

CHAPTER 118: ALCOHOLIC BEVERAGES

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GENERAL PROVISIONS

§ 118.01 SHORT TITLE.

This chapter shall be known and may be cited as the Alcoholic Beverage Ordinance of the City of Madisonville, Kentucky.
(Ord. passed 5-7-92)

§ 118.02 INCORPORATION OF STATE LAW; COMPLIANCE REQUIRED

(A) The provisions of the State Alcoholic Beverage Control laws contained in KRS Chapters 241, 242, 243 and 244, pertaining to licenses and regulations of the State Alcoholic Beverage Control Board, including definitions contained therein, as well as amendments and supplements thereto, are hereby adopted as part of the alcoholic beverage control law of the city, except as otherwise lawfully provided herein.

(B) No person shall sell, deal in, barter or exchange or possess for sale, or for the purpose of evading any law or ordinance, give away any alcoholic beverage in any quantity whatever, or cause the same to be done, without complying with all of the provisions of this chapter and all statutes and regulations of the state applicable thereto.

Penalty, see § 118.99

(C) All prohibitions, restrictions and regulations pertaining to alcoholic beverages found at KRS 244.010-244.600 shall apply to alcoholic beverage use in the city.

(Ord. passed 5-7-92)

§ 118.03 SCOPE OF COVERAGE.

(A) This chapter shall be construed to apply to the traffic in both malt beverages and distilled spirits and wine where the context permits such applications.

(B) Nothing contained in this chapter shall excuse or relieve the owner, proprietor, employee or person in charge of any licensed premises in the city, where alcoholic beverages are sold, from the restrictions, requirements and penalties of any other ordinances or ordinances of the city or of any statutes of the state relating to violations pertaining to alcoholic beverages.

(Ord. passed 5-7-92)

§ 118.04 DEPOSIT OF FEES, FINES TO GENERAL FUNDS.

All monies derived from license fees or from fines as provided in this chapter shall be paid to the treasury of the city and become a part of the general funds of the city.

(Ord. passed 5-7-92)

§ 118.05 NOTICE OF FEES; ASSESSMENTS TO STATE ALCOHOL BEVERAGE BOARD.

This chapter is and shall be subject to the provisions of KRS 243.610. The City Clerk shall give notice to the State Alcoholic Beverage Board of any fees or assessments levied under the provisions of this chapter.

(Ord. passed 5-7-92)

ADMINISTRATION

§ 118.10 ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR; OFFICE ESTABLISHED.

There is established the office of Alcoholic Beverage Control Administrator **ADMINISTRATOR** as set out in §30.26 of this code.

(Ord. passed 5-7-92)

§ 118.11 ADMINISTRATOR TO ENFORCE.

The Administrator shall have the power and authority to promulgate such regulations as may be necessary to implement and/or administer this chapter.

(Ord. passed 5-7-92)

§ 118.12 FUNCTIONS; DUTIES AND POWERS.

(A) The functions of the Administrator shall be the same with respect to the city license and regulations, as the function of the Kentucky Alcoholic Beverage Control Board ("Board") with respect to state licenses and regulations, except that no regulation of the Administrator shall be less stringent than the statutes relating to alcoholic beverage control, or the regulations of the Board. No regulation of the Administrator shall become effective until it has been approved by the Board.

(B) The Administrator shall have the same powers and duties with respect to suspension and revocation for cause of city licenses as the State Alcoholic Beverage Control Board has with respect to state licenses under KRS 241.060. The Administrator, on his own initiative or on the complaint of any person, may institute proceedings to revoke or suspend any license issued under this chapter.

(Ord. passed 5-7-92)

§ 118.13 POLICE POWER; ADMINISTRATOR TO HAVE.

The Administrator, and his Investigators, shall have the full police powers of peace officers, and their jurisdiction shall be co-extensive with the boundaries of the city. They may inspect any premises where alcoholic beverages are manufactured, sold, stored or otherwise trafficked in, without first obtaining a search warrant.

(Ord. passed 5-7-92)

§ 118.14 RIGHT OF INSPECTION.

The Administrator shall have available at all reasonable times for his inspection, all books and records required to be maintained by licensees under KRS 244.150 and shall receive copies of all reports submitted by licensees to the State Alcoholic Beverage Control Board.

(Ord. passed 5-7-92)

LICENSING REGULATIONS

§ 118.25 NUMBER OF LICENSES.

The Number of retail package, retail drink, retail beer, wholesale beer distributors and wholesale distilled spirits distributors licenses issued in the city shall not exceed the number and type as set forth in KRS Chapter 241, 242, 243 or 244 and all administrative regulations promulgated pursuant thereto, as may be amended from time to time.

(Ord. passed 5-7-92; Am. Ord. 2013-20, passed 12-2-13)

§ 118.26 DISTILLED SPIRITS AND WINE LICENSES; FEES.

The city shall have the power and authority to issue the following kinds of distilled spirits and wine licenses upon proper application and the payment of the prescribed fee:

<i>License Type</i>	<i>Fee</i>
<i>License Type</i>	<i>Fee</i>
(A) Non-quota Type-1 retail drink license - convention center, (includes distilled spirits, wine & malt beverages), per annum	\$800
(B) Quota retail package license, per annum	\$600
(C) Non-quota Type-2 retail drink license, (includes distilled spirits, wine & malt beverages), per annum	\$800
(D) Special, temporary license, per event (includes distilled spirits, wine & malt beverages)	\$100
(E) Quota retail drink license, per annum	\$1,000
(F) Distiller's license, per annum	\$500
(G) Microbrewery license, per annum	\$500

(Ord. passed 5-7-92; Am. Ord. 2013-20, passed 12-2-13; Am. Ord. 2015-06, passed 4-6-15; Am. Ord. O-2020-7, passed 12-21-20; Am. Ord. O-2021-12, passed 9-20-21)

§ 118.27 MALT BEVERAGE LICENSES; FEES.

The city shall have the power and authority to issue the following kinds of malt beverage licenses upon proper application and the payment of the following prescribed fees:

<i>License Type</i>	<i>Fee</i>
(A) Malt beverage distributors license, per annum	\$200
(B) Non-quota retail malt beverage package license, per annum	\$200
(C) Non-quota Type-4 retail malt beverage drink license, per annum	\$200
(D) Renewals, (A), (B), and (C)	\$200

(Ord. passed 5-7-92; Am. Ord. 2013-20, passed 12-2-13; Am. Ord. O- 2020-7, passed 12-21-20)

§ 118.28 BUSINESS AUTHORIZED BY DISTILLER'S LICENSE.

