

ORDINANCE NO. 275 (5-11-11)

AN ORDINANCE OF THE CITY OF TAYLOR MILL IN KENTON COUNTY KENTUCKY AMENDING SECTION III OF TAYLOR MILL ORDINANCE NO. 1-7-84 REGARDING ALCOHOLIC BEVERAGE LICENSES OF THE CITY AND THE FEES FOR THOSE LICENSES

BE IT ORDAINED BY THE CITY OF TAYLOR MILL, IN KENTON COUNTY,
KENTUCKY, AS FOLLOWS:

Section 1.0 – Amendments

Taylor Mill ordinance numbered 1-7-84, as previously amended from time to time, is hereby again amended so that Section III of that ordinance conforms to the version of that section attached hereto and incorporated herein by reference, with the words and numbers being added indicated by a single solid line beneath them, and with the words and numbers being deleted indicated by a single line through them, as required by K.R.S. 83A.060(3).

Section 2.0 – Provisions Severable

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 3.0 – Conflicting Ordinances Repealed

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4.0 – Effective Date

This ordinance shall be effective as soon as possible according to law

Section 5.0 – Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060
(9).


DANIEL L. BELL, MAYOR

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ALCOHOL
BEVERAGE CONTROL

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SECTION III

~~For the privilege of causing, permitting and engaging in the actions, business and transactions authorized thereby in regard to traffic in alcoholic beverages in the City of Taylor Mill and pursuant to the authority of K.R.S. 243.070, there is hereby established by, in and for each of the state licenses described in the following schedule; and the actions, business and transactions authorized and permitted thereby and the expiration dates thereof shall be and are the same as those of the state licenses to which the city licenses correspond and which are indicated and described in the sections of the Kentucky Revised Statutes indicated in the following schedule; and the fees for such city licenses shall be as indicated in the following schedule; and no person shall cause, permit or engage in any of the actions, business or transactions authorized by such city and state licenses within the City of Taylor Mill without both a valid city license and a valid state license therefor:~~

Pursuant to the authority of K.R.S. 243.070, the City of Taylor Mill hereby imposes license fees for the privilege of manufacturing and trafficking in alcoholic beverages; and nobody shall conspire, cause, permit, promote, allow, aid, assist, encourage or engage in any of the actions, business and transactions authorized by any of the state alcoholic beverage licenses identified in K.R.S. 243.070 in the city without a corresponding city license for those same actions, business and transactions. The annual fees for the city licenses authorized by K.R.S. 243.070 shall be the maximum fee specified in that statute; and the expiration dates of the city licenses shall be the same as the state licenses to which they conform. The amount of each annual fee for a city license shall be reduced on a monthly pro rata basis, so that such annual license fee is reduced by 1/12 thereof for each complete calendar month of the license year that has passed prior to the issuance of that city license; provided, however, that no such pro-rata license fee reduction shall ever exceed fifty percent (50%) of the annual license fee.

ORDINANCE NO. 199 (6-11-03)

AN ORDINANCE OF THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY, IN REGARD TO ALCOHOLIC AND MALT BEVERAGE REGULATIONS, LICENSES AND FEES.

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BE IT ORDAINED BY THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY AS FOLLOWS:

Section 1.0 – Amendments

Taylor Mill Ordinance 1-7-84, as previously amended from time to time, is hereby again amended so that Sections III and VIII conform to the provisions of those sections attached hereto and incorporated herein by reference, with the words and numbers that are being added by this amendment indicated in the attachment by a single solid line beneath them, and the words and numbers that are being deleted by this amendment indicated in the attachment by a single broken line through them, as required by K.R.S. 83.060 (3).

Section 2.0 – Provisions Severable

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 3.0 – Conflicting Ordinances Repealed

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4.0 – Effective Date

This ordinance shall be effective as soon as possible according to law.

Section 5.0 - Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).

