

FLOYD COUNTY KENTUCKY
ORDINANCE 03-003

**AN ORDINANCE relating to the Retail Sale of Distilled Spirits in
Restaurant-Hotels/Motels in Floyd County, Kentucky.**

WHEREAS, the following language is applicable to the Retail Sale of Distilled
Spirits at Restaurant-Hotel/Motels in Floyd County, Kentucky and can be used as the
controlling authority for the County regarding this matter.

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF
THE COUNTY OF FLOYD, COMMONWEALTH OF KENTUCKY, AS
FOLLOWS:**

RETAIL SALE OF DISTILLED SPIRITS

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Sale of Distilled Spirits

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- Compliance with regulations and prohibitions
- Maintenance of state license
- Display of required licenses and certain signs
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- Sales to be conducted openly
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DISTILLED SPIRITS

GENERAL PROVISIONS

TITLE

This chapter shall be known as and may be cited as the "Distilled Spirits Control Ordinance" of Floyd County, Kentucky.

DEFINITIONS

"ALCOHOLIC BEVERAGE." Alcoholic brandy, whisky, rum gin, beer, ale, porter, wine and all other spirituous, vinous, malt, or fermented liquors, liquids, and compounds, whether medicated, proprietary, patented or not, and by whatsoever name called, containing more than 1% of alcohol by volume, which are fit for use for beverage purposes.

"RESTAURANT-HOTEL-MOTEL." Any retail establishment which derives more than 50% or more of its gross revenues for the sale of food for consumption on the premises for at least two meals per day, including lunch and dinner, and has a minimum of fifteen units (15) available for customers and is attached to a hotel/motel.

"DISTILLED SPIRITS." Any alcoholic beverage except malt beverage and wine.

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"LICENSE." Any premises licensed by the county to sell distilled spirits whether by the drink for consumption on the premises or otherwise, and relates to the sale of any combination of the same.

"MALT BEVERAGE." Any fermented undistilled alcoholic beverage of any name or description, manufactured from malt wholly or in art, or from any substitute for malt, and having an alcoholic content greater than .5% by volume and not more than 4.8% of alcohol by weight or 6.02% of alcohol by volume.

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

"PREMISES." The premises described in the county license issued pursuant to the terms hereof and the applications therefore.

"STATE." The Commonwealth of Kentucky.

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

"TRAFFIC IN ALCOHOLIC BEVERAGES." Any action, business, or transaction in regard to the production, storage, transportation, distribution, sale, delivery, and transfer of alcoholic beverages.

"WINE." The product of the normal alcoholic fermentation of the juices of fruits, with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine, and seasonal conditions. It includes champagne and sparkling and fortified mixtures vended in retail containers if such preparations or mixtures contain not exceeding 15% of alcohol by volume.

LICENSES

LICENSE REQUIRED.

No person, firm, or corporation conducting a place of business in the county patronized by and open to the general public, or any private club as defined by KRS 243.270, who does not hold the necessary license or licenses, as herein provided, shall permit any person to, nor shall he, sell, barter, loan, give away, or drink any distilled spirits on the premises of his place of business, nor shall any proprietor of any unlicensed premises patronized by and open to the general public, or on any portion of his premises which is open to the general public.

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 distilled spirits in the county and pursuant to the authority of KRS 243.070, there is hereby established a

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corresponding county license for each of the state licenses described in the following county 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 county licenses correspond and which are indicated and described in the sections of state law indicated in the following schedule. The fees for such county licenses shall be the maximum allowed by law as indicated in the following schedule.

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

FORM, CONTENT OF COUNTY LICENSE.

- (A) All county licenses shall be in a form as may be prescribed by Floyd Fiscal Court and shall contain:
- (1) The name and address of the licensee;
 - (2) The number of the license;
 - (3) The type of license;
 - (4) A description by street and number, or otherwise, of the licensed premises;
 - (5) The name and address of the owner of the building in which the licensed premises are located;
 - (6) The expiration date of the license;
 - (7) A statement in substance that the license shall not be a property or vested right and that it may be revoked at any time pursuant to law.

(B) Each kind of license shall be printed so as to be readily distinguished from the other kinds.

APPLICATION; ISSUANCE.

Subject to the limitations and restrictions described herein, county licenses shall be originally issued by the County Clerk/Tax Collector and renewed by him upon the expiration thereof upon receipt of the following documents and fees 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 therefore 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

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by regulation of the County ABC Administrator; however, provision for the following information statements, and representations shall and must be included therein:

- (1) All information required by KRS 243.390 to be contained in the application for state licenses.
- (2) A consent by the applicant to the search of the licensed premises by any peace officer at any time for any purpose, the removal therefrom of any evidence of any crime or other violation of any law; and the use thereof in any trial or hearing in regard thereto.
- (3) The names, addresses, photographs, and fingerprints of the applicant and all shareholders, officers, agents, servants, and employees thereof.
- (C) The approval of the applicant, the application, and the premises described therein by the County ABC Administrator.
- (D) The applicable fee, paid in cash or by certified or cashier's check, for the county license which is the subject of the application.

NOTICE OF APPLICATION REQUIRED.

Applicants for any license involving the sale of any distilled beverage shall first advertise their intention to apply for a license by publishing a notice of intention in the local newspaper having the largest circulation at least twice within a 30-day period. The applicant shall be responsible for the publication fees.

