

ORDINANCE 013-148

AN ORDINANCE AMENDING ORDINANCES AS IT RELATES TO LICENSE FEES FOR LICENSING, REGULATION AND SALE OF ALCOHOLIC BEVERAGES IN SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY.

* * *

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY:

SECTION I

The City of Shepherdsville, Kentucky hereby determines the need to amend its Ordinances to comply with certain provisions of legislation affecting regulation of alcoholic beverages recently enacted by the Kentucky General Assembly in calendar year 2013.

SECTION II

The City enacts the following Ordinance to comply with said statutory regulation enacted by the General Assembly and passed into law:

CLASSIFICATION OF LICENSES; FEE SCHEDULE.

(A) For the privilege of trafficking in alcoholic beverages in the city and pursuant to the authority of KRS 243.070, there is hereby established a corresponding city license for each of the state licenses described in the following schedule. The actions, business, and transaction authorized and permitted thereby and the expiration dates thereof shall be the same as those of the state licenses to which the city licenses correspond and which are indicated and described in the sections of state law indicated in the following schedule. The fees for such city licenses shall be as indicated in the following schedule.

(B) The license year shall be July 1 of each year through June 30 of the following year. Licenses may be issued for less than the full license year upon payment of the proportion of the annual license fee equal to 1/12 times the number of months or fraction of a month remaining in the license year; provided that the minimum license fee shall be one-half of the annual license fee. All licenses shall expire on June 30 of each year, regardless of when the license was issued.

(C) No person shall traffic in alcoholic beverages within the city without both a valid city license and a valid state license therefor:

Distilled Spirits and Wine Licenses

License Description	Statutory Authorization (KRS §)	Statutory Description of Authorized Business and Transactions (KRS §)	Annual Expiration Date	Fee Per Annum	Renewal Fee
Distillers	<u>243.030(1)</u> <u>243.070(2)(a)</u>	243.120	Per State	\$500.00	\$500.00
Rectifier	<u>243.030(2)</u> <u>243.070(2)(b)</u>	243.130; 243.130	Per State	\$3,000.00	\$3,000.00
Blenders	<u>243.030(3)</u>	243.140	June 30	\$3,000.00	\$3,000.00
Wholesalers	<u>243.030(6)</u> <u>243.070(2)(c)</u>	243.160; 243.170	Per State	\$3,000.00	\$3,000.00
<u>Quota Retail Package</u>	<u>243.030(7)</u> <u>243.070(2)(d)</u>	243.240	Per State	\$500.00	\$450.00
<u>Quota Retail Drink</u>	<u>243.030(8)</u> <u>243.070(3)(b)</u>	243.250	Per State	\$500.00	\$450.00
<u>Special Temporary (liquor/wine/beer)</u>	<u>243.030(16)</u> <u>243.070(4)(b)</u>	243.260	n/a	<u>\$75.00</u> <u>Per event</u>	
<u>Distilled Spirits and Wine Temporary Auction License</u>	<u>243.070(8)</u>	<u>243.036</u>		<u>\$100.00</u> <u>Per event</u>	
<u>Special Temporary (Wine Only)</u>	<u>243.030(24)</u>	243.260	n/a	<u>\$50.00</u> <u>Per event</u>	
<u>Special Private Club</u>	<u>243.030(17)</u>	243.270	June 30	\$200.00	\$200.00
<u>Special Sunday Retail Drink</u>	<u>243.030(18)</u> <u>243.070(9)</u>	243.290	Per State	\$300.00	\$300.00
<u>Nonresident Special Agent</u>	<u>243.030(19)</u>	243.340	June 30	\$40.00	\$40.00
<u>Restaurant Wine</u>	<u>243.030(23)</u> <u>243.070(10)</u>	243.250	June 30	\$500.00	\$450.00
<u>Caterer's License</u>	<u>243.030(23)</u> <u>243.070(11)</u>	<u>243.250</u> <u>243.033</u>	Per State	\$500.00	\$450.00
<u>NQ-1 Retail Drink License (liquor/wine/beer)</u>	<u>243.070(5)</u>	<u>243.082</u>	<u>Per State</u>	<u>\$1,500.00</u>	
<u>NQ-2 Retail Drink License (liquor/wine/beer)</u>	<u>243.070(6)(b)</u>	<u>243.084</u>	<u>Per State</u>	<u>\$500.00</u>	
<u>NQ-3 Retail Drink License (liquor/wine/beer)</u>	<u>243.070(7)</u>	<u>243.086</u>	<u>Per State</u>	<u>\$200.00</u>	