MARK KREIMBORG, MAYOR

Section III

For the privilege of causing, permitting and engaging in the actions, business and transactions authorized thereby in regard to traffic in alcoholic beverages in the City of Taylor Mill and pursuant to the authority of K.R.S. 243.070, there is hereby established by, in and for each of the state licenses described in the following schedule; and the actions, business and transactions authorized and permitted thereby and the expiration dates thereof shall be and are the same as those of the state licenses to which the city licenses correspond and which are indicated and described in the sections of the Kentucky Revised Statutes indicated in the following schedule; and the fees for such city licenses shall be as indicated in the following schedule; and no person shall cause, permit or engage in any of the actions, business or transactions authorized by such city and state licenses within the City of Taylor Mill without both a valid city license and a valid state license therefor:

Section VIII

A. Pursuant to the authority of K.R.S. 244.290 and K.R.S. 244.480, the times and hours during which distilled spirits and wine and malt beverages may be sold at retail in the City of Taylor Mill are hereby established to be hours after 6:00 A.M. and before 2:30 A.M. prevailing time, on any day except Sunday and the hours after 11:00 P.A. M. and before 2:30 A.M., prevailing time, on any Sunday except that no distilled or wine or malt beverages shall be sold at retail in the City of Taylor Mill during the hours the polls are open in the City on election day.

B. During the hours before 6:00 A.M. and after 2:30 A.M. prevailing time, on any day except Sunday and the hours after 2:30 A.M. and before 11:00 P.A. M., prevailing time, on any Sunday and the hours when any polls are open in the City on any election day, no person who has a valid City license for the sale of distilled spirits or wine or malt beverages at retail shall cause, permit or engage in any of the actions, business or transactions authorized and permitted thereby; and during such times all persons who have such City licenses shall cause the licensed premises to be closed and vacated by all persons except the applicant and those persons identified on the application for such City licenses or any supplements thereto as officers, agents or employees of the person to whom such City license was issued and all other persons shall vacate the licensed premises and remove themselves therefrom during such times; provided, however, that any person upon the premises who purchased any alcoholic beverages by the drink from the licensee within thirty (30) minutes prior to any such times may remain upon the premises for a period not to exceed thirty (30) minutes thereafter for the sole purpose of the consumption of the drink purchased; and provided, however, that if a separate department of such licensed premises is maintained in a manner previously approved in writing by the City Administrator as being capable of being locked, closed off and separated from the remainder of the licensed premises and all distilled spirits, wine and malt beverages and all fixtures and apparatus connected, with the acts of business and transactions authorized by the State licenses and City licenses for the retail sale of distilled spirits, wine and malt beverages from such premises as located within such approved department and such approved department is continuously kept locked, physically separated and closed off from the remainder of the licensed premises during such times, then the remainder of the licensed premises may remain open and any lawful activity conducted thereon during such times.

<u>License Description</u>	<u>Statutory Authorization</u>	<u>Statutory Description of Authorized Business and Transactions</u>	<u>Annual Expiration Date K.R.S. 243.090</u>	<u>Fee</u>
<u>Distilled Spirits and Wine Licenses</u>				
Distillers	K.R.S. 243.0370 (1) (a)	243/120 243.130	June 30	\$ 500 per annum
Rectifier	K.R.S. 243.0370 (21) (b)	243.120 243.130	June 30	\$3,000 per annum
Blenders	K.R.S. 243.0270 (31) (c)	243.1340	June 30	\$3,000 per annum
Wholesaler	K.R.S. 243.0370 (61) (d)	243.160 243.170	June 30	\$3,000 per annum
Retail Package	K.R.S. 243.0370 (71) (e)	243.240	June 30	\$1,000 per annum
Retail Drink	K.R.S. 243.0370 (82) (b)	243.250	June 30	\$ 300 1,000 per annum
<u>Distilled Spirits and Wine Special Temporary</u>	K.R.S. 243.0370 (163) (b)	243.260	NA	\$333 166.66 per month event
<u>Special Temporary Wine</u>	K.R.S. 243.070 (4)	<u>243.260</u>	NA	<u>\$ 50 per event</u>
<u>Special Temporary Auction Distilled Spirits and Wine</u>	K.R.S. 243.070 (5)			<u>\$ 200 per event</u>
Special Private Club	K.R.S. 243.303 070 (17 6)	243.070	June 30	\$250 300 per annum
Special Sunday Retail Drink	K.R.S. 243.0370 (187)	244.290	June 30	\$ 300 per annum
Non-Resident Special Agent	K.R.S. 243.0370 (199)	243.340	June 30	\$ 40 per annum
<u>Caterer's</u>	K.R.S. 243.070 (11)	<u>243.033</u>	<u>June 30</u>	<u>\$ 800 per annum</u>