(A) A distiller's license shall authorize the licensee to engage in the business of distiller at the premises specifically designated in the license, to maintain aging warehouses, and to transport for himself or herself only any alcoholic beverage which he or she is authorized under the license to manufacture or sell. The licensee shall transport alcoholic beverages only by a vehicle operated by himself or herself, which has affixed to its sides at all times a sign of form and size prescribed by the state board, containing among other things the name and license number of the licensee. No distilled spirits shall be transported on the same truck or vehicle as malt beverages, except by a common carrier, unless the owner of the truck or vehicle holds a distributor's license.

(B) (1) The manufacture of distilled spirits at the distillery shall not be less than six hundred (600) gallons in one (1) year.

(2) Distillers that produce fifty thousand (50,000) gallons or less of distilled spirits per calendar year at the premises shall obtain a distiller's license, Class B (craft distillery).

(C) (1) A distiller that is located in a wet territory, or in any precinct that has authorized the limited sale of alcoholic beverages at distilleries under KRS 242.1243, may sell distilled spirits by the drink or by the package at retail to customers in accordance with KRS 243.0305.

(2) Any distilled spirits sold under this subsection shall be taxed and distributed in the same manner as sales under KRS 243.0305(2).

(3) Except as provided in this subsection, sales under this subsection (C) shall be governed by all of the statutes and administrative regulations governing the retail sale of distilled spirits by the drink.

(D) Nothing in this section shall be construed to:

(1) Vitate the policy of this Commonwealth supporting an orderly three (3) tier system for the production and sale of alcoholic beverages; or

(2) Allow delivery or shipment of alcohol into dry or moist territory.

(Ord. O-2021-12, passed 9-20-21)

§ 118.29 BUSINESS AUTHORIZED BY MICROBREWERY LICENSE.

(A) A microbrewery license shall authorize the licensee to perform the following functions:

(1) Engage in the business of a brewer under the terms and conditions of KRS 243.150. provided that production of malt beverages at the microbrewery shall not exceed fifty thousand (50,000) barrels in one (1) year;

(2) Serve on the premises complimentary samples of malt beverages produced by the microbrewery in amounts not to exceed sixteen (16) ounces per patron, provided the microbrewery is located in wet territory or a precinct that has authorized the sale of alcoholic beverages at microbreweries under KRS 242.1239;

(3) Sell malt beverages produced on the premises of the microbrewery to licensed distributors;

(4) Sell malt beverages produced on the premises of the microbrewery for on- and off-premises purposes in accordance with subsection (C)(2) and (3) of this section, pursuant to the following:

(a) Without restriction on the amount of malt beverages sold by the drink for on-premises consumption provided the microbrewery is located in wet territory or a precinct that has authorized the sale of alcoholic beverages at microbreweries under KRS 242.1239; and

(b) With a restriction on the amount of malt beverages sold for off-premises consumption, in an aggregate amount not to exceed thirty-one (31) gallons per person per day that shall not include more than three (3) cases in case format.

(5) Sell:

(a) Unlimited amounts of malt beverages by the drink; and

(b) Not more than one (1) case of packaged malt beverages; produced on the premises of the microbrewery to consumers at fairs, festivals, and other similar types of events located in wet territory, in accordance with subsection (C)(2)(b) and (C)(3)(b) of this section.

(B) A microbrewery license shall not be deemed to be incompatible with any other license except for a distributor's license under the provisions of KRS 243.180.

(C) In accordance with the provisions of this section, a microbrewery license holder may:

(1) Hold retail drink and package licenses both on and off the premises of the microbrewery. The holder of a microbrewery license is exempt from the provisions of KRS 244.570 and 244.590 as applied to any retail licenses held by the microbrewery license holder, and from any other sections which would restrict the co-ownership of the microbrewery license and any retail licenses described in this section;

(2) Sell malt beverages produced on the premises of the microbrewery for on-premises purposes without having to transfer physical possession of those malt beverages to a licensed distributor provided:

(a) The microbrewery possesses a retail drink license for those premises; and

(b) The microbrewery reports and pays all taxes required by subsection (E)(1) and (2) of this section to the Department of Revenue at the time and in the manner required by the Department of Revenue in accordance with its powers under KRS 131.130(3).

(3) Sell malt beverages produced on the premises of the microbrewery for off-premises purposes without having to transfer physical possession of those malt beverages to a licensed distributor provided that:

(a) The microbrewery possesses a retail package license for those premises; and

(b) The microbrewery reports and pays all taxes required by subsection (E)(1) and (2) of this section to the Department of Revenue at the time and in the manner required by the Department of Revenue in accordance with its powers under KRS 131.130(3).

(D) (1) The provisions of subsection (C)(2) and (3) of this section shall apply only to malt beverages that are produced by the microbrewery at its licensed premises and:

(a) Offered for sale by the microbrewery at that same premises under the microbrewery's retail drink or package license; or

(b) Offered for sale by the microbrewery at a fair, festival, or other similar type of event as authorized under subsection (A)(5) of this section.

(2) All other malt beverages produced by the microbrewery which are offered for retail sale shall be sold and physically transferred to a licensed distributor in compliance with all other relevant provisions of KRS Chapters 241 to 244. and a licensed microbrewery shall not otherwise affect sales of malt beverages directly to retail customers except as provided in subsection (C)(2) and (3) of this section under KRS 243.027 to 243.029 if the microbrewery holds a direct shipper license.

(E) (1) A microbrewery selling malt beverages in accordance with subsection (C)(2) and (3) of this section shall pay all wholesale sales taxes due under KRS 243.884. For the purposes of this subsection, **WHOLESALE SALES** means a sale of malt beverages made by a microbrewery under subsection (C)(2) and (3) of this section, as applicable.

(2) A microbrewery shall pay the excise tax on malt beverages in accordance with KRS 243.720(3) and 243.730 and shall be entitled to the credit set forth in KRS 243.720(3)(b).

(F) A microbrewery shall not be located in dry territory.

(G) An employee of a microbrewery may sample the products produced by that microbrewery for purposes of education, quality control, and product development.

(H) This section does not exempt the holder of a microbrewery license from the provisions of KRS Chapters 241 to 244, nor from any rules of the board as established by administrative regulations, nor from regulation by the board, except as expressly stated in this section. The provisions of this section shall not be deemed inconsistent with the provisions of KRS 244.602.

(I) Nothing in this section shall be construed to vitiate the policy of this Commonwealth, as set forth in KRS 244.167 and 244.602, supporting an orderly three (3)-tier system for the production and sale of malt beverages.