<i>Malt Beverage Licenses</i>						
License Description	Statutory Authorization (KRS §)	Statutory Description Authorized Business Transactions (KRS §)	of and	Annual Expiration Date	Fee Per Annum	Renewal Fee
Brewers	243.040(1) 243.070(13)(a)	243.150		Per State	\$500.00	\$500.00
Microbrewery	243.040(2) 243.070(13)(b)	243.157		Per State	\$500.00	\$500.00
Distributors	243.040(3) 243.070(13)(c)	243.180		Per State	\$400.00	\$400.00
Retailers	243.040(4) 243.070	243.280		June 30	\$200.00	\$150.00
Special Temporary	243.040(7)	243.290		n/a	\$25.00 Per month	n/a
<u>Malt Beverage Brew-on-Premises License</u>	<u>243.070(13)(f)</u>	<u>243.157</u>		<u>Per State</u>	<u>\$100.00</u>	
<u>NQ-4 Retail Malt Beverage Drink License</u>	<u>243.070(13)(e)</u>	<u>243.088</u>		<u>Per State</u>	<u>\$200.00</u>	
<u>Nonquota Retail Malt Beverage Package</u>	<u>243.070(13)(d)</u>	<u>243.280</u>		<u>Per State</u>	<u>\$200.00</u>	

(D) The holder of a nonquota retail malt beverage package license may obtain a Nonquota type 4 malt beverage drink license for a fee of fifty dollars (\$50). The holder of a Nonquota type 4 malt beverage drink license may obtain a nonquota retail malt beverage package license for a fee of fifty dollars (\$50).

(E) The fee for each of the first five (5) supplemental bar licenses shall be the same as the fee for the primary drink license. There shall be no charge for each supplemental license issued in excess of five (5) to the same licensee at the same premises.

SECTION III

The City Clerk is authorized to issue new City of Shepherdsville licenses (that equate to current Shepherdsville ABC licenses held by those licensees) to existing licensees as of January 1, 2014 at no additional cost for the license period beginning July 1, 2013 and ending June 30, 2014.

SECTION IV

Any and all Ordinances in conflict with this Ordinance shall be, and hereby are, repealed to the extent of said conflict.

SECTION V

The invalidity of any provision of this ordinance shall not affect the validity of any other provision.

SECTION VI

This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

1st Reading: October 28, 2013

2nd Reading: November 25, 2013

	Votes for 6;	Votes Against 0;	Not Voting 0.
Bernard Brown	x		
Jose' Cubero	x		
Dana Bischoff James	x		
Faith Portman	x		
Clinton Kline	x		
Gloria Taft	x		

HONORABLE R. SCOTT ELLIS III, MAYOR

Attest:

Tammy Richmond, City Clerk

**CITY OF SHEPHERDSVILLE
ORDINANCE NO. 009-778**

**AN ORDINANCE RELATING TO THE SALE OF DISTILLED SPIRITS,
WINE AND MALT BEVERAGES AT RETAIL, BY THE DRINK, ON SUNDAY
AT RESTAURANTS AND DINING FACILITIES LOCATED WITHIN THE
CITY OF SHEPHERDSVILLE.**

WHEREAS, the City Council of the City of Shepherdsville, Kentucky has determined that an economic hardship exists and that the sale of distilled spirits, malt beverages and wine by the drink on Sunday could aid economic growth and conform with the desire of residents of the City of Shepherdsville who have requested said sales, and

WHEREAS, the City Council of the City of Shepherdsville desires to adopt uniform policies and procedures relating to the sale of distilled spirits, malt beverages and wine at retail, by the drink, on Sunday at restaurants and dining facilities within the City of Shepherdsville.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, AS
FOLLOWS:**

SECTION ONE: Sunday sale of distilled spirits and wine, under KRS 244.290 and malt beverages under KRS 244.480 shall be permitted at all restaurants and dining facilities in the City of Shepherdsville, provided that such restaurants and dining facilities have at least 70% percent of their gross receipts generated from the sale of food and have a seating capacity of at least 100 people. Such sale of distilled spirits, malt beverages and wine shall be permitted by the drink during ordinary hours of restaurant or dining facility operation but not earlier than 2:00 p.m. and not later than 10:00 p.m. on Sunday.

SECTION TWO: A license fee for Sunday sales of \$300.00 for distilled spirits and wine shall be paid by any restaurant and dining facility participating on a fiscal year basis, per annum, to the City per KRS 243.070(7). The payment of the fee shall be accompanied with proof satisfactory to the City that the applicant is in compliance with Section One of this Ordinance.