<u>License Description</u>	<u>Statutory Authorization</u>	<u>Statutory Description of Authorized Business and Transactions</u>	<u>Annual Expiration Date K.R.S. 243.090</u>	<u>Fee</u>
<u>Malt Beverage Licenses</u>				
Brewers	K.R.S. 243.0470 (18) (a)	243.150	June 30	\$ 500 per annum
<u>Microbrewery</u>	<u>K.R.S. 243.070 (18) (b)</u>	<u>243.157</u>	<u>June 30</u>	<u>\$ 500 per annum</u>
Distributors	K.R.S. 243.0470 (318) (c)	243.280	June 30	\$ 75 per annum
Retailers (New)	K.R.S. 243.0470 (318) (d)	243.280	June 30	\$ 200 per annum
Retailers (Renewal)	K.R.S. 243.040 (3)	243.280	June 30	\$ 75 per annum
Special Temporary	K.R.S. 243.040 (6)	243.290	NA	\$ 25 per annum

CHAPTER 111: ALCOHOLIC BEVERAGES

Section

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GENERAL PROVISIONS

§ 111.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) As used herein the words and phrases defined in KRS 241.010 and 243.010 have the meanings indicated therein.

(B) The following words and phrases have the meanings indicated:

(1) "BOARD." The State Alcoholic Beverage Control Board established pursuant to KRS 241.030.

(2) "CITY." The City of Erlanger in Kenton County, Kentucky.

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(3) "CITY ADMINISTRATOR." The person appointed to the office of Alcoholic Beverage Control Administration created and established by the city pursuant to KRS 241.160.

(4) "CITY LICENSE." A license established and authorized pursuant to the terms hereof.

(5) "CITY LICENSEE." A person who has been issued a city license pursuant to the terms hereof.

(6) "KRS." Kentucky Revised Statutes.

(7) "PERSON." Any natural person, corporation, partnership, joint venture, or unincorporated association of persons or any combination thereof, and the shareholders, officers, agents, servants, and employees thereof.

(8) "PREMISES." The premises described in the city license issued pursuant to the terms hereof and the application therefor.

(9) "STATE." The Commonwealth of Kentucky.

(10) "STATE LICENSE." A license authorized by KRS 243.030 to 243.680.

(11) "TRAFFIC IN ALCOHOLIC BEVERAGES." Any action, business, or transaction in regard to the production, storage, transportation, distribution, sale, delivery, and transfer of alcoholic beverages.
(Ord. 1751, passed 3-6-82)

§ 111.02 ESTABLISHMENT OF REGULATIONS.

The licenses and fees therefor, the administration and regulation thereof, and the prohibitions and penalties described herein are hereby established by, in, and for the city.
(Ord. 1751, passed 3-6-82)

LICENSES

§ 111.20 CLASSIFICATION OF LICENSES; FEE SCHEDULE.

(A) For the privilege of causing, permitting, and engaging in the actions, business, and transactions authorized thereby in regard to traffic in alcoholic beverages in the city and pursuant to the authority of KRS 243.070, there is hereby established by, in, and for the city a corresponding city license for each of the state licenses described in the following schedule. The actions, business, and transactions authorized and permitted thereby and the expiration dates thereof shall be and are 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.