(Ord. O-2021-12, passed 9-20-21)

§ 118.30 SPECIAL PRIVATE CLUB LICENSE; FEES.

The city shall have the power and authority to issue a NQ-3 retail drink (Non-quota Type 3 retail drink) license to any nonprofit social, fraternity, military or political organization or club, which for more than one year prior to the date of application has maintained and operated a club room or rooms from which the general public is excluded. The license shall authorize the licensee to exercise the privilege of a malt beverage, distilled spirits and wine retail drink license at the designated premises if the general public is excluded.

<i>License Type</i>	<i>Fee</i>
Non-quota Type 3 retail drink license, limited to private clubs, per annum	\$300

(Ord. passed 11-17-92; Am. Ord. 2013-20, passed 12-2-13)

§ 118.31 CONSUMPTION OF DRINK ON PREMISES; LICENSE REQUIRED; FEE.

The city shall have the power and authority to issue licenses authorizing hotels, motels, inns or restaurants to sell alcoholic beverages by the drink for consumption on the premises. The licenses shall only be issued to hotels, motels or inns containing not less than fifty (50) sleeping units and having dining facilities for not less than fifty (50) persons, or bona fide restaurants open to the general public. The fee for such a license shall be eight hundred dollars (\$800.00) per annum.

(Ord. passed 5-7-92; Am. Ord. 2013-20, passed 12-2-13; Am. Ord. 2014-08, passed 8-18-14; Am. Ord. O-2020-7, passed 12-21-20)

§ 118.32 ALL LICENSES REQUIRED.

License fees in the amounts herein provided shall be charged for each location in which any person engages in any classification of business authorized under this section, and if more than one classification of business is conducted at any location, a license shall be charged for each of the privileges exercised.

(Ord. passed 5-7-92)

§ 118.33 SPECIAL SUNDAY SALE LICENSES.

Any person or entity possessing a valid NQ-1 retail drink license, a NQ-2 retail drink license or a NQ-3 retail drink license may apply for a special limited Sunday sale retail drink license to sell distilled spirits, wine and malt beverages by the drink on Sunday between 12:00 noon and 12:00 midnight. No sale of alcoholic beverages may be sold on Sunday until the applicant has applied for and obtained a limited Sunday liquor by the drink license from the Kentucky Department of Alcoholic Beverage Control and has paid all application license fees and costs associated therewith.

(Ord. passed 5-7-92; Am. Ord. 2011-06, passed 4-25-11; Am. Ord. 2011- 10, passed 6-20-11; Am. Ord. 2013-20, passed 12-2-13; Am. Ord. O- 2020-7, passed 12-21-20)

§ 118.34 LICENSE TERM; RENEWAL.

Applications for renewal of licenses required by this section shall be made for each fiscal year beginning the first day of May and extending through the last day of April of the succeeding year. Applications for renewal are to be filed with the City Alcoholic Beverage Control Administrator fifteen (15) days prior to expiration.

(Ord. passed 5-7-92; Am. Ord. O-2016-10, passed 6-20-16)

§ 118.35 PRO-RATION; REFUNDS PROHIBITED.

Pro-ration of fees shall be as provided for State licenses in KRS 243.090. In the event any licensee shall cease doing business for any reasons, no refund of the city license fee shall be granted to him.

(Ord. passed 5-7-92)

§ 118.36 ASSIGNMENT, TRANSFER.

The assignment, transfer, pledge or hypothecation of city licenses shall be governed by the provisions of KRS 243.630, 243.650 and 243.660.

(Ord. passed 5-7-92)

§ 118.37 LOCATION OF BUSINESS RESTRICTED.

Licenses under this chapter shall not authorize the conduct of business in any place other than that specifically described in the original state application and license. Any additional buildings or rooms attached to licensed premises and requiring separate service bars shall require a city supplemental bar license.

(Ord. passed 5-7-92)

§ 118.38 APPLICATION; CONTENTS.

An applicant for a license under this chapter shall file with the City Alcoholic Beverage Control Administrator a copy of his state license application containing the information required by KRS 243.380 and 243.390. The city application shall include the consent of the applicant permitting the City Administrator to inspect and search the licensed premises at any reasonable time, to confiscate articles found on the premises in violation of any ordinance or statute, and to order an emergency temporary closure of the premises if the public health, safety, morals and welfare is threatened by one or more violations of any ordinance or statute involving disturbance of the peace or public disorder. The temporary closure shall remain in effect until review of the alleged violations by the City Administrator within thirty-six (36) hours.

(Ord. passed 5-7-92)

§ 118.39 APPROVAL OR DENIAL OF APPLICATION.

(A) If upon review of the application, the City Administrator determines that the applicant has complied with all requirements of the Alcoholic Beverage Control Law, as well as all regulatory provisions of this chapter, that the location is one that can be approved, including but not limited to the requirements of KRS 243.220, that a license may be issued within the quota limits fixed by the State Alcoholic Beverage Control Board, and that there are no other causes for denial of the license, the Administrator shall approve the application.

(B) If the Administrator has reasonable grounds to believe that an applicant has violated any law, rule or regulation relating to alcoholic beverages, he may issue to the applicant a written order setting forth such violation and requiring the applicant to show cause why the requested license should be issued. The Administrator shall have the right to order, and the applicant shall have the right to request, an evidentiary hearing to examine the violation set forth in the show cause order issued by the Administrator. Any decision by the Administrator on the application shall be subject to appeal as provided by law.

(Ord. passed 5-7-92)

§ 118.40 PAYMENT OF FEES.

Upon approval of the application by the City Administrator, the applicant shall pay the amount of the license fee provided in this chapter in the form of a certified check, money order or cash. Payment shall be held in deposit by the city pending state license approval and issuance of the city license by the City Administrator.

(Ord. passed 5-7-92)

§ 118.41 POSTING OF LICENSES; PUBLIC RECORD.

Each city license in the same form prescribed by KRS 243.440 for state licenses shall be posted at the licensed premises in the same manner prescribed by KRS 243.620 for state licenses. An exact duplicate or facsimile of each city license shall remain in the City Administrator's office as part of the public record.

(Ord. passed 5-7-92)

§ 118.42 LICENSE TO BECOME VOID IF BUSINESS DORMANT; LICENSE RENEWAL.

(A) *Conditions for dormancy.* Under the provisions of KRS, all administrative regulations promulgated pursuant to the provisions of KRS and this chapter, as may be amended from time to time, a quota system may exist for the number of licenses to sell alcoholic beverages in the city. Therefore, it is necessary that a licensee actually conduct the business authorized by the license or else the license will be declared dormant and become null and void after ninety (90) days. Because a licensee, like any other business, may have his business interrupted by situations not under his control, various exceptions to this dormancy rule are included in subsection (B).