SECTION THREE: This Ordinance shall take effect upon publication.

SECTION FOUR: This Ordinance shall be published according to law.

SECTION FIVE: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed. Nothing in this ordinance shall be deemed to repeal existing ordinances by the City relating to the sale of distilled spirits, malt beverages and wine on days other than Sunday.

SECTION SIX: Should any section, clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason that same shall not affect the remainder of this Ordinance.

Given first reading at a regular meeting of the City Council of the City of Shepherdsville, Bullitt County, Kentucky, on the 14th day of December, 2009. Given second reading, voted upon and passed at a regular meeting of the City Council of the City of Shepherdsville, Bullitt County, Kentucky on the 11th day of January, 2010.

Votes For 4 : Votes Against 2 : Not Voting :



SHERMAN TINNELL, MAYOR

ATTEST:



MAXINE JEFFRIES
CITY CLERK

**City of Shepherdsville
ORDINANCE NO. 008-760**

AN ORDINANCE RELATING TO THE SALE OF DISTILLED SPIRITS, BEER AND WINE AT RETAIL, BY THE DRINK, ON SUNDAY AT GOLF COURSES WITHIN PRECINCT 18, D107 OF THE CITY OF SHEPHERDSVILLE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY AS FOLLOWS:

SECTION ONE: KRS 244.290 (3)(d)(6) authorizes the City of Shepherdsville to establish hours and time when distilled spirits, wine and beer may be sold by the drink on Sundays.

And whereas the City finds specific authority to authorize the sale of spirits, wine and beer at eighteen (18) hole golf courses pursuant to KRS 242.123 if the course meets the United States Golf Association criteria as a regulation golf course; and

The City finds that all, or substantially all, of the resident and/or registered voters residing in the City of Shepherdsville residing within precinct 18A (D107) Cedar Grove North and within the corporate confines of that portion of the precinct lying within the city have petitioned to permit Sunday sales.

SECTION TWO: Sunday sale of spirits, beer and wine shall be permitted at all golf courses within precinct 18A that lie within the city limits of Shepherdsville, provided that the golf course is certified as a regulation golf course under the rules of the United States Golf Association.

Such sale of such distilled spirits, beer and wine shall be permitted by the drink during ordinary hours of course operation until closing of the golf course and in no event no later than 10:00 p.m.

SECTION THREE: A license fee of \$150.00 for beer and \$250.00 for distilled spirits and wine shall be paid by any golf course participating on a fiscal year basis, per annum, to the City. The payment of the fee shall be accompanied with proof satisfactory to the City that the golf course is recognized by the United States Golf Association.

SECTION FOUR: This ordinance shall take effect upon publication.

SECTION FIVE: Should any section, clause, line, paragraph or part of this ordinance be held unconstitutional or invalid for any reason, the same shall not effect the remainder of this ordinance.

SECTION SIX: All ordinances or parts of ordinances in conflict with this ordinance or any part of this ordinance are hereby repealed. Nothing in this order shall be deemed to repeal its existing authority and hours for the sale of distilled spirits, beer and wine at other times as previously authorized by the city.

Vote:	Yea	Nay
Stacey Cline	x	
Bonnie Enlow		x
Tony Miller		x
Margaret Moore	x	
Faith Portman	x	
Trina Summers	x	

*Sunday
GOLF Course
Drink Ordinance*

Given first reading at a regular meeting of the City Council of the City of Shepherdsville, Bullitt County, Kentucky, on the 24th day of November, 2008. Given second reading voted upon and passed at the regular meeting of the City Council of the City of Shepherdsville, Bullitt County, Kentucky, on the 8th day of December, 2008.

DO NOT SIGN

Sherman Tinnell, Mayor

Attest:  _____

Maxine Jeffries, City Clerk

CITY OF SHEPHERDSVILLE

ORDINANCE NO. 004-640

AN ORDINANCE AMENDING 995-345 AN ORDINANCE IMPOSING A BUSINESS LICENSE FEE UPON BUSINESSES, OCCUPATIONS, TRADES, AND PROFESSIONS CARRIED ON, CONDUCTED OR READ WITHIN THE LIMITS OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY REQUIRING ALL PERSONS, FIRMS, OR CORPORATION PURSUING SAME TO FIRST OBTAIN A LICENSE THEREFORE AND PROVIDING PENALTIES FOR ENGAGING IN SAME WITHOUT A LICENSE.