APPLICATION FOR LICENSES BY RESTAURANTS- HOTELS/MOTELS.

(A) Any application by a bona fide restaurant-hotel/motel which meets the qualifications as herein defined for a license to sell distilled spirits by the drink for consumption on the premises shall be accompanied by records sufficient to establish to the County ABC Administrator that the applicant drives a minimum of 50% of its gross revenues from the sale of food for consumption on the premises for at least two meals per day, including lunch and dinner, and has a minimum of fifteen (15) hotel/motel units for rent. The County ABC Administrator shall review all records which the applicant restaurant-hotel/motel must submit as a part of its application for a license, and the County ABC Administrator shall determine if said restaurant meets the criteria contained herein.

(B) Nothing contained herein shall be in any way interpreted to allow for the sale of distilled spirits by the drink for consumption on the premises in connection with any business in which a part of the commercial transaction consists of selling, at retail, staple groceries, or which is used solely as an entertainment facility and does not meet the criteria of a bona fide restaurant as defined in supra paragraph (A).

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APPROVAL OF APPLICATION.

Within 30 days of the date of the application for an original county license and 15 days of the date of an application for renewal of a county license, the County ABC 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.

DENIAL OF APPLICATION.

As is similarly set forth in KRS 243.450, the County ABC Administrator shall not approve any application for a county 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;

(B) The applicant and/or any shareholder, officer, agent, servant, or employee thereof has caused, permitted, or engaged in any act for which the revocation of a state or county license is authorized including, but not limited to, those acts as are defined by KRS 243.100, 243.450, 243.500, or 244.120;

(C) The applicant and/or any shareholder, officer, agent, servant, or employee thereof had a state license or county license which was revoked within two years of the date of the application, or the premises described therein were the premises or any portion thereof described in a state license or county license revoked during such time;

(D) Any statement or representation in the application is false; or

(E) In the exercise of sound discretion, the County ABC Administrator determines any cause or reason for refusing to approve an application reasonably related to the purpose and objective of this chapter and the state laws and regulations of the State Alcoholic Beverage Control Board. Among those factors that the County ABC Administrator shall consider in the exercise of his discretion are: public sentiment in the area; number of licensed outlets in the area; potential for future growth; type of area involved; type of transportation available; and financial potential of the area.

PERSONS WHO MAY NOT BE LICENSED.

(A) No person shall become a licensee under this chapter who:

(1) Has been convicted of any felony or misdemeanor directly or indirectly attributable to the use of alcoholic beverages, within two years preceding the application;

(2) Is under the age of 21 years;

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(3) Is not a citizen of the United States and has not had an actual, bona fide residence in this state for at least one year before the date on which his application for a license is made. This division shall not apply to applicants for manufacturers' licenses, to applicants that are corporations authorized to do business in this state, or to persons licensed on March 7, 1938;

(4) Is a partnership or corporation, unless each member of the partnership or each of the directors, principal officers, or managers of the corporation has not been convicted of any misdemeanor or felony directly attributable to the use of alcohol beverage, is 21 years of age or more, and is a citizen of the United States;

(5) Has had any license issued under KRS 243.100 relating to the regulation of the manufacture, sale, and transportation of alcoholic beverages revoked for cause or has been convicted of a violation of any such statute, until the expiration of two years from the date of the revocation or conviction; or

(6) Is a partnership or corporation, if any member of the partnership or any director or principal officer of the corporation has had any license issued under any statute relating to the regulation of the manufacture, sale, and transportation of alcoholic beverages, revoked for cause or has been convicted of a violation of any such statute, until the expiration of two years from the dater of the revocation or conviction. (KRS 243.100)

(B) No license to sell distilled spirits shall be granted to any person, firm, or corporation who is delinquent in payment of any taxes due to the county at the time of issuing to license; nor shall any license be granted to sell upon any premises or property, owned and occupied by the licensee, upon which there are any delinquent taxes due to the county.

LICENSES TO SELL DISTILLED SPIRITS ON COUNTY PROPERTY RESTRICTED.

No license to sell distilled spirits shall be granted to any person, firm, or corporation for the sale of distilled spirits on any real property owned or maintained by the county, including, but not limited to, parking lots, sidewalks, roadways, alley ways, or streets.

LICENSE NOT TO BE GRANTED TO PREMISES TRAFFICKING IN CONTROLLED SUBSTANCES.

No license to sell distilled spirits shall be granted to any person, partnership, firm, or corporation who has permitted the use, sale, or trafficking of controlled substances as described in KRS Chapter 218A, to take place on the premises, whether known by the applicant or unknown. Any such use, sale, or trafficking of controlled substances, as defined by KRS Chapter 218A, upon any licensed premises may result in the immediate revocation or suspension of any license issued to said premises, and may further prohibit

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the named licensee from receiving any license relating to the sale of alcoholic beverages within the county for a period of two years thereafter. Any applicant who has been convicted of an offense relating to the use, sale, or trafficking in controlled substances as defined in KRS Chapter 218A, shall not be issued a license under this chapter for a period of at least two years from the date of such conviction.

EXCEPTIONS TO LICENSE APPLICATIONS.

