions of the order as appropriate. Executive Order 20-122, effective May 18, 2020, extended Executive Order 20-112 to all Florida counties.
5. On May 15, 2020, Governor DeSantis issued Executive Order 20-112, Full Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery, effective May 18, 2020, to include the recommendations proposed in White House's Guidelines for Re-opening America Again.
6. On June 3, 2020, Governor DeSantis issued Executive Order 20-139, Phase 2: Safe. Smart. Step-by-Step. Plan for Florida's Recovery, effective June 5, 2020, based on the recommendations published for Phase 2 of the plan by the Task Force to Re-Open Florida. Restaurants, bars and other vendors licensed to sell alcoholic beverages for consumption on the premises, were permitted to operate at 50% of their indoor capacity, excluding employees. Bars could reopen with seated service. Night clubs were not permitted to reopen.
7. On June 5, 2020, the Suspended Licensee was observed violating the terms of Executive Order 20-139, Phase 2. Patrons were being served alcoholic beverages while not being seated for service and appropriate social distancing measures were not being enforced. *See* Exhibit A, attached hereto.
8. Likewise, on June 6, 2020, the Suspended Licensee was observed violating the terms of Executive Order 20-139, Phase 2. Patrons were again being served alcoholic beverages

while not being seated for service and appropriate social distancing measures were not being enforced. *See* Exhibit B, attached hereto.

9. Furthermore, 13 of the Suspended Licensee's employees have tested positive for COVID-19. Additional contact tracing has determined that at least 28 patrons tested positive for COVID-19 after visiting the Suspended Licensee's address of record.
10. Due to the Suspended Licensee's failure to abide by the explicit terms of Executive Order 20-139 and disregard of the well-known dangers of COVID-19, it is likely that the Suspended Licensee will continue its harmful business practices and behavior.
11. Given the dangers of COVID-19 and the increased likelihood of infection in groups of people, the Suspended Licensee's continued violation of Phase 2, Executive Order 20-139, threatens the public health, safety, and welfare.

Conclusions of Law

12. The Division has the authority to suspend a license if there is an "immediate serious danger to the public health, safety, or welfare...". §120.60(6), Fla. Stat. (2019).
13. Through Executive Order Number 20-139, Governor DeSantis ordered the Department to utilize its authorities under Florida law to further implement and enforce the provisions of Executive Order Number 20-139 and take additional measures with respect to restaurants and other establishments, and bars and other vendors licensed to sell alcoholic beverages for consumption on the premises, as necessary to protect the public health, safety and welfare.
14. Pursuant to section 561.29, Florida Statutes, the Division also has full power and authority to revoke or suspend the license of any person when it is determined or found by the Department upon sufficient cause appearing of (i) a violation by the licensee or his or her agents, officers, servants, or employees, on the licensed premises, or elsewhere while in the

scope of employment, of any of the laws of this state or of the United States, or violation of any municipal or county regulation in regard to the hours of sale, service, or consumption of alcoholic beverages or license requirements of special licenses issued under section 561.20, Florida Statutes, or engaging in or permitting disorderly conduct on the licensed premises, or permitting another on the licensed premises to violate any of the laws of this state or of the United States; (ii) a violation by the licensee or, if a corporation, by any officers thereof, of any laws of this state or any state or territory of the United States; (iii) maintaining a nuisance on the licensed premises; (iv) maintaining licensed premises that are unsanitary or are not approved as sanitary by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation, the Department of Agriculture and Consumer Services, the county board of health, or the Department of Health, whichever has jurisdiction thereof.

15. The Suspended Licensee failed to abide by the provisions of Executive Order 20-139.
16. The Suspended Licensee's continued operation poses an immediate serious danger to the public health, safety, or welfare due to the dangers associated with COVID-19.
17. The Division has weighed the private and public interests, and finds that least restrictive means of protecting the public health, safety, or welfare is the immediate suspension of the Suspended Licensee's license to sell alcoholic beverages to the public. Otherwise, the Suspended Licensee will likely to continue to sell alcoholic beverages, thereby causing an ongoing threat to the public health, safety, and welfare.
18. The basis for this emergency suspension far outweighs the continuation of sales of alcoholic beverages, is fair under the circumstances, and is the only viable method to protect the public

health, safety, and welfare due to the ongoing state of emergency declared by Governor DeSantis and the serious dangers posed by the transmission of COVID-19.

WHEREFORE, in accordance with the provisions of section 120.60(6), Florida Statutes, it is hereby ORDERED:

- a. That the license of Publife Mac, LLC, d/b/a The Knights Pub, license number BEV5800349, Series 4COP Quota is hereby SUSPENDED from the sale of alcoholic beverages until such time as this ORDER is lifted or that a FINAL ORDER is issued;
- b. A formal proceeding shall be promptly instituted and acted upon in compliance with sections 120.569, 120.57, and 120.60(6), Florida Statutes; and
- c. That the Division's employee who serves this ORDER shall note the date, time, and place of this ORDER, and the person upon whom the same was served, on the original and one copy thereof.

DONE and ORDERED this 22nd day of June, 2020.



Halsey Beshears, Secretary
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399

NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to Sections 120.60 and 120.68, Florida Statutes, the Department's findings of immediate danger, necessity, and procedural fairness shall be judicially reviewable. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Petition for Review, in accordance with Florida Rule of Appellate Procedure 9.100, with the Department of Business and Professional Regulation and a second copy of the petition accompanied by a filing fee prescribed by law with the District Court of Appeal within (30) days of the date this Order is filed.



The Knight's Pub is at The Knight's Pub.

June 5 at 12:45 PM · Orlando, FL · 🌐

We're back, baby! 😎🍻 #Publife

- DOORS OPEN @3PM
- LADIES 21+ FREE TIL' 4PM

Free Beer, Sangria, Truly, Mimosas



EXHIBIT

A

👍 11

2 Comments 4 Shares



The Knight's Pub is at The Knight's Pub.

June 6 at 1:40 PM · Orlando, FL · 🌐



There's no better place to spend your Saturday than with us! 😊🍺

#Publife

- DOORS OPEN @3PM
- LADIES 21+ FREE TIL' 4PM

Free Beer, Sangria, Truly, Mimosas



JAKE GONZALEZ
JG
PHOTOGRAPHY



EXHIBIT
B

exhibitstick.com

👍 1

3 Shares