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(B) No person shall cause, permit, or engage in any of the actions, business, or transactions authorized by such city and state licenses within the city without both a valid city license and a valid state license therefor:

<u>License Description</u>	<u>Statutory Authorization (KRS 5)</u>	<u>Statutory Description of Authorized Business and Transactions (KRS 5)</u>	<u>Annual Expiration Date (KRS 5 243.090)</u>	<u>Fee (Per Annum)</u>
<u>Distilled Spirits and Wine Licenses</u>				
Distillers	243.030 (1)	243.120 243.130	June 30	\$ 500
Rectifier	243.030 (2)	243.120 243.130	June 30	3000
Blenders	243.030 (3)	243.140	June 30	3000
Wholesaler	243.030 (4)	243.160 243.170	June 30	3000
Retail package	243.030 (7)	243.240	June 30	1000
Retail drink	243.030 (1)	243.250	June 30	1000
Special temporary	243.030 (16)	243.260	NA	82 per month
Special private club	243.030 (17)	243.270	June 30	300
Special Sunday retail drink	243.030 (18)	243.290	June 30	300
Nonresident special agent	243.030 (19)	243.340	June 30	40
<u>Malt Beverage Licenses</u>				
Brewers	243.040 (1)	243.150	June 30	500
Microbrewery	243.040 (2)	243.157	June 30	500
Distributors	243.040 (3)	243.180	June 30	400
Retailers new applicants	243.040 (4) (a), 243.070	243.280	June 30	200
renewals	243.040 (4) (b)	243.280	June 30	150
Special temporary	243.040 (7)	243.290	NA	25 per month

(Ord. 1751, passed 3-6-82; Am. Ord. 1781, passed 7-19-83) Penalty, see \$ 111.99

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§ 111.21 FORM, CONTENT OF CITY LICENSE.

The city licenses authorized and established hereby shall each be evidenced by a document, the form and content of which shall be prescribed by regulation of the City Administrator. However, the documents must be of the same color and designation as those of the state licenses to which the city licenses correspond and must comply with all of the provisions for state licenses required by KRS 243.440.
(Ord. 1751, passed 3-6-82; Am. Ord. 1857, passed 10-7-86)

§ 111.22 APPLICATION; ISSUANCE.

Subject to the limitations and restrictions described herein, city licenses shall be originally issued by the City Administrator and renewed by the City Administrator upon the expiration thereof, upon receipt of the following documents and fees by the City Administrator more than 30 days prior to the effective date of an original license and more than 15 days prior to the expiration date of any license to be renewed:

(A) A written application therefor with all of the information required by KRS 243.390 for state license applications, with the truth of the information, statements, and representations therein attested by the signature and the oath or affirmation of the applicant. The form and content of such application shall be prescribed by regulation of the City Administrator.

(B) The applicable fee for the city license which is the subject of the application, in cash or by certified or cashier's check therefor.
(Ord. 1751, passed 3-6-82; Am. Ord. 1857, passed 10-7-86)

§ 111.23 APPROVAL OF APPLICATION

Within 30 days of the date of the application for an original city license and 15 days of the date of an application for renewal of a city license, the City Administrator shall, by mail or personal delivery thereof, notify the applicant, in writing, of either the approval thereof or the disapproval thereof and a hearing in regard thereto.
(Ord. 1751, passed 3-6-82)

§ 111.24 DENIAL OF APPLICATION.

As is similarly set forth in KRS 243.450, the City Administrator shall not approve any application for a city license if:

(A) The applicant, the application, or the premises described therein do not fully comply with the provisions of this chapter and all laws in regard to alcoholic beverages; or

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(B) Any statement or representation in the application is false. (Ord. 1751, passed 3-5-82; Am. Ord. 1857, passed 10-7-86)

§ 111.25 PREMISES SELLING GROCERIES, GASOLINE, AND THE LIKE PROHIBITED FROM OBTAINING LICENSE.

Notwithstanding any other provision to the contrary, the city licenses authorized and established hereby are subject to the following limitations and restrictions. The City Administrator shall not issue any city license in violation hereof. Any city license issued in violation hereof is void ab initio; however, renewals of existing city licenses shall not be prohibited thereby:

(A) As prohibited in KRS 243.230, no city license shall be issued to sell malt beverages at retail within or upon any premises from which gasoline and lubricating oil are sold or from which the servicing and repair of motor vehicles is conducted unless there is continuously maintained an inventory on the premises for sale at retail of not less than \$5,000 of food, groceries, and related products valued at cost.

