

ORDINANCE NO. 17-24

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY AMENDING SECTION 117.18 (B) (3) (f) OF THE CITY OF RICHMOND, KENTUCKY CODE OF ORDINANCES RELATING TO LIQUOR LICENSES

WHEREAS, the Kentucky legislature has amended the statutes relating to the classification of liquor licenses; and

WHEREAS, the City's ordinance governing liquor licenses should be amended to bring it into conformity with the new provisions of the Kentucky Revised Statutes;

NOW, THEREFORE, BE IT ORDAINED that:

SECTION I

Section 117.18 (B) (3) (f) of the City of Richmond, Kentucky Code of Ordinances is hereby amended in the following particulars:

2. No premises for which there has been granted a license for the sale of alcoholic beverages shall be permitted to remain open for any purpose between 1:00 a.m. and 6:00 a.m. on Monday through ~~Saturday~~ Sunday, or at any time during the 24 hour period starting on Sunday at 1:00 a.m. 6:00 a.m. to 6:00 a.m. Monday unless said premises have been granted the specific licenses described in subsection 3, below. ~~However, if a restaurant drink, wine, or malt beverage, retail package, or retail malt beverage licensee provides a separate department within his or her licensed premises capable of being locked and closed off, within which is kept all stocks of distilled spirits and wine and such department is kept locked during the times mentioned above, the said licensee shall be deemed to have complied with this section. This section may be amended by city ordinance. Provided however, any licensed premises not holding the specific types of licenses described in subsection 3, below, may nevertheless remain open if such premises contain a separate department within the licensed premises capable of being locked and closed off, within which is kept all stocks of distilled spirits, wine, and malt beverages and such department is kept locked during the times mentioned above.~~

3. Exceptions. ~~Premises for which a license has been granted to sell distilled spirits and wine and/or malt beverages may sell such spirits, wine and/or malt beverages on Sundays from 1:00 p.m. until 9:00 p.m. provided that the dining facilities seat at least 75 people and that 50% or more of their gross annual income of their business is derived from the sale of food prepared, served, and consumed at the establishment. (i) Premises licensed as a restaurant and holding both an NQ-2 Retail Drink License and a Special Sunday Retail Drink License, or an NQ-4 Malt Beverage Drink License may remain open for business on Sundays and may, from 1:00 p.m. Sunday until 1:00 a.m. Monday, engage in the sale of alcoholic beverages for consumption on the premises, provided that 50% or more of the license holder's gross annual business income is derived from the sale of food served at the licensed premises; (ii) Hotels and motels with restaurants holding an NQ-2 Retail Drink License and a Special Sunday Retail Drink License, or~~

an NQ-4 Retail Malt Beverage Drink License may remain open for business on Sundays and may, from 1:00 p.m. Sunday until 1:00 a.m. Monday, engage in the sale of alcoholic beverages in their restaurants for consumption on the premises, provided that 50% or more of the hotel's or motel's gross annual restaurant business income is derived from the sale of food served at the hotel's or motel's restaurant; (iii) Premises for which both an NQ-3 Retail Drink License and a Special Sale Sunday Retail Drink License, if required under state law or local ordinance, have been granted for the sale of distilled spirits and wine may remain open for business on Sundays and may, from 1:00 p.m. Sunday until 1:00 a.m. Monday, engage in the sale of alcoholic beverages for consumption on the premises; (iv) Premises for which both a Limited Golf Course License, or a Distiller's License (any type), or a Winery License (any type), or a Brewer's License, or a Microbrewery License and a Special Sale Sunday Retail Drink License, if required under state law or local ordinance, have been granted may remain open for business on Sundays and may, from 1:00 p.m. Sunday until 1:00 a.m. Monday, engage in the sale of alcoholic beverages for consumption on the premises.

4. — Any restaurant requesting Sunday sales of alcohol by the drink must file a Schedule F with the State Office of Alcohol Beverage Control and apply to the State Director and meet all other legal requirements for obtaining a limited Sunday liquor and wine by the drink license. The cost for the state license is \$500 per year. Upon receipt of the state license, the business shall apply for a city limited Sunday liquor and wine by the drink Sunday sales license, the cost of which shall be \$300 per year. If the restaurant has a valid state and city retail malt beverage license, a special Sunday sales license for retail malt beverage sales will not be required. These regulations shall comply with KRS 244.290 and 244.480.

SECTION II

This Ordinance shall become effective immediately upon its enactment following second reading, and publication in accordance with the requirements of applicable Kentucky law.

DATE OF FIRST READING: August 22, 2017
MOTION BY: Commissioner Eaves
SECONDED BY: Commissioner Newby

VOTE	YES	NO
Commissioner Blythe		x
Commissioner Eaves	x	
Commissioner Morgan	x	
Commissioner Newby	x	
Mayor Barnes		x

DATE OF SECOND READING: September 12, 2017
MOTION BY: Commissioner Eaves
SECONDED BY: Commissioner Newby

VOTE

Commissioner Blythe
Commissioner Eaves
Commissioner Morgan
Commissioner Newby
Mayor Barnes


YES

x
x
x
x


NO

x

ATTEST

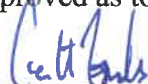


City Clerk



Mayor Barnes

Approved as to form:



City Attorney, Garrett Fowles