(B) *Surrender of license and exceptions.* Any license under which no business is transacted during a period of ninety (90) days shall become null and void. At the expiration of the ninety (90) day period the license shall be surrendered to the City Administrator, except that any licensee who is unable to continue in business at the licensed premises may apply to the Commonwealth of Kentucky Alcoholic Beverage Control Department, pursuant to 804 KAR 4:1110, as amended from time to time, to continue such license in dormancy. In the event a period of dormancy is applied for or granted by the Administrator to the licensee, the licensee shall immediately notify the City Administrator. Upon resumption of business or transfer or assignment of the license, the licensee shall notify the City Administrator and a fee shall be due and payable to the City Administrator for the period the license was in dormancy in the same amount due had the license remained active for the same period.

(C) *Applications based on pending construction or development.* Applications approved by the City Administrator and based on pending construction or development on the premises shall be null and void after ninety (90) days of the commitment to issue a license if the applicant fails to proceed in an orderly fashion to initiate construction or development on the premises involved. Extensions may be granted by the Administrator as he deems appropriate in exercise of his sound discretion based on facts and circumstances surrounding each request.

(D) *Renewals, time for filing.* All renewal of licenses and payment of the license fee must be on file with the City Administrator fifteen (15) days before the expiration of the licenses for the preceding license period or the license shall be canceled, except that the licensee may file a written, verified statement fifteen (15) days prior to the expiration date of the license, setting forth the facts justifying an extension. The Administrator may then extend the time for filing of a renewal of the license for a reasonable length of time within the exercise of his sound discretion. The licensee shall pay the license fee

from the expiration date of the former license or licenses and payment shall be refunded to the licensee in the event that the license or licenses are not renewed at or before the end of the extension period.

(Ord. passed 5-7-92)

§ 118.43 CAUSES FOR REFUSAL TO ISSUE OR RENEW LICENSE; SUSPENSION OR REVOCATION OF LICENSE.

(A) *State Law References.* Causes for refusal to issue or renew a license and for suspension or revocation of a city license shall be the same as provided for state licenses according to KRS 243.450 and 243.500, as well as violation of any city ordinance regarding alcoholic beverage licensing, sales, or the administration of licenses.

(B) *Delinquent Taxes or Fees.* No license to sell distilled spirits, wine or malt beverages shall be granted or renewed to any person who is delinquent in the payment of any taxes or fees due the city at the time of issuing the license; nor shall any license be granted or renewed to sell upon any premises or property, owned and occupied by the licensee upon which there are any delinquent taxes or fees due the city. If a licensee becomes delinquent in the payment of any taxes or any fees due the city at any time during the license period, the license to sell alcoholic or malt beverages shall be subject to revocation or suspension. The City Administrator may, in his discretion, approve a license to sell after receiving from the City Treasurer, a written statement to the effect that the applicant for the license has paid or has made satisfactory arrangements with the City Treasurer for taking care of the indebtedness represented by the unpaid and delinquent taxes or fees. This section shall apply only to taxes and fees which are due and payable by the licensee.

(C) *Restrictions on Package Liquor License.* No retail package liquor license shall be issued for any premises unless the applicant certifies under oath that ninety (90) per cent of the total projected gross receipts from sale made at the licensed premises during the twelve (12) month period following the issuance of the license shall consist of the projected gross receipts from sales of alcoholic beverages. No retail package liquor shall be renewed for any premises unless ninety (90) per cent of its gross receipts from sales for the immediate past month and the immediate past twelve (12) months have been derived from the sale of alcoholic beverages.

(D) *Appeals.* Appeals may be taken from decisions of the City Administrator to the State Alcoholic Beverage Control Board according to the provisions of KRS 241.200 and 243.550.

(Ord. passed 5-7-92; Am. Ord. O-2020-7, passed 12-21-20)

Statutory reference:

Grounds for refusal of State License, see KRS 243.450

SALE OF ALCOHOLIC BEVERAGES

§ 118.60 LICENSES REQUIRED FOR SALE.

No person shall sell or dispense at retail, or have in his possession for sale, any alcoholic or malt beverages, nor manufacture or transport any alcoholic or malt beverages in the city unless he shall first procure and have issued to him a license under the provisions of this chapter and all statutes of Kentucky and regulations adopted pursuant to this chapter those ordinances, statutes and regulations shall be hereinafter singularly and collectively referred to as the alcoholic beverage control law.

(Ord. passed 5-7-92) Penalty, see § 118.99

§ 118.61 HOURS OF SALE.

(A) *Retail Package Sales.* Premises for which there has been granted a license for the sale at retail of distilled spirits and wine by the package shall be permitted to remain open during the hours of 6:00 a.m. to 12:00 midnight Monday through Saturday and from 12:00 noon to 12:00 midnight on Sunday.

(B) *Retail Sale for Consumption on Licensed Premises.* Premises for which there had been granted a license for the retail sales of alcoholic beverages by the drink, shall be permitted to remain open between the hours of 6:00 a.m. and 12:00 midnight Monday through Saturday and from 12:00 noon until 12:00 midnight on Sunday. However, if the licensee provides a separate department within his licensed premises capable of being locked and closed off within which is kept all stocks of alcoholic beverages and malt beverages and if the department is kept locked during the foregoing time he is not permitted to remain open to sell alcoholic beverages, he shall be deemed to have complied with this subsection. Sunday sales shall only be permitted pursuant to § 118.33 hereof.

(C) *Retail Sales of Malted Beverages.* Retail sales of malt beverages may be made between the hours of 6:00 a.m. and 12:00 midnight Monday through Saturday and from 12:00 noon to 12:00 midnight on Sunday. Premises for which a malt beverage license has been issued shall be permitted to remain open during the periods such sales are prohibited if all iced or chilled malt beverages are locked up and/or unchilled malt beverages are properly placarded indicating that the sale of such goods is prohibited.

(D) *Class B distiller's retail sales; premises for which there had been granted a license for Class B.* Distiller's retail sales shall be permitted to remain open between the hours of 6:00 a.m. and 12:00 midnight Monday through Saturday and from 12:00 noon until 12:00 midnight on Sunday.

(E) *Violations; Revocation or Suspension of Licenses.* Any licensee for sales of alcoholic beverages by the drink or

package who remains open for business at any time except the hours permitted under this section shall be deemed guilty of a misdemeanor and shall be punished in accordance with the provisions of this chapter and his license shall be subject to revocation or suspension within the discretion of the Alcoholic Beverage Control Administrator.