(B) No city license shall be issued to sell distilled spirits or wine at retail by the drink or package from any premises used as or in connection with the operation of any business in which a substantial part of the commercial transaction consists of selling at retail staple groceries, or gasoline or lubricating oil. (Ord. 1751, passed 3-6-82; Am. Ord. 1857, passed 10-7-86)

§ 111.26 TRANSFER OF LICENSE.

A city licensee shall not assign or transfer any city license to any other person or premises unless that person and/or premises complies with all of the provisions of this chapter; the transfer of the license is approved by the City Administrator; and the transfer of the state license to which the city license corresponds is approved by the state. A transfer fee of \$10 shall be paid to the city for the transfer of the city license. (Ord. 1751, passed 3-6-82) Penalty, see § 111.99

SALE OF ALCOHOLIC BEVERAGES

§ 111.40 HOURS.

(A) Pursuant to the authority of KRS 244.290 and KRS 244.480, the times and hours during which distilled spirits, wine, and malt beverages may be sold at retail in the city are hereby established to be the hours after 6:00 a.m. and before 2:30 a.m. prevailing time on any day except Sunday, and the hours after 1:00 p.m. and before 2:30 a.m. prevailing time on any Sunday. However, no distilled spirits or wine or malt beverages shall be sold at retail in the city during the hours the polls are open in the city on any election day.

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(B) During the hours before 6:00 a.m. and after 2:30 a.m. prevailing time on any day except Sunday, and the hours after 2:30 a.m. and before 1:00 p.m. prevailing time on any Sunday, and the hours when any polls are open in the city on any election day, no person who has a valid city license for the retail sale of distilled spirits or wine or malt beverages shall cause, permit, or engage in any of the actions, business, or transactions authorized and permitted thereby. During such times, all persons who have such city licenses shall cause the licensed premises to be closed and vacated by all persons except the applicant and those persons identified on the application for such city licenses or any supplements thereto as officers, agents, or employees of the person to whom such city license was issued. All other persons shall vacate the licensed premises and remove themselves therefrom during such times; however, any person upon the premises who purchased any alcoholic beverages by the drink from the licensee within 30 minutes prior to any such times may remain upon the premises for a period not to exceed 30 minutes thereafter for the sole purpose of the consumption of the drink purchased.

(C) If a separate department of such licensed premises is maintained in a manner previously approved in writing by the City Administrator as being capable of being locked, closed off, and separated from the remainder of the licensed premises and all distilled spirits, wine, and malt beverages and all fixtures and apparatus connected with the acts of business and transactions authorized by the state licenses and city licenses for the retail sale of distilled spirits, wine, and malt beverages from such premises are located within such approved department, and such approved department is continuously kept locked, physically separated, and closed off from the remainder of the licensed premises during such times, the remainder of the licensed premises may remain open and any lawful activity may be conducted thereon during such times.

(Ord. 1751, passed 3-6-82) Penalty, see § 111.99

§ 111.41 COMPLIANCE WITH REGULATIONS AND PROHIBITIONS.

(A) At all times during which any person has a valid city license issued pursuant to the provisions hereof, that person shall fully comply with all of the rules, regulations, requirements, and prohibitions set forth in this chapter.

(B) A city licensee shall comply fully with all of the provisions hereof and all of the rules and regulations of the City Administrator in regard thereto; all provisions of the state statutes and the rules and regulations of the State Alcoholic Beverage Control Board in regard to the licensed premises and the actions, business, and transactions conducted thereon subsequent to the issuance of a state license therefor and prior to the expiration, revocation, or suspension thereof which are hereby incorporated herein and made applicable to all city licenses

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corresponding thereto, the premises described therein, and the actions, business, and transactions conducted thereon; and the city licensee shall comply fully therewith.
(Ord. 1751, passed 3-6-82) Penalty, see § 111.99

§ 111.42 MAINTENANCE OF STATE LICENSE.

