

GROG HOUSE, INC., d/b/a, GROG
HOUSE; C.S. FOODS, INC., d/b/a THE
COPPER MONKEY; and GATOR
UGLY, INC., d/b/a GATOR CITY,

Appellants,

v.

CITY OF GAINESVILLE, FLORIDA,

Appellee.

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D09-4902

Opinion filed June 21, 2010.

An appeal from the Circuit Court for Alachua County.
Robert E. Roundtree, Jr., Judge.

Thomas A. Cloud, Tracy A. Marshall and Rachael M. Crews of GrayRobinson,
P.A., Orlando, for Appellants.

Elizabeth A. Waratuke, Litigation Attorney, Office of the City Attorney,
Gainesville, for Appellee.

PER CURIAM.

We affirm as to all issues raised in the direct appeal. In the cross-appeal, the City challenges the trial court's order to the extent that it invalidates the final sentence of the ordinance at issue. We affirm the order in this case on the cross

appeal without addressing the validity of the last sentence of the ordinance. Any argument the court may have considered to be meritorious on this point was not preserved for review or timely raised in the briefs on the cross appeal.

WOLF, BENTON, and PADOVANO, JJ., CONCUR.