Penalty, see 118.99

(F) *Control of Premises During Closing Hours.* During the closing hours, the premises of any licensee for the sale of alcoholic beverages by the drink or package must be closed to and vacant of all customers and all persons except the licensee and his employees, who shall be allowed on the premises for business purposes only. Alcoholic beverages shall not be sold, given away, delivered or consumed by anyone in any room of the premises during the closing hours and no parties, private or public, shall be held on the premises. The premises shall not be loaned, rented or leased to anyone during closing hours for a party or for any other purposes.

(G) *Wholesale Deliveries on Sundays Prohibited.* There shall be no delivery by wholesalers of alcoholic or malt beverages on Sunday.

(Ord. passed 5-7-92; Am. Ord. 2011-06, passed 4-25-11; Am. Ord. 2011- 10, passed 6-20-11; Am. Ord. 2013-20, passed 12-2-13; Am. Ord. O- 2020-7, passed 12-21-20; Am. Ord. O-2021-12, passed 9-20-21)

§ 118.62 HOURS OF SALE, EXCEPTIONS; REQUIREMENTS.

A premise that can demonstrate to the City Alcoholic Beverage Control Administrator that the gross sales of the restaurant from the sale of food for consumption on the premises is to be not less than fifty percent (50%) of the total gross sales of the licensed restaurant for the annual license period shall be allowed to remain open during hours when the sale of alcoholic beverages is prohibited for the sole purpose of providing food services to the public. However, all stocks of alcoholic beverages shall be locked and closed off from the public during said time period.

(Ord. passed 5-7-92)

§ 118.63 CONFISCATION AUTHORIZED IF VIOLATIONS OCCUR.

If any alcoholic or malt beverages are found on the outside of the locked or closed-off department of any licensed premises at any hours during which the licensee is prohibited by the State Alcoholic Beverage Control Act or by this chapter from selling alcoholic or malt beverages, a prima facie presumption shall arise that such alcoholic or malt beverages were kept outside the locked or closed-off section for the purpose of sale in violation of this chapter and the State Alcoholic Beverage Control Act and shall be ground for revocation or suspension of the license. In addition to other penalties provided for the violation of this chapter, the City Alcoholic Beverage Control Administrator is hereby authorized to confiscate the alcoholic or malt beverages.

(Ord. passed 5-7-92)

§ 118.64 ADVERTISING RESTRICTIONS.

(A) No sign, banner, poster or other type of display advertising which refers, either directly or indirectly to alcoholic beverages shall be displayed on, nor shall it be visible from the exterior of any premises licensed for the sale of alcoholic beverages, except that reference to such may be included in the name of the business. This restriction shall not prevent any licensee from placing in the window of the licensed premises business price cards not larger than two and one-half (2 1/2) inches in size, setting forth the price at which he offers alcoholic beverages for sale.

(B) No flashing lights shall be used to illuminate the exterior of any premises licensed under this chapter.

(C) It shall be unlawful for any person, holding a license under this chapter to sell alcoholic beverages of any kind, to give away or offer to give away anything tangible of value as a premium or prize, or for any other purpose in connection with the sale of alcoholic beverages.

(D) Any advertising by any licensee under this chapter shall be in compliance with KRS 244.130 or any regulation promulgated pursuant to KRS 244.130.

(Ord. passed 5-7-92; Am. Ord. 94-24, passed 10-17-94)

§ 118.65 RETAIL SALES TO CERTAIN PERSONS PROHIBITED.

No retail licensee shall sell, give away or deliver any alcoholic beverages, or procure or permit any alcoholic beverages to be sold, given away or delivered to:

(A) A minor, except that in any prosecution for selling alcoholic beverages to a minor it is an affirmative defense that the sale was induced by the use of false, fraudulent, or altered identification papers or other documents and that the appearance and character of the purchaser were such that his age could not have been ascertained by any other means and that the purchaser's appearance and character indicated strongly that he was of legal age to purchase alcoholic beverages. The evidence may be introduced either in mitigation of the charge or as a defense to the charge itself.

(B) A person actually or apparently under the influence of alcoholic beverages.

(C) An habitual drunkard or any person convicted of drunkenness as many as three (3) times within the most recent twelve (12) month period.

(D) Except as provided in § 3 above, anyone known to the seller to have been convicted of D.U.I. or any other misdemeanor attributable directly or indirectly to the use of alcoholic beverages, or of a felony within the preceding twelve (12) months.

Penalty, see 118.99 (Ord. passed 5-7-92)

§ 118.66 MINORS NOT TO POSSESS OR PURCHASE ALCOHOLIC BEVERAGES NOR TO MISREPRESENT AGE; USE OF FRAUDULENT IDENTIFICATION.

(A) As used in KRS 244.083 and this section: **PREMISES** means the place of business of a person licensed to sell alcoholic beverages including, in the case of drive-in establishments, the entire lot upon which the business establishment is situated.

(B) (1) Except as herein provided, no person under twenty-one (21) years of age shall enter any premises licensed for the sale of alcoholic beverages for the purpose of purchasing or receiving any alcoholic beverages.

(2) No person holding any license for on-premises consumption of distilled spirits, wine or malt beverages, or any of his clerks, servants, agents or employees shall permit any person under the age of twenty-one (21) years on the licensed premises unless such premises is a restaurant, grocery store, hotel, private club, or upon premises for a temporary licensed event, including plays or bona fide concerts. In such exempted premises, persons under twenty-one (21) years of age shall not enter the barroom area.

(3) Minors do not remain in barroom or dance area of restaurants. Minors not accompanied by parent or legal guardian shall not remain on a licensed premises classified herein as a restaurant after the local hour of 10:00 p.m. unless the minor remains only in the designated restaurant area which is clearly separated from both the barroom area and area provided for dancing. The term **RESTAURANT** for the purposes of this subsection means an establishment, the principal business of which is the furnishing of meals to the public. The incidental sale of sandwiches and/or other food items shall not render any licensed premises a "restaurant" within the meaning of this chapter.

(4) The prohibitions set forth in subsections (1), (2) and (3) shall not apply to persons under the age of twenty-one (21) who are working on the premises, either as an employee or an independent contractor, which persons may enter and remain on said premises while they are working, and at no other time.

(5) Violation of this Section shall be a misdemeanor and, upon conviction result in the following penalties:

(a) For the first offense a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00).

(b) For each subsequent offense a fine of up to five hundred dollars (\$500.00) or confinement in jail for up to one hundred twenty (120) days, or both.