Any resident of the county may file with the County ABC Administrator exceptions to an application for the sale of distilled spirits for consumption on the premises, and the County ABC Administrator shall conduct a hearing upon said exceptions. The County ABC Administrator shall thereafter reduce his findings and recommendations which shall be presented to the Fiscal Court for acceptance, in whole or in part, or rejection in whole or in part. Any party aggrieved by the final action of the Fiscal Court may file an appeal with the ABC Board, Frankfort, Kentucky within 30 days from the action of the Fiscal Court, and no license shall be issued until the matter becomes final and nonappealable. The Fiscal Court, in the exercise of sound discretion, may direct the County ABC Administrator to issue said license, the appeal notwithstanding, if it has been established that the applicant otherwise meets all qualifications as hereinabove specified for issuance of a license for the sale of alcoholic beverages for consumption on the premises.

HEARINGS.

Should a request for a hearing be made, the County ABC Administrator is to hold said hearing pursuant to the general practice procedures found in the Kentucky Rules of Civil Procedure and the following shall apply:

(A) Definitions. All words are used as defined in the Kentucky Alcoholic Beverage Control Law (KRS Chapters 241, 242, 243, and 244), unless otherwise specified;

(B) Appearances. Any Applicant or licensee may appear and be heard in person, or by duly-appointed attorney, and may produce under oath evidence relative and material to matters before the Board;

(C) Briefs. Briefs may be filed at the request of the ABC Administrator, or at the option of the applicant or licensee;

(D) Rules of evidence. The Rules of evidence governing civil proceedings in state courts shall govern hearings before the County ABC Administrator; provided, however, that the hearing officer may relax such rules in any case where, in his judgment, the ends of justice will be better served by so doing;

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(E) Subpoenas. The County ABC Administrator shall have subpoena power for such hearings and shall at the request of the applicant, who shall provide the Administrator with the names and addresses of those desired, issue them subpoenas;

(F) Transcripts. Upon request and at the cost of the applicant or licensee, the hearing may be transcribed; and provided to any party at the party's own expense.

(G) Decisions. All decisions shall be written and based upon evidence developed at the hearing.

EXPIRATION DATE; FRACTIONAL FEES.

All licenses issued pursuant to this chapter shall expire on June 30 of the year following the year in which said license was issued. Application for renewal of licenses shall be submitted no later than 30 days before expiration thereof and shall be made pursuant to the provisions of this subchapter.

TRANSFER OF LICENSE; LOT OR DESTROYED LICENSE.

(A) No license issued by the county to sell alcoholic beverages at retail shall be transferable or assignable to any other person or any other premises, or to any other part of the building containing the licensed premises, unless the transferee or assignee has submitted application to the Administrator and the same has been approved, and as provided for in KRS 243.640 and KRS 243.650.

(B) A lost or destroyed license may be replaced by the County Clerk/Tax Collector for a fee of ten dollars (\$10) for issuing said duplicate license.

APPLICANT TO PAY FOR OWN LICENSE.

The license tax for every license issued under this chapter shall be payable by the person who makes application for that license and to whom is issued the license; and no other person, firm, or corporation shall pay for any license issued under this chapter. In addition to all other penalties provided in this chapter, a violation of this section shall authorize and require the revocation of the license, the tax for which was paid by another, and also the revocation of the license, if any, of the person, firm, or corporation so paying the license fees of another.

HOURS

Premises licensed under this chapter may remain open for business daily from 9:00 a.m. until 12:00 a.m. prevailing time, and shall have their last call for drinks at 11:30 p.m., except that no sale of distilled spirits by the drink may be made from 12:00 a.m. on Sunday until 9:00 a.m. on Monday, and said licensed premises shall not sell any alcoholic beverages on Christmas Day (December 25), nor on any election day during the time

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when the polls are open. All persons except for employees, agents, or licensees shall be off the premises no later than one hour after the close of sales.

COMPLIANCE WITH REGULATIONS AND PROHIBITIONS.

(A) At all times during which any person has a valid county 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 county licensee shall comply fully with all of the provisions hereof and all of the rules and regulations of the County ABC 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 therefore and prior to the expiration, revocation, or suspension thereof which are hereby incorporated herein and made applicable to all county licenses corresponding thereto, the premises described therein, and the actions, business, and transactions conducted thereon; and the county licensee shall comply fully therewith.

MAINTENANCE OF STATE LICENSE.

A county licensee shall maintain the state license to which the county license corresponds and fully comply with all state statutes and the rules and regulations of the State Alcoholic Beverage Control Board in regard thereto.

DISPLAY OF REQUIRED LICENSES AND CERTAIN SIGNS.

As required by KRS 244.083, a county licensee who has a valid county retail distilled spirits 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 (8) inches by eleven (11) inches in size with the following message printed or displayed thereon in thirty (30) point or larger type:

“Persons under the age of twenty-one (21) years are subject to a fine up to five hundred dollars (\$500) 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.”

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(B) All valid county licenses issued therefore 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.

CRIMINAL CONDUCT ON PREMISES PROHIBITED.

A county licensee shall not cause, permit, or engage in any conduct upon the licensed premises by either the commission of a prohibited act or the omission of a required act which is a crime or other violation of any law, rule, or regulation of any governmental agency having jurisdiction thereof or any officer or agency thereof. Any such conduct upon the licensed premises by any person may result in the immediate revocation or suspension of the license, and may subject the licensee to other penalties as more specifically set out hereafter.

BUSINESS TO BE CONDUCTED CONTINUOUSLY; EXCEPTION.