WHEREAS, the City Council of the City of Shepherdsville, Bullitt County, Kentucky, has determined it to be in the best interest of its citizens to provide adequate resources for providing basic services to the residents of the City; and,

WHEREAS, a fair, equitable fee for operating a business within the City of Shepherdsville is a method of providing these resources; now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, AS FOLLOWS:

SECTION ONE:

Each person engaged for compensation in any trade, occupation, business, or profession within the City of Shepherdsville, Kentucky, shall procure from the City an annual license and shall pay to the city a fee for such license as is hereafter provided for the privilege of engaging in such trade, occupation, business, or profession.

SECTION TWO:

As used in this Ordinance, the word "person" shall include but is not limited to corporations, joint stock companies, partnerships, associations, and individuals.

SECTION THREE:

The revenue derived from the license fee herein levied shall be paid into and become part of the General Fund of the City.

SECTION FOUR:

The following fees shall be paid by a person conducting or engaged in the following business, occupations, or professions:

GROUP ONE: Alcoholic Beverage, Sale Of

- | | | |
|----|---|----------|
| 1. | Liquor Dealers holding a state retail package, liquor license | \$400.00 |
|----|---|----------|

- 2. Alcoholic beverage dealer who holds a state distributor's or wholesaler's or brewer's license, making sales or deliveries in City \$200.00
- 3. Malt beverage dealer holding a state retail license \$200.00

GROUP TWO: Amusement

- 1. Distributing/Servicing/Operating coin-operated amusement machines (e.g. nickelodeons and music machines) \$ 10.00/per machine

GROUP THREE: All other businesses

SECTION FIVE:

The license fee herein levied for Group One and Group Two in Section Four (4) shall be due on the same date and time frame as the Commonwealth of Kentucky's license requirements and regulations.

All other businesses not included within Group One or Group Two shall have the license fee herein levied shall be due on the first (1st) day of July in each year, unless otherwise stated, except that persons commencing or desiring to operate a trade, business, occupation, or profession for only part of a license year, after July 1 of each license year shall pay a prorated fee, except as otherwise specifically proved herein, equal to as many twelfths of the annual license fees there are calendar months remaining in the license year, including the month in which the license is granted.

SECTION SIX:

Persons who cease business during the license year shall be entitled to a refund portion of the license fee only if there is more than the six (6) months remaining in the license year and the licensee advises the City Clerk at 170 Frank E. Simon Avenue, Post Office Box 400, Shepherdsville, Kentucky 40165, in writing at least thirty (30) days prior to the cessation of business as to the intention to close permanently. The license fee refund, if notice is given, shall be prorated equal to the twelfths of the annual license fee as there are calendar months remaining in the license year.

SECTION SEVEN:

It shall be unlawful for any person to engage in a trade, occupation, business or profession within the city without reporting and paying the license fees herein provided and required. Any person, firm, or corporation violating any provisions of this Ordinance shall be fined not less than Fifty Dollars (\$50.00) for each offense. A separate office shall be deemed committed on the day during or on which a violation occurs or continues.

SECTION EIGHT:

Each person required by this Ordinance to obtain a license shall obtain same on or before the license fee provided for herein becomes due from the City Clerk and shall disclose at the time of application for such license or licenses all occupations or businesses in which he is or will be engaged during the license year.

The City Clerk shall not issue any malt beverage or liquor licenses under this ordinance until the applicant presents to her proof of the issuance to the applicant of a similar license by the Commonwealth for the same period.

SECTION NINE:

Should any section, clause, line, paragraph, or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

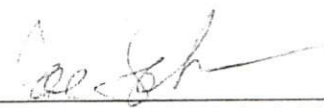
SECTION TEN:

All ordinance or parts of ordinances in conflict with this Ordinance or any part of this Ordinance are hereby repealed.

SECTION ELEVEN:

This Ordinance shall take effect on the 20th day of October 2004.

Given first reading at a regular meeting of the City Council of the City of Shepherdsville, Bullitt County, Kentucky, on the 27th day of September 2004. Given second reading, voted upon and passed at a regular meeting of the City Council of the City of Shepherdsville, Bullitt County, Kentucky on the 11th day of October 2004.



2004 JAN 11 A 9:32

HONORABLE JOSEPH G. SOHM, MAYOR

ATTEST:


TAMMY OWEN, CITY CLERK

Votes For 5;
Stacey Cline x
Don Cundiff x
Duane Price
Tony Miller x
Margaret Moore x
James Watkins x

Votes Against 0;

Abstentions 0.