(C) A licensee or any of his clerks, servants, agents or employees is guilty of permitting the unlawful possession or consumption of alcoholic beverages on a licensed premises when he:

(1) Owns, occupies, maintains, controls, leases, or exercises control or ownership of real estate, including but not limited to the buildings and other structures located thereon, and permits any person under the age of twenty-one (21) to possess or consume any alcoholic beverage on the premises; or

(2) Owns, occupies, maintains, controls, leases, or exercises control or ownership of real estate, including but not limited to the buildings and other structures located thereon, and allows or permits any person under the age of twenty-one (21) years to remain on the premises while that person possesses or consumes any alcoholic beverage.

(D) (1) In the event a violation occurs under the provisions of this section forthwith conduct a hearing pursuant to KRS 243.520 (in conjunction with 241.160 and 241.190), to determine whether the licensee, at whose business establishment the activity prohibited by the aforementioned sections occurred, may have his license suspended or revoked.

(2) In the event three or more violations under the provisions of this section occur at a business establishment within a twelve (12) month period, the City Administrator, after a hearing, shall suspend or revoke said license.

(E) No person under twenty-one (21) years of age shall possess for his or her own use, or purchase or attempt to purchase or have another purchase for him or her any alcoholic beverages. No person shall aid or assist any person under twenty-one (21) years of age in purchasing or having delivered or served to him or her any alcoholic beverages.

(F) No person under twenty-one (21) years of age shall misrepresent his or her age for the purpose of inducing any licensee, or other employee of any licensee, to sell or serve any alcoholic beverages to such person.

(G) No person under twenty-one (21) years of age shall use, or attempt to use any false, fraudulent, or altered identification card or paper or any other document to purchase or attempt to purchase or otherwise obtain any alcoholic beverage.

(Ord. passed 5-7-92)

§ 118.67 LICENSEE TO DISPLAY NOTICE AS TO SALE TO MINORS.

Every retail licensee shall display at all times in a prominent place a printed card at least eight (8) inches by eleven (11)

inches in size which shall show, in thirty (30) point or larger type, substantially as follows:

Persons under the age of twenty-one (21) are subject to a fine up to one hundred dollars (\$100.00) if they:

- (1) Enter licensed premises to buy, or have served to them, alcoholic beverages.
- (2) Possess, purchase or attempt to purchase, or get another to purchase alcoholic beverages.
- (3) Misrepresent their age for the purpose of purchasing or obtaining alcoholic beverages.

(For example, see Appendix A)

(Ord. passed 5-7-92)

REGULATORY LICENSE FEE

§ 118.80 REGULATORY LICENSE FEE IMPOSED.

(A) A regulatory license fee is imposed on the gross receipts from retail sales of alcoholic beverages under each license issued for the purpose of insuring full reimbursement to the city for the cost of any additional policing, regulatory, or administrative expenses related to the sale of alcoholic beverages in the city. The City Council shall adopt, at the budget adoption for the fiscal year, an annual rate for the regulatory license fee as shall be reasonably estimated to insure full reimbursement to the city for the cost of any additional policing, regulatory, or administrative expenses related to the sale of alcoholic beverages in the city. The regulatory license fee shall be in addition to any other taxes, fees, or licenses permitted by law, but a credit against the fee shall be allowed in an amount equal to the licenses or fees imposed under the provisions of this chapter.

(Ord. passed 5-7-92)

(B) The regulatory license fee shall be four percent (4%) for the fiscal year beginning July 1, 2011 and continuing thereafter until amended or repealed.

(Ord. passed 6-15-92; Am. Ord. 2011-06, passed 4-25-11)

§ 118.81 PAYMENT

Payment of such fee shall accompany tax returns approved for use by the Director of Finance and a majority of a quorum of the City Council. The return shall be submitted to the Director of Finance by the twentieth (20th) day of each month for the preceding month's sales. The fraction, represented by one divided by the number of months for which the city license was issued, of the fee required under the provisions of this chapter shall be deducted each month as a credit.

(Ord. passed 5-7-92)

§ 118.82 FAILURE TO PAY.

Failure to pay the monthly remittance within ten (10) days after the due date shall constitute a violation of this subchapter.

(Ord. passed 5-7-92)

§ 118.83 INTEREST ON LATE PAYMENTS.

Interest shall be assessed upon any past due payments at the rate of twelve percent (12%) per annum.

(Ord. passed 5-7-92)

§ 118.84 ADEQUATE RECORDKEEPING REQUIRED.

Every licensee shall keep and maintain adequate books and records of all transactions involved in the sale of alcoholic beverages in the same manner required by the rules and regulations of the State Alcoholic Beverage Control Board, or such rules and regulations as may be from time to time promulgated by the City Alcoholic Beverage Control Administrator and approved by a majority of a quorum of the City Council. Where the sales of alcoholic beverages as they relate to other sales are determinative of the licensee's eligibility to retain a license, the licensee shall maintain adequate records to show that relationship. The books and records shall be available at all reasonable times for inspection by the City Alcoholic Beverage Control Administrator, the Director of Finance, or any authorized representatives.

(Ord. passed 5-7-92)

§ 118.85 PENALTY FOR NONPAYMENT.

If the holder of any license shall fail to pay the regulatory license fee imposed by this Section within ten (10) days of the due date, an automatic penalty of fifty dollars (\$50.00) shall be assessed for the first offense. An automatic penalty of one hundred dollars (\$100.00) shall be assessed on the second offense, and an automatic penalty of two hundred dollars (\$200.00) shall be assessed on the third offense. In addition to the monetary penalty, the City Alcoholic Beverage Control Administrator shall hold a hearing for a second and third offense requiring the licensee to show cause why the license should not be suspended or revoked with full authority to do so upon appropriate findings. The calculation of the number of offenses for the purpose of invoking the above penalties shall be done on a twelve (12) month basis, with the number of

offenses being reduced to zero at the beginning of each new license period.

(Ord. passed 5-7-92)

§ 118.86 ADMINISTRATION.

Except as herein provided the regulatory license fee imposed shall be administered in accordance with the provisions of Chapter 110 of this code.

(Ord. passed 5-7-92)

§ 118.99 PENALTIES.

(A) Any person who violates any provision of this chapter for which no specific penalty is provided shall be guilty of a misdemeanor and shall, in addition to other penalties provided by law, be subject to the following penalties:

(1) For the first offense a fine not to exceed five hundred dollars (\$500.00);

(2) For any subsequent offense a fine not to exceed five hundred dollars (\$500.00) or confinement in jail not more than six (6) months, or both.

(B) Any proceeding for the revocation of any license issued hereunder shall be governed in accordance with the provisions of KRS 243.480.