(A) A county licensee, who has a valid county wholesale or retail distilled spirits 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 county license therefore shall become null and void and revoked by the County ABC Administrator unless:

(1) The county 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, county, 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 county licensee delivers to the County ABC Administrator a written statement signed by the county 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.

SALES TO BE CONDUCTED OPENLY.

No person holding a license under the provisions of this chapter shall sell any distilled spirits behind blinds or screens. All sales shall be conducted openly and without any attempt to hide them or screen them from public view.

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CONDITIONS, PROHIBITION, AND RESTRICTIONS.

All licenses granted under this chapter shall be subject to the following conditions, prohibitions, and/or restrictions and all other provisions of KRS Chapters 241, 242, 243, and 244, and other ordinances and regulations of the county applicable thereto:

(A) Every licensed restaurant-hotel/motel shall be entitled to serve such beverages as said licensee is entitled to serve upon the issuance of a license under this chapter and in such room or rooms at banquets, dinners, and where meals are served; however, no hotel or motel shall maintain or operate or permit to be operated more than one bar or room where distilled spirits are sold which is open to the general public without first obtaining a separate license for each bar or room which is open to the general public in accordance with this chapter.

(B) Each licensed premises shall at all times be conducted in an orderly manner and no disorderly, riotous, or indecent conduct shall be allowed at any time on any licensed premises and no nuisance suffered, permitted, or maintained thereon.

(C) No gambling or game of chance shall be permitted in any form on such licensed premises. Dice, slot machines, or any device of chance is prohibited and shall not be kept on such premises.

(D) It shall be unlawful for any licensee licensed under this chapter to have or maintain any radio receiving apparatus on such premises which is intentionally adjusted so as to receive police messages broadcast from the County Police Radio Station as it is now or may hereinafter be operated. In addition to other penalties provided for the violation of this section, the Sheriff or County Administrator shall have the authority to confiscate any and all such radio receiving apparatus.

(E) It shall be unlawful for any licensee under this chapter to sell, to smoke, or to keep or permit to be sold, smoked, or kept upon the licensed premises any marijuana or controlled substances as defined in KRS Chapter 218A. It shall be unlawful for a licensee, except licensed drug stores, to keep or sell or permit to be sold or used on the licensed premises any narcotic or barbiturate drugs. In addition to other penalties set out in this chapter for the violation of this section, the County ABC Administrator shall also have the authority to revoke the license issued to said premises.

(F) The licensee shall be responsible for maintaining security on his premises which shall include providing adequate outside lighting, to permit customers to utilize the parking area and to promote the safety, health, and welfare of the general public utilizing the licensed premises. Security standards are further necessary to discourage unlawful activity in and around the licensed premises.

(G) No license shall be issued to any person, firm, or corporation for the sale at retail of any distilled spirits at any store or any other place of business where the

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majority of its business consists of the selling of school books, school supplies, food, lunches, or drinks for such minors irrespective of the distance of such store or other place of business from the church, school or hospital.

(H) It shall be unlawful for any licensee under this chapter to give away or offer to give away anything tangible of value as a premium or prize in connection with the sale of distilled spirits.

(I) No licensee, agent, or employee shall permit any person to become drunk or intoxicated on the premises, nor shall any licensee permit any drunk or intoxicated person to remain on the licensed premises.

(J) No licensee, agent, or employee shall permit any person or persons, other than employees of the licensee, to open any bottle of distilled spirits.

(K) No person under 21 years of age shall enter any premises that is licensed for the sale of distilled spirits by the drink for the purpose of purchasing and receiving any distilled spirits. No person under 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 beverage by the drink; no person shall aid or assist any person under 21 years of age in purchasing or having delivered or served to him or her any distilled spirits by the drink; no person under 21 years of age shall misrepresent his or her age for the purpose of inducing any licensee or other employee to sell or serve any distilled spirits to such person.

ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR.

As required by KRS 241.160 and as set forth in supra, the office of Alcoholic Beverage Control Administrator, also known as the County ABC Administrator, is hereby established.

RIGHT OF ENTRY; SEARCH AND SEIZURE.

Every applicant procuring a license hereby consents to the entry of police or other duly authorized representatives of the county or state at all reasonable hours for the purpose of inspection and search, and consents to the removal from the premises of all things and articles there had in violation of county ordinances or state laws, and consents to the introduction of those things and articles in evidence in any prosecution that may be brought for those offenses.

SUSPENSION, REVOCATION OF LICENSE.

(A) Pursuant to the procedure set forth in KRS 243.480 through 243.590, county licenses may be either revoked or suspended by the County ABC Administrator upon the occurrence of:

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(1) Any violation of the provisions of this chapter or any other alcoholic beverage control ordinance of the county;

(2) Any violation of any provision of state law in regard to alcoholic beverages or the rules and regulations of the State Alcoholic beverage Control Board in regard thereto; or

(3) Any other cause, reason, or circumstance for which a state license may be revoked or suspended by the Board.

(B) However, county licenses must be revoked by the County ABC Administrator upon the occurrence of any cause or circumstance which requires revocation of county licenses pursuant to KRS 243.500 or the revocation of a state license to which a county license corresponds. Further, with the approval of the County ABC Administrator, a licensee may, as an alternative and in lieu of part or all of the days of any suspension period, pay the following sums to the county as set forth in KRS 243.480: \$100 per day; retail drink distilled spirits: \$250 per day.