A city licensee shall maintain the state license to which the city license corresponds and fully comply with all state statutes and the rules and regulations of the State Alcoholic Beverage Control Board in regard thereto.
(Ord. 1751, passed 3-6-82) Penalty, see § 111.99

§ 111.43 DISPLAY OF REQUIRED LICENSES AND CERTAIN SIGNS.

As required by KRS 244:083, a city licensee who has a valid city retail distilled spirits, wine, or malt beverage license shall cause to be displayed in a conspicuous and prominent place on the licensed premises each of the following documents so that they may be seen and observed by all persons entering the licensed premises:

(A) A sign or placard at least eight inches by 11 inches in size with the following message printed or displayed thereon in 30 point or larger type:

"Persons under the age of twenty-one (21) years are subject to a fine up to Five Hundred (\$500.00) Dollars if they:

a. Enter licensed premises to buy or have served or delivered to them any alcoholic beverages; or

b. Possess, purchase or attempt to purchase any alcoholic beverages; or

c. Misrepresent their age for the purpose of purchasing or obtaining alcoholic beverages."

(B) All valid city licenses issued therefor and the state licenses to which they correspond. The failure to so display such licenses shall be prima facie evidence that no such valid licenses have been issued or exist and all actions, business, and transactions authorized thereby conducted on such premises are illegal and in violation of the provisions hereof and the state statutes and regulations of the State Alcoholic Beverage Control Board in regard thereto.

(Ord. 1751, passed 3-6-82) Penalty, see § 111.99

Statutory reference:

Display of state license required, see KRS 243.620, 244.270, and 244.360

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§ 111.44 MINORS.

(A) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) "ALCOHOLIC BEVERAGE." Shall have the meaning indicated in KRS 242.010.

(2) "MINOR." Any natural person who is less than 21 years of age.

(3) "OWNER." Any person who owns or controls any interest in any real estate in the City of Erlanger.

(4) "PERSON." Any natural person, corporation, partnership, joint venture, or unincorporated association or persons, or any combination thereof.

(5) "REAL ESTATE." Land and any interest therein and all structures and other improvements thereon.

(B) No person shall passively or actively cause, permit, aid, allow, encourage, or engage in the consumption or possession of alcoholic beverages by a minor in the City of Erlanger, unless such possession or consumption of alcoholic beverages occurs at the residence of the minor and in the presence of another person who is over 21 years of age, who is related to the minor, and who resides with the minor at the same residence.

(C) Each owner is hereby obligated to and no owner shall fail to engage in all actions necessary for the expulsion from any real estate in which the owner has any interest, of all minors except residents of such real estate, who are known to the owner to be engaged in the possession or consumption of alcoholic beverages thereon.

(D) The actions of the owner required hereby include, without limitation, the action of notifying the Police Department of the location of the real estate, and the interest of the owner therein, and that, without license or privilege from the owner therefor, minors are engaged in the possession and consumption of alcoholic beverages thereon, and requesting police assistance in the removal of such minors from the real estate.

(Ord. 1865, passed - -) Penalty, see § 111.99

§ 111.45 ILLEGAL SEXUAL CONDUCT, EXPOSURE OF HUMAN BODY.

No person shall cause, permit, encourage, or engage in any of the following activities or display still or motion pictures thereof on licensed premises:

(A) Sexual conduct as defined in KRS 531.010(4).

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(B) The appearance of any human being, clothed or unclothed, in such a manner that any portion of the following body members are exposed to view:

- (1) The nipple of the female breast.
- (2) The female breast below the nipple.
- (3) The genitalia.
- (4) The pubic hair.
- (5) The anus.

(Ord. 1751, passed 3-6-82) Penalty, see § 111.99

§ 111.46 BUSINESS TO BE CONDUCTED CONTINUOUSLY; EXCEPTIONS.

(A) A city licensee who has a valid city wholesale or retail distilled spirits, wine, or malt beverage license must conduct the actions, business, and transactions authorized thereby upon the licensed premises.