Cross reference:

Penalty for violation of sale hours, § 118.61 (D)

Penalty for sale to minors, § 118.66

Penalty for nonpayment of regulatory fee, § 118.85

APPENDIX A: NOTICE TO MINORS; EXAMPLE OF TYPE

PERSONS UNDER THE AGE OF TWENTY-ONE (21) ARE SUBJECT TO A FINE UP TO ONE HUNDRED DOLLARS (\$100.00) IF THEY:

(1) Enter licensed premises to buy, or have served to them, alcoholic beverages.

(2) Possess, purchase or attempt to purchase, or get another to purchase alcoholic beverages.

(3) Misrepresent their age for the purpose of purchasing or obtaining alcoholic beverages.

(Ord. passed 5-7-92)

**AN ORDINANCE AMENDING CHAPTER 118.30
OF THE CITY OF MADISONVILLE CODE OF ORDINANCES
RELATING TO SALE OF ALCOHOLIC BEVERAGES**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADISONVILLE, KENTUCKY
AS FOLLOWS:

Section 118.30 of the City of Madisonville Code of Ordinances is hereby amended to read as follows:

118.30 Consumption of Drink on Premises; License Required; Fee

The City shall have the power and authority to issue licenses authorizing hotels, motels, inns or restaurants to sell alcoholic beverages by the drink for consumption on the premises. The licenses shall only be issued to hotels, motels or inns containing not less than fifty (50) sleeping units and having dining facilities for not less than ~~one hundred (100)~~ fifty (50) persons, or bona fide restaurants open to the general public having dining facilities for not less than ~~one hundred (100)~~ fifty (50) persons. The fee for such a license shall be eight hundred dollars (\$800.00) per annum.

This Ordinance shall be effective upon publication hereof.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 4th day of August, 2014, and the second reading on the 18th day of August, 2014. Motion was made by Council Member Myers, seconded by Council Member Stevenson, that the Ordinance be adopted as the law of the City of Madisonville, Kentucky, to be effective upon publication thereof as required by law.

Upon vote being taken thereon, the votes were cast as follows:

COUNCIL MEMBERS

YEA

NAY

Mark Lee

✓

Tom Morgan

✓

Raymond Marion

Abstain

Hannah Myers

✓

Frank Stevenson


✓

Bill Smith

✓


Members voted against it, the Mayor announced that the Motion was passed and that the above Ordinance would be published as required by law and would be effective as a New Ordinance of the City of Madisonville, Kentucky, to be effective upon publication thereof unless otherwise stated.

Dated this the 18th day of August, 2014.



David W. Jackson, Mayor
City of Madisonville, Kentucky

ATTEST:



Leslie Curneal, Clerk
City of Madisonville, Kentucky

CITY OF MADISONVILLE

ORDINANCE NO. 2013- 20

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 118
OF THE CITY OF MADISONVILLE CODE OF ORDINANCES
RELATING TO SALE OF ALCOHOLIC BEVERAGES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADISONVILLE,
KENTUCKY AS FOLLOWS:

Section 118.25 of the City of Madisonville Code of Ordinances is hereby amended to
read as follows:

118.25 Number of Licenses

The Number of retail package, retail drink, retail beer, wholesale beer distributors and
wholesale distilled spirits distributors and ~~wholesale distilled spirits distributors~~ licenses
issued in the city shall not exceed the number and type as set forth in KRS Chapter
241, 242, 243 or 244 and all administrative regulations promulgated pursuant thereto,
as may be amended from time to time.

Section 118.26 of the City of Madisonville Code of Ordinances is hereby amended to
read as follows:

118.26 Distilled Spirits and Wine License; Fees

The City shall have the power and authority to issue the following kinds of distilled
spirits and wine licenses upon proper application and the payment of the prescribed fee:

License Type	Fee
(A) Non-quota Type-1 Retail Drink License - Convention Center, (Includes Distilled Spirits, Wine & Malt Beverages), Per Annum	\$800
(B) Quota Retail Package License, Per Annum	\$600
(C) Non-quota Type-2 Retail Drink License, (Includes Distilled Spirits, Wine & Malt Beverages), Per Annum	\$800
(D) Special, Temporary License, Per Event (Includes Distilled Spirits, Wine & Malt Beverages)	\$75
(A) Wholesaler's license, per annum	\$100
(B) Retail Package license, per annum	\$600
(C) Special Temporary license, per month or part of a month	\$100
(D) Retail Drink License, per annum	\$600

Section 118.27 of the City of Madisonville Code of Ordinances is hereby amended to
read as follows:

118.27 Malt Beverage License; Fees

The City shall have the power and authority to issue the following kinds of malt
beverages licenses upon proper application and the payment of the following prescribed
fees:

License Type	Fee
(A) Malt Beverage Distributors License, Per Annum	\$200
(B) Non-quota Retail Malt Beverage Package License, Per Annum	\$200
(C) Non-quota Retail Malt Beverage Drink License, Per Annum	\$200

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BEVERAGE CONTROL

(D) Renewals, A, B and C	\$200
(A) Distributor's license, per annum	\$100
(B) Retailer's license, per annum	
(C) New applicant	\$200
(D) Renewals	\$200

Section 118.28 of the City of Madisonville Code of Ordinances is hereby amended to read as follows:

118.28 Restaurant Wine License; Repealed

- (A) A restaurant wine license may be issued to an applicant, who is an owner or lessee of a restaurant which received fifty percent (50%) or more of its gross annual income from the sale of food and has a minimum seating capacity of fifty (50) persons at tables.
- (B) The issuance of a restaurant wine license may be subject to the limitations of KRS 241.060(2) and 241.065.
- (C) A restaurant wine license shall authorize a license to purchase, receive and sell wine at retail for consumption on the licensed premise. Such license shall purchase wine only from licensed wholesalers.
- (D) The fee for a restaurant wine license shall be two hundred dollars (\$200.00), per annum.

Section 118.29 of the City of Madisonville Code of Ordinances is hereby amended to read as follows:

118.29 Special Private Club License; Fees

The City shall have the power and authority to issue a NQ-3 Retail Drink (~~Non-quota Type 3 Retail Drink private club~~) license to any nonprofit social, fraternity, military or political organization or club, which for more than one year prior to the date of application has maintained and operated a club room or rooms from which the general public is excluded. The license shall authorize the licensee to exercise the privilege of a malt beverage, ~~or a distilled spirits and wine retail drink license, or both,~~ at the designated premises if the general public is excluded.