(C) The procedure for the revocation or suspension of a county license shall consist of a written notice signed by the County ABC Administrator and mailed to the licensee at the address of the licensed premises by certified mail, describing the cause, circumstance, or occurrence and the time and date thereof for which the county 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 County ABC Administrator in the county 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 County ABC Administrator. The County ABC 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 County ABC 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.

PENALTY.

The following penalties shall be in addition to any criminal prosecution instituted in the Floyd District or Circuit Court against any alleged violator and fines hereunder shall be payable to the County ABC Administrator:

(A) Any person, firm, or corporation that holds a license for the retail sale of distilled spirits who knowingly provides, by sale or gift, directly or indirectly, distilled spirits for the use or consumption by anyone under the age of 21 years, shall for the first offense be fined in the sum of \$500, and shall have his license suspended for a period of seven days; and for the second offense, his license shall be suspended for a period of 14 days, and he shall forfeit his bond make at application for the license; and for the third offense, he shall be subject to a fine of \$2,000 and revocation of his license.

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(B) Any person 21 years of age or older, not being a licensee, who shall provide, by sale or gift, distilled spirits for the use and consumption by person or persons under the age of 21 years shall be fined, for each offense, the sum of \$500.

(C) Any person who violates any provision of this chapter for which a penalty is not otherwise provided shall be fined not less than \$10 nor more than \$500, or imprisoned in the county jail for not more than six months, or both.

EFFECTIVE DATE.

This Ordinance, Floyd County Ordinance No. 03-003, shall become effective upon its Second Reading, adoption and passage, as required by law.

Motion by: Jackie Owens

Seconded by: Larry Stumbo

INTRODUCED, SECONDED, AND GIVEN FIRST READING AND APPROVAL at a duly convened meeting of the Floyd County Fiscal Court held on this the 18th day of June, 2004.

Paul H. Thompson

**PAUL H. THOMPSON,
FLOYD COUNTY JUDGE/EXECUTIVE**

Motion by: Jackie Owens

Seconded by Larry Stumbo

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Floyd County Fiscal Court held on this the 23rd day of July, 2004.

Paul H. Thompson

**PAUL H. THOMPSON,
FLOYD COUNTY JUDGE/EXECUTIVE**

ATTEST:
CHRIS WAUGH, FLOYD COUNTY CLERK

BY: Peggy Compton, D.C.

Sale of Distilled Spirits

- Hours
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This chapter shall be known as and may be cited as the "Distilled Spirits Control Ordinance" of Floyd County, Kentucky.

DEFINITIONS.

"ALCOHOLIC BEVERAGE." Alcoholic brandy, whisky, rum gin, beer, ale, porter, wine and all other spirituous, vinous, malt, or fermented liquors, liquids, and compounds, whether medicated, proprietary, patented or not, and by whatsoever name called, containing more than 1% of alcohol by volume, which are fit for use for beverage purposes.

"RESTAURANT-HOTEL-MOTEL." Any retail establishment which derives more than 50% or more of its gross revenues for the sale of food for consumption on the premises for at least two meals per day, including lunch and dinner, and has a minimum of fifteen units (15) available for customers and is attached to a hotel/motel.

"DISTILLED SPIRITS." Any alcoholic beverage except malt beverage and wine.

"LICENSE." Any premises licensed by the county to sell distilled spirits whether by the drink for consumption on the premises or otherwise, and relates to the sale of any combination of the same.

"MALT BEVERAGE." Any fermented undistilled alcoholic beverage of any name or description, manufactured from malt wholly or in art, or from any substitute for malt, and having an alcoholic content greater than .5% by volume and not more than 4.8% of alcohol by weight or 6.02% of alcohol by volume.

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

"PREMISES." The premises described in the county license issued pursuant to the terms hereof and the applications therefore.

"STATE." The Commonwealth of Kentucky.

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

"TRAFFIC IN ALCOHOLIC BEVERAGES." Any action, business, or transaction in regard to the production, storage, transportation, distribution, sale, delivery, and transfer of alcoholic beverages.

"WINE." The product of the normal alcoholic fermentation of the juices of fruits, with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine, and seasonal conditions. It includes champagne and sparkling and fortified mixtures vended in retail containers if such preparations or mixtures contain not exceeding 15% of alcohol by volume.

LICENSES

LICENSE REQUIRED.

No person, firm, or corporation conducting a place of business in the county patronized by and open to the general public, or any private club as defined by KRS 243.270, who does not hold the necessary license or licenses, as herein provided, shall permit any person to, nor shall he, sell, barter, loan, give away, or drink any distilled spirits on the premises of his place of business, nor shall any proprietor of any unlicensed premises patronized by and open to the general public, or on any portion of his premises which is open to the general public.

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 distilled spirits in the county and pursuant to the authority of KRS 243.070, there is hereby established a

corresponding county license for each of the state licenses described in the following county 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 county licenses correspond and which are indicated and described in the sections of state law indicated in the following schedule. The fees for such county licenses shall be the maximum allowed by law as indicated in the following schedule.

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

FORM, CONTENT OF COUNTY LICENSE.

(A) All county licenses shall be in a form as may be prescribed by Floyd Fiscal Court and shall contain:

- (1) The name and address of the licensee;
- (2) The number of the license;
- (3) The type of license;
- (4) A description by street and number, or otherwise, of the licensed premises;
- (5) The name and address of the owner of the building in which the licensed premises are located;
- (6) The expiration date of the license;
- (7) A statement in substance that the license shall not be a property or vested right and that it may be revoked at any time pursuant to law.

