

ORDINANCE NO. **BG2018 - 48**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 4 (ALCOHOLIC BEVERAGE CONTROL) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO AUTHORIZE ADDITIONAL CLASSES OF LICENSES AUTHORIZED BY STATE LAW, TO REVISE ONE FEE TO COMPLY WITH STATE LAW, AND FURTHER AUTHORIZE THE CITY ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR TO OBTAIN CRIMINAL BACKGROUNDS ON APPLICANTS FOR LICENSES

WHEREAS, the Kentucky Revised Statutes have been amended to authorize the City of Bowling Green to create two (2) additional classes of alcoholic beverage licenses to comply with State law; and,

WHEREAS, it is also necessary to revise the existing City license list to amend one (1) fee to comply with State law and to authorize the City Alcoholic Beverage Control (ABC) Administrator to obtain criminal backgrounds on applicants for licenses; and,

WHEREAS, it is in the best interest of the City to amend Chapter 4 (Alcoholic Beverage Control) of the City of Bowling Green Code of Ordinances to reflect these changes.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 4 (Alcoholic Beverage Control) is hereby amended as follows:

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4-3 APPLICATION, ISSUANCE, FORM, DORMANT LICENSES.

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4-3.02 Submittal of Application.

An applicant shall submit to the City Alcoholic Beverage Control Administrator an exact duplicate of his state license application form containing the information required by State law, and as part of his application, shall sign and submit a consent providing that the City Administrator may inspect and search the licensed premises at any reasonable time, may confiscate articles found on the premises

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in violation of any ordinance or statute, and may order an emergency temporary closure of the premises if the public health, safety, morals and welfare is threatened by multiple violations of any ordinance or statute involving disturbance of the peace or public disorder reported to the City Administrator by his investigators or law enforcement officers during the course of one day's operation of the premises. The temporary closure shall remain in effect until review of the alleged violations by the City Administrator within thirty-six (36) hours. The applicant shall also provide a criminal background record or consent in writing to the City Alcoholic Beverage Control Administrator allowing the Administrator to obtain the criminal background record if requested by the Administrator.

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4-5 CLASSES OF LICENSES AND FEES.

4-5.01 License Fees Charged for Each Location.

The City may issue those licenses at the specified fees which are listed below:

- (1) Distiller's license, per annum five hundred (\$500.00) dollars;
- (2) Rectifier's license:
 - (a) Class A, per annum three thousand (\$3,000.00) dollars; and
 - (b) Class B (craft rectifier), per annum nine hundred and sixty (\$960.00)

dollars;

- (3) Wholesaler's Distilled Spirits and Wine license, per annum three thousand (\$3,000.00) dollars;

- (4) Quota Retail Package license, per annum one thousand (\$1,000.00) dollars;
- (5) Quota Retail Drink license, per annum one thousand (\$1,000.00) dollars;
- (6) Special Temporary license, per event:
 - (a) twenty-five (\$25.00) dollars for beer only;
 - (b) fifty (\$50.00) dollars for wine only; and,

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(c) fifty (\$50.00) dollars for distilled spirits;

(7) Nonquota Type 1 Retail Drink license, per annum two thousand (\$2,000.00)

dollars;

(8) Nonquota Type 2 Retail Drink license, per annum one thousand (\$1,000.00)

dollars;

(9) Nonquota Type 3 Retail Drink license, per annum three hundred (\$300.00)

dollars;

(10) Special Temporary Alcoholic Beverage Auction license, per event one [~~two~~]

hundred (\$~~2~~100.00) dollars;

(11) Special Sunday Retail Drink license, per annum three hundred (\$300.00) dollars;

(12) Extended Hours Supplemental license, per annum two thousand (\$2,000.00)

dollars;

(13) Caterer's license, per annum eight hundred (\$800.00) dollars;

(14) Bottling House or Bottling House Storage license, per annum one thousand

(\$1,000.00) dollars;

(15) Limited Golf Course license, per annum one thousand two hundred (\$1,200.00)

dollars;

(16) Supplemental Bar license, per annum for the first five (5) Supplemental Bar

licenses shall be the same as the fee for the primary drink license obtained with no charge for each

Supplemental Bar license issued in excess of five (5) to the same licensee at the same premises;

(17) Brewer's license, per annum five hundred (\$500.00) dollars;

(18) Microbrewery license, per annum five hundred (\$500.00) dollars;

(19) Malt Beverage Distributor's license, per annum four hundred (\$400.00) dollars;

(20) Nonquota Retail Malt Beverage Package license, per annum two hundred

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(\$200.00) dollars;

(21) Nonquota Type 4 Retail Malt Beverage Drink license, per annum two hundred

(\$200.00) dollars;

(22) Malt Beverage Brew-on-Premises license, per annum one hundred (\$100.00)

dollars;

(23) Nonquota Type 4 Retail Malt Beverage Drink license, per annum for a licensee also holding a Nonquota Retail Malt Beverage Package license fifty (\$50.00) dollars; [and,]

(24) Nonquota Retail Malt Beverage Package license, per annum for a licensee also holding a Nonquota Type 4 Retail Malt Beverage Drink license fifty (\$50.00) dollars;

(25) Authorized Public Consumption license, per annum two hundred and fifty (\$250.00) dollars; and,

(26) Qualified Historic Site license, per annum one thousand and thirty (\$1,030.00) dollars.

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2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on December 4, 2018, and given final reading on December 18, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

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ADOPTED: December 18, 2018

APPROVED: Bruce Wilkinson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Graham
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 11/27/2018, 9:30 a.m.