(B) When no such actions, business, or transactions are conducted thereon for a period of 90 consecutive calendar days, the city license therefor shall become null and void and revoked by the City Administrator unless:

(1) The city licensee is unable to continue in business at the premises for which a license is issued due to an act of God; casualty; the acquisition of the premises by any federal, state, city, or other governmental agency under power of eminent domain; acquisition of any private corporation through its power of eminent domain granted to it, whether such acquisition is voluntary or involuntary; or loss of lease through failure of the landlord to renew the existing lease; and

(2) Prior to the discontinuance of business at the licensed premises or immediately thereupon if such is due to an act of God, the city licensee delivers to the City Administrator a written statement signed by the city licensee and verified by the oath or affirmation thereof indicating the discontinuance of business at the licensed premises for any of the causes or reasons described herein.

(Ord. 1751, passed 3-6-82)

ADMINISTRATION AND ENFORCEMENT

§ 111.60 SUSPENSION, REVOCATION OF LICENSE.

The procedure for the revocation or suspension of a city license shall consist of a written notice signed by the City Administrator and mailed to the licensee at the address of the licensed premises by certified mail, describing the cause, circumstance, or occurrence

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and the time and date thereof for which the city license may be revoked and indicating the time and place of a hearing in regard thereto at least five days thereafter at which the licensee and the representatives thereof shall be heard thereon. The hearing thereon shall be conducted by the City Administrator in the city and according to the procedure prescribed by the State Alcoholic Beverage Control Board for hearings by the Board as supplemented by the regulations of the City Administrator. The City Administrator shall control and make all decisions in regard to the introduction of evidence and shall hear all arguments in regard thereto. At the conclusion of the hearing, the City Administrator shall issue a written decision in regard thereto and mail a certified copy thereof to the licensee at the address of the licensed premises by certified or registered mail.

(Ord. 1751, passed 3-6-82; Am. Ord. 1857, passed 10-7-86)

§ 111.99 PENALTY.

(A) Any person who violates any of the provisions of this chapter shall, upon conviction thereof in a court of competent jurisdiction, be sentenced to pay a fine for each offense or violation of no less than \$10 and no more than \$500, or sentenced to imprisonment for no more than 90 days, or any combination of such fines and imprisonment.

(Ord. 1751, passed 3-6-82)

(B) Any person who violates the distillers license fee provision of § 111.20 shall, upon conviction and in accordance with KRS 243.990(2), be sentenced to pay a fine of not less than \$100 nor more than \$200, or sentenced to imprisonment for no more than six months, or both for the first offense. For the second offense, the person shall be fined not less than \$200 nor more than \$500, or sentenced to imprisonment for no more than six months, or both. On the third and each subsequent offense, the person shall be sentenced to pay a fine of not less than \$500 nor more than \$5,000, or sentenced to imprisonment for not more than five years, or both.

(C) Any person who violates any provision of § 111.20 other than as discussed in division (B) above, or any provision of §§ 111.21 through 111.26 or 111.40 through 111.42, shall, upon conviction and in accordance with KRS 243.990(1) and 244.990(1), be fined not less than \$100 nor more than \$200, or be imprisoned for no more than six months, or both for the first offense. On the second and each subsequent offense, the person shall be fined not less than \$200 nor more than \$500, or be imprisoned for no more than six months, or both.

(D) Any person who violates any provision of § 111.43 shall, upon conviction and in accordance with KRS 244.990(5), be fined not less than \$10 nor more than \$100.

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§ 111.99

(E) Any person who violates any of the terms or provisions of § 111.44 shall, upon conviction thereof in a court of competent jurisdiction, be sentenced to pay a fine of no more than \$500, or be imprisoned for a period of no more than 90 days, or any combination of such fine or imprisonment. (Ord. 1865, passed - -)

ERLANGER - ALCOHOLIC BEVERAGES



ORDINANCE NO. 74(28-95)

AN ORDINANCE OF THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY, ASSIGNING THE DUTIES OF THE CITY ALCOHOLIC CONTROL ADMINISTRATOR TO THE OFFICE OF THE CITY ADMINISTRATIVE OFFICER.

BE IT ORDAINED BY THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:

SECTION I

Pursuant to the authority of K.R.S. 241.160, the duties of the City Alcoholic Beverage Control Administrator required thereby are hereby assigned to the office of the City Administrative Officer of the City of Taylor Mill.