(B) Each kind of license shall be printed so as to be readily distinguished from the other kinds.

APPLICATION; ISSUANCE.

Subject to the limitations and restrictions described herein, county licenses shall be originally issued by the County Clerk/Tax Collector and renewed by him upon the expiration thereof upon receipt of the following documents and fees 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 therefore 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 County ABC Administrator; however, provision for the following information statements, and representations shall and must be included therein:

(1) All information required by KRS 243.390 to be contained in the application for state licenses.

(2) A consent by the applicant to the search of the licensed premises by any peace officer at any time for any purpose, the removal therefrom of any evidence of any crime or other violation of any law; and the use thereof in any trial or hearing in regard thereto.

(3) The names, addresses, photographs, and fingerprints of the applicant and all shareholders, officers, agents, servants, and employees thereof.

(C) The approval of the applicant, the application, and the premises described therein by the County ABC Administrator.

(D) The applicable fee, paid in cash or by certified or cashier's check, for the county license which is the subject of the application.

NOTICE OF APPLICATION REQUIRED.

Applicants for any license involving the sale of any distilled beverage shall first advertise their intention to apply for a license by publishing a notice of intention in the local newspaper having the largest circulation at least twice within a 30-day period. The applicant shall be responsible for the publication fees.

APPLICATION FOR LICENSES BY RESTAURANTS- HOTELS/MOTELS.

(A) Any application by a bona fide restaurant-hotel/motel which meets the qualifications as herein defined for a license to sell distilled spirits by the drink for consumption on the premises shall be accompanied by records sufficient to establish to the County ABC Administrator that the applicant drives a minimum of 50% of its gross revenues from the sale of food for consumption on the premises for at least two meals per day, including lunch and dinner, and has a minimum of fifteen (15) hotel/motel units for rent. The County ABC Administrator shall review all records which the applicant restaurant-hotel/motel must submit as a part of its application for a license, and the County ABC Administrator shall determine if said restaurant meets the criteria contained herein.

(B) Nothing contained herein shall be in any way interpreted to allow for the sale of distilled spirits by the drink for consumption on the premises in connection with any business in which a part of the commercial transaction consists of selling, at retail, staple groceries, or which is used solely as an entertainment facility and does not meet the criteria of a bona fide restaurant as defined in supra paragraph (A).

APPROVAL OF APPLICATION.

Within 30 days of the date of the application for an original county license and 15 days of the date of an application for renewal of a county license, the County ABC 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.

DENIAL OF APPLICATION.

As is similarly set forth in KRS 243.450, the County ABC Administrator shall not approve any application for a county 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;

(B) The applicant and/or any shareholder, officer, agent, servant, or employee thereof has caused, permitted, or engaged in any act for which the revocation of a state or county license is authorized including, but not limited to, those acts as are defined by KRS 243.100, 243.450, 243.500, or 244.120;

(C) The applicant and/or any shareholder, officer, agent, servant, or employee thereof had a state license or county license which was revoked within two years of the date of the application, or the premises described therein were the premises or any portion thereof described in a state license or county license revoked during such time;

(D) Any statement or representation in the application is false; or

(E) In the exercise of sound discretion, the County ABC Administrator determines any cause or reason for refusing to approve an application reasonably related to the purpose and objective of this chapter and the state laws and regulations of the State Alcoholic Beverage Control Board. Among those factors that the County ABC Administrator shall consider in the exercise of his discretion are: public sentiment in the area; number of licensed outlets in the area; potential for future growth; type of area involved; type of transportation available; and financial potential of the area.

PERSONS WHO MAY NOT BE LICENSED.

(A) No person shall become a licensee under this chapter who:

(1) Has been convicted of any felony or misdemeanor directly or indirectly attributable to the use of alcoholic beverages, within two years preceding the application;

(2) Is under the age of 21 years;

**FLOYD COUNTY, KENTUCKY
ORDINANCE NO. 04-002, AS AMENDED**

**AN ORDINANCE RELATING TO PUBLIC NUISANCES IN FLOYD
COUNTY, KENTUCKY, AS AMENDED**

WHEREAS, Floyd County, Kentucky, by and through its Fiscal Court, has an obligation to protect its citizens from certain conditions which constitute a public nuisance; and

WHEREAS, certain conditions presently exist within the jurisdictional boundaries of Floyd County, which can only be characterized as public nuisances; and

WHEREAS, these conditions constitute potential dangers to the public health, welfare and safety of the citizens of Floyd County; and

WHEREAS, the following language is applicable to Public Nuisances in Floyd County, Kentucky and can be used, pursuant to KRS 381.770, as the controlling authority for the County regarding this matter.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY OF FLOYD,
COMMONWEALTH OF KENTUCKY, AS FOLLOWS:**

PUBLIC NUISANCES

Section No.

00.01	Certain conditions declared a public nuisance
00.02	Common law and statutory nuisances
00.03	Abatement procedure
00.04	Lien on property; costs in enforcing lien; precedence of lien; personal liability of property owner
00.05	Statutory authority; effective date

00.01 CERTAIN CONDITIONS DECLARED A NUISANCE

It shall be unlawful for the owner, occupant, or person having control or management of any land within an unincorporated area of the County to permit a public nuisance to develop on such land. The following conditions are declared to be public nuisances:

- (A) Dangerous and dilapidated buildings. Any abandoned building, house, or structure so out of repair and dilapidated that it will, if the condition is allowed to continue, endanger the life, limb, or property of, or cause damage, harm, or injury to persons using the roads or public ways of the County, by reason of the collapse of the building, house, or structure or by the falling of parts or objects therefrom, or

will constitute a fire hazard liable to catch on fire or communicate fire, or which, due to a lack of adequate maintenance or to neglect, will endanger the public health, welfare, or safety of owners or occupants of property in the vicinity.

- (B) Accumulation of rubbish and junk. An accumulation on any premises of filth, refuse, trash, garbage, junk, or other waste material which endangers the public health, welfare, or safety, or materially interferes with the peaceful enjoyment by owners or occupants of adjacent property because of the danger that it will catch on or communicate fire, attract and propagate vermin, rodents, or insects, or blow rubbish into any street, sidewalk, or property of another.
- (C) Storage of explosive or combustible material. The storage of combustible or explosive material which creates a safety hazard to persons or property in the vicinity.
- (D) Open wells, pools and similar areas. The maintenance of any open, uncovered, or insecurely covered well, cistern, cellar, pool, pit, excavation, or vault situated upon private premises in any open or unfenced lot or place.

00.02 COMMON LAW AND STATUTORY NUISANCES

In addition to those conditions declared in this Ordinance to be public nuisances, those acts and conditions which the common law, statutes, and regulations of the Commonwealth of Kentucky identify as public nuisances may be treated as such by this County.

00.03 ABATEMENT PROCEDURE

(A) It shall be the duty of the Code Enforcement Officer to serve or cause to be served a notice upon the owner and occupant of any premises on which any nuisance exists in violation of the provisions of this Ordinance. The notice shall identify the particular condition in question and demand the abatement of the nuisance within five (5) days unless the nuisance constitutes an immediate danger to the health and well-being of the community. If an immediate danger is present, the nuisance shall be abated within twenty-four (24) hours of notice or within such reasonable time thereafter as the Code Enforcement officer may order. Notice shall be served by hand-delivery or by certified mail, return receipt requested, but if the whereabouts of the person or entity is unknown and cannot be ascertained in the exercise of reasonable diligence, the Code Enforcement Officer shall make an affidavit to that effect, and the service of notice may be made by publication in a newspaper of general circulation for two (2) consecutive issues. A copy of the notice shall also be posted in a conspicuous place on the premises affected by the notice.

(B) If the person or entity so served does not abate the nuisance within five (5) days, the County may proceed to abate the nuisance, keeping an account of the reasonable value of labor and materials used in remedying the situation, and these costs shall be charged to and paid by the owner of the premises in question; provided, however, in cases involving any unfit or unsafe structure, the right to a hearing shall be afforded the property owner before any demolition of the structure may occur. The Code Enforcement Officer shall provide notice to the property owner of the date, time, and place at which the property owner will have an opportunity to be heard before the Fiscal Court regarding the unfit or unsafe structure in question.

(C) All costs incurred by the County for nuisance abatement shall constitute a lien upon the premises. Whenever a bill for these costs remains unpaid more than sixty (60) days after it has been rendered and delivered to the property owner, the Code Enforcement Officer shall file with the County Clerk a statement and affidavit of lien claims. The statement and affidavit of lien claims shall contain a legal description of the premises, the costs incurred, the date the nuisance was abated, and a notice that the County claims a lien for this amount. The affidavit of the Code Enforcement Officer shall constitute prima facie evidence of the amount of the lien and the regularity of the proceedings pursuant to KRS 381.770 and this Ordinance. The lien shall be notice to all persons from the time of the recording and shall bear interest at 8 % per annum thereafter until paid. Notice of the lien claim shall also be mailed to the owner of the premises if the address is known.

00.04 LIEN ON PROPERTY; COSTS IN ENFORCING LIEN; PRECEDENCE OF LIEN; PERSONAL LIABILITY OF PROPERTY OWNER

(A) Upon receipt of the statement and affidavit of lien claims set forth in Section 00.03 of this Ordinance, the County Clerk shall:

- (1) Add the amount of the lien to which reference is made in KRS 381.770 and Section 00.03 of this Ordinance to the County's tax bill for real estate.
- (2) Retain the statement and affidavit of lien claims in his records. Upon the owner's payment of the lien and all costs, the County Clerk shall release the lien.

(B) The lien created pursuant to this Ordinance shall take precedence over all other subsequent liens, except federal, state, county, and school district taxes, and may be enforced by judicial proceedings.