(KRS 243.270)

License Type	Fee
<u>Non-quota Type 3 Retail Drink License, Special Limited to Private Clubs, per annum</u>	<u>\$300</u>

Section 118.30 of the City of Madisonville Code of Ordinances is hereby amended to read as follows:

118.30 Consumption of Drink on Premises; License Required; Fee

The City shall have the power and authority to issue licenses authorizing hotels, motels, inns or restaurants to sell alcoholic beverages by the drink for consumption on the premises. The licenses shall only be issued to hotels, motels or inns containing not less than fifty (50) sleeping units and having dining facilities for not less than one hundred (100) persons, or bona fide restaurants open to the general public having dining facilities for not less than one hundred (100) persons. The fee for such a license shall be ~~six eight hundred dollars (\$600.00)~~ (\$800.00) per annum.

Section 118.32 of the City of Madisonville Code of Ordinances is hereby amended to read as follows:

118.32 Special Sunday Sale Licenses

Any person or entity possessing a valid NQ-2 retail drink license, ~~restaurant wine license~~, or a NQ-3 retail drink special-private club license may apply for a special limited Sunday sale retail drink license to sell distilled spirits, ~~or wine and malt beverages~~ by the drink on Sunday between 1:00 p.m. and 10:00 p.m. No sale of alcoholic beverages may be sold on Sunday until the applicant has applied for and obtained a limited Sunday liquor by the drink license from the Kentucky Cabinet Department of Alcoholic Beverage Control and has paid all application license fees and costs associated therewith.

Section 118.61 of the City of Madisonville Code of Ordinances is hereby amended to read as follows:

118.61 Hours of Sale

(A) *Retail Package Sales.* Premises for which there has been granted a license for the sale at retail of distilled spirits and wine by the package shall be permitted to remain open during the hours of 6:00 a.m. to 12:00 p.m. on weekdays, but shall remain closed during the twenty-four (24) hours of a Sunday. ~~and at any time when the polls are open or any special election is held in the precinct in which the license's business is located.~~

(B) *Retail Sale for Consumption on Licensed Premises.* Premises for which there had been granted a license for the retail sales of alcoholic beverages by the drink, shall be permitted to remain open between the hours of 6:00 a.m. and 12:00 midnight Monday through Saturday, ~~but shall be closed on any primary or regular election day during the hours the polls are open in the precinct in which the license is granted.~~ However, if the licensee provides a separate department within his licensed premises capable of being locked and closed off within which is kept all stocks of alcoholic beverages and malt beverages and if the department is kept locked during the foregoing time he is not permitted to remain open to sell alcoholic beverages, he shall be deemed to have complied with this subsection. Sunday sales shall only be permitted pursuant to § 118.32 hereof.

(C) *Retail Sales of Malted Beverages.* Retail sales of malt beverages may be made between the hours of 6:00 a.m. and 12:00 midnight Monday through Saturday, ~~but no such sales shall be made during any time when the polls are open for an election in the precinct in which the license is granted.~~ Premises for which a malt beverage license has been issued shall be permitted to remain open during the periods such sales are prohibited if all iced or chilled malt beverages are locked up and/or unchilled malt beverages are properly placarded indicating that the sale of such goods is prohibited.

This Ordinance shall be effective upon publication hereof.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 18th day of November, 2013, and the second reading on the 2nd day of December, 2013. Motion was made by Council Member Myers, seconded by Council Member Lee, that the Ordinance be adopted as the law of the City of Madisonville, Kentucky, to be effective upon publication thereof as required by law.

Upon vote being taken thereon, the votes were cast as follows:

COUNCIL MEMBERS

	<u>YEA</u>	<u>NAY</u>
Mark Lee	<u>2nd</u> ✓	_____
Tom Morgan	✓	_____
Raymond Marion	✓	_____
Hannah Myers	<u>1st</u> ✓	_____

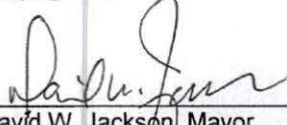
Frank Stevenson
Bill Smith

✓
✓

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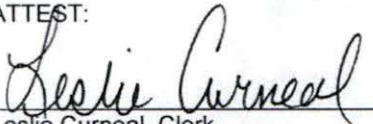
It appearing that 6 Council Members voted for the Motion and 0 Council Members voted against it, the Mayor announced that the Motion was passed and that the above Ordinance would be published as required by law and would be effective as a New Ordinance of the City of Madisonville, Kentucky, to be effective upon publication thereof unless otherwise stated.

Dated this the 2nd day of December, 2013.



David W. Jackson, Mayor
City of Madisonville, Kentucky

ATTEST:



Leslie Curneal, Clerk
City of Madisonville, Kentucky

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CITY OF MADISONVILLE, KY
ORDINANCE O-2016-10

AN ORDINANCE AMENDING CHAPTER 118 OF THE CITY OF MADISONVILLE CODE OF
ORDINANCES AMENDING THE LICENSE TERM FOR THE SALE OF ALCOHOLIC
BEVERAGES

BE IT ORDAINED BY THE CITY OF MADISONVILLE, KY, AS FOLLOWS:

Chapter 118 of the City of Madisonville Code of Ordinances is hereby amended to add the following paragraph:

§118.33 LICENSE TERM; RENEWAL.

Application for renewal of licenses required by this section shall be made for each ~~first~~
Year beginning the first day of ~~May~~ July and extending through the last day of ~~April~~ June
of the succeeding year. Applications for renewal are to be filed with the City Alcoholic
Beverage Control Administrator fifteen (15) days prior to expiration.

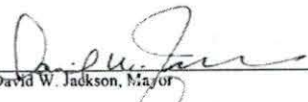
The foregoing Ordinance is read to and presented to a regular meeting of the City Council of
Madisonville, Kentucky, for first reading on the June 6, 2016 and the second reading on the June 20,
2016. Motion was made by Mark Lee, seconded by Frank Stevenson, that the Ordinance be adopted as
the law of the City of Madisonville, Kentucky, to be effective upon publication, as required by law.

Upon vote being taken thereon, the votes were cast as follows:

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mark Lee, Ward 1
SECONDER: Frank Stevenson, Ward 5
AYES: Lee, Morgan, Marion, McGaw, Stevenson
ABSENT: Bill Smith

It appearing that the Councilmembers voted [Unanimous] the Mayor announced that the Motion
was Adopted and that the above Ordinance would be published as required by law and would be effective
as a new Ordinance of the City of Madisonville, Kentucky, immediately upon publication thereof, unless
otherwise stated.

Dated June 20, 2016


David W. Jackson, Mayor 6/16/2016

City of Madisonville, KY

ATTEST:


Leslie Curren, City Clerk 6/23/2016

City of Madisonville, KY