SECTION II

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION III


All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV

This ordinance shall be effective as soon as possible according to law.

SECTION V

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).



MARK KREIMBERG, MAYOR

tm95:1/25/95

FIRST READING: JANUARY 25, 1995

SECOND READING: FEBRUARY 8, 1995

Motion to adopt made by Bob Haake; second by Commr Norris.
Roll call showed the following in favor; Commrs. Haake, Meyer, Norris and Black.

NONE OPPOSED

MOTION CARRIED.

AN ORDINANCE OF THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY, AMENDING TAYLOR MILL ORDINANCES NO. 1-10-89 AND 3-7-84 TO PROVIDE THAT THE DUTIES OF THE CITY ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR SHALL BE PERFORMED BY THE CITY COORDINATOR INSTEAD OF THE CITY CLERK/TAX COLLECTOR.

BE IT ORDAINED BY THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY AS FOLLOWS:

ARTICLE I

Section I of Taylor Mill Ordinance No. 3-7-84, is hereby amended as follows, with the words and numbers being added indicated by single, solid line beneath them, and the words and numbers being deleted indicated by a single, broken line through them, as required by K.R.S. 83A.060(3):

Section I

Pursuant to the authority of K.R.S. 241.160, the duties of the City Alcoholic Beverage Control Administrator required thereby are hereby assigned to the office of the ~~City Clerk~~ City Coordinator of the City of Taylor Mill.

ARTICLE II

Section III of Taylor Mill Ordinance No. 1-10-89 is hereby amended as follows, with the words and numbers being added indicated by single, solid line beneath them, and the words and numbers being deleted indicated by a broken line through them, as required by K.R.S. 83A.060(3):

Section III

The City Coordinator shall have the duty and responsibility for:

A. The organization and coordination of the legislative, executive, administrative and service functions of the City for consistency and efficiency, through a continuing review and analysis thereof, and recommendations therefore to the City Commission; and

B. The compliance of all legislative, executive, administrative and service functions of the City with all federal and state laws and regulations in regard thereto, through the continuing review and analysis thereof, and recommendation therefore to the

City Commission; and

C. Providing advice, counsel and recommendations to officers and employees of the City, upon requests therefor, regarding specific circumstances as they occur and develop.

D. The procedural organization of all regular and special meetings of the City Commission, with assistance to the Mayor regarding the conduct thereof, and status and disposition reports regarding City Commission directives, policies and resolutions; and

E. Initial meetings, communications and correspondence with citizens regarding requests or complaints about City functions or services, with a review, analysis, report and recommendation to the City Commission in regard thereto; and

F. Liaison with federal, state and local governmental agencies.

G. The duties of the City Alcoholic Beverage Control Administrator required by K.R.S. 241.160.

ARTICLE III

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

ARTICLE IV

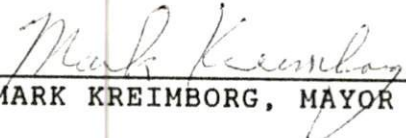
All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

ARTICLE V

This ordinance shall be effective as soon as possible according to law.

ARTICLE VI

This ordinance shall be published in full pursuant to K.R.S. 83A.060 (9).


MARK KREIMBORG, MAYOR

ORDINANCE NO. 3-7-84

AN ORDINANCE OF THE CITY OF TAYLOR MILL IN KENTON COUNTY KENTUCKY, ASSIGNING THE DUTIES OF THE CITY ALCOHOLIC CONTROL ADMINISTRATOR TO THE OFFICE OF THE CITY CLERK.

BE IT ORDAINED BY THE CITY OF TAYLOR MILL IN KENTON COUNTY, KENTUCKY AS FOLLOWS:

SECTION I

Pursuant to the authority of K.R.S. 241.160, the duties of the City Alcoholic Beverage Control Administrator required thereby are hereby assigned to the office of the City Clerk of the City of Taylor Mill.

SECTION II

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

SECTION III

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV

This ordinance shall be effective as soon as possible according to law.


BETTY CLEMENTS, MAYOR