(C) In addition to the remedies prescribed in this Ordinance or any other remedy authorized by law, the owner of property upon which a lien has been attached pursuant to this Ordinance shall be personally liable for the amount of the lien, including all interest and other charges, and the County may bring a civil

REGULATIONS OF ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATOR OF THE COUNTY OF FLOYD

SECTION I--OFFICE AND FUNCTIONS OF COUNTY
ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATOR

a) The office of Alcoholic Beverage Control Administrator for the County of Floyd was created by the Fiscal Court of said county pursuant to KRS to carry out the duties imposed by the Kentucky Revised Statutes and by Ordinances of the County of Floyd.

b) Any person desiring to obtain a license to sell or dispense wholesale or retail distilled spirits or malt beverages, shall make application to the County Administrator on appropriate forms provided by the Kentucky Department of Alcoholic Beverages Control. If, in the judgment of the County Administrator, the applicant has complied with all requirements of the state and local alcoholic beverage control law, an appropriate license shall be issued provided that applicant is a person of good moral character he owes no past due taxes or license fees to the county, applicant shall have done no act for which revocation of an alcoholic beverage license would be authorized by law, the premises are suitably located and the license may be issued within the quota fixed by law.

c) The County Alcoholic Beverage Control Administrator shall, in the exercise of his discretion, refuse to issue or renew an alcoholic beverage license to any person who has not conducted

his business in a lawful manner or who is known to conduct or encourage a disorderly place of business or who permits or engages in disorderly conduct, or who has been convicted of any violation of any criminal or penal law, except traffic violations, during the two(2) years immediately preceding his application or renewal. It is hereby deemed and declared to be in the best interest of public health, welfare and safety that the County Administrator shall have discretion to issue such licenses as he deems will promote the general welfare of the County of Floyd.

d) All revenue derived from license fees or fines herein provided shall be paid to the County Alcoholic Beverage Control Administrator for the benefit of the County of Floyd and said revenue shall become a part of the general funds of the County.

e) The Alcoholic Beverage Control Administrator shall make an annual written report of his office to the Floyd Fiscal Court.

II - PREMISES ON WHICH RETAIL MALT BEVERAGES BY DRINK MAY BE SOLD

Retail sale of malt beverages by the drink or container for consumption on premises shall be prohibited in the County of Floyd except:

1) Retail sale of malt beverages by the drink shall be permitted on licensed premises on which the sale of food is a principle business. Such establishment which shall contain a seating capacity, and tables, booths or counter space, for a

shall mean that at least Eighty(80%) percent of the gross income of such restaurant, exclusive of malt beverage sales, shall consist of food prepared and served for consumption on the premises. Further, said establishment shall at all times be in full compliance with the standards and provisions of the 1981 NFTA Life and Safety Code and the provisions of KRS 217.280 to 217.390, the "food establishment law."

2) The provisions relative to seating capacity of this section shall not apply to any establishment existing prior to the enactment of this regulation, if such establishment is engaged principally in the sale of food prepared and served for consumption on the premises, as set forth heretofore.

3) Retail sale of malt beverages by the drink shall be permitted on licensed premises which contain a seating capacity, and tables, booths or counter space, for a minimum of Fifty(50) customers. Further, said establishment shall at all times be in full compliance with the standards and provisions of the 1981 NFTA Life and Safety Code and the provisions of KRS 217.280 to 217.390, the "food establishment law."

4) Retail sale of malt beverages by the drink shall be permitted on licensed premises whose primary business is providing live entertainment for patrons. Such establishment shall contain a seating capacity, and tables, booths or counter space, for a minimum of One Hundred (100) customers. Further, said establishment shall at all times be in full compliance with the standards and provisions of the 1981 NFTA Life and Safety Code and the provisions of KRS 217.280 to 217.390, the "food establishment law."

SECTION III - INSPECTIONS

a) Applicants for licenses intending to operate an establish as defined in Section II(a) and for renewal of licenses shall provide written confirmation of compliance with the 1981 NFTA Life and Safety Code 101 signed by an authorized inspector of the Commonwealth of Kentucky Fire Marshall's Office within the previous twelve(12) months and the provisions of KRS 217.280 through 217.390 signed by an authorized inspector of the Department of Health prior to issuance of a retail license within the previous twelve(12) months.

b) The County Alcoholic Control Administrator or any peace officer may at anytime during business hours enter and inspect any premises licensed for the sale of alcoholic beverages without first obtaining a search warrant.

c) If the Alcoholic Beverage Control laws are violated by a corporation, any officer or director or principal stockholder may be deemed responsible and the penalties herein imposed.

SECTION IV - PENALTIES

a) Any person who violates any of the provisions of the Alcoholic Beverage Control laws of the County of Floyd shall be fined not less than ten(\$10.00) dollars per day nor more than One Hundred (\$100.00) dollars per day.

b) Citation of a violation of the 1981 NFTA Life and Safety Code 1010 by the Fire Marshall's officer or of the provisions of KRS 216.280 through 217.390 by the Department of Health shall result in suspension of the license for sale of alcoholic



beverages until such time as the Fire Marshall's office or the Department of Health makes a written determination that said violation has been corrected.

Denzil Allen
Denzil Allen, Floyd County ABC Administrator

MOTION for adoption of this resolution was on this 14th day of March 1983, made by Lawell and seconded by Derald and vote taken as follows:

FOR
Small De Boss

AGAINST

Lawell James

THEREUPON, said motion was declared passed and the resolution ordered adopted.

James Lafferty, Jr.
County Judge-Executive

ATTESTED:
Thomas D. Lafferty, Jr., Clerk
By: Thomas D. Lafferty, Jr. D.C.

ALCOHOLIC BEVERAGE CONTROL BOARD

In the matter of:

ORDER NO. QDP-5

Quotas for Retail Drink
Liquor License and
Retail Package Liquor
Licenses

ORDER

* * * * *

In accordance and compliance with Regulation 804 KAR 9:010, and pursuant to the 1983 census projections of the Kentucky State Data Center, Urban Studies Center of the University of Louisville,

IT IS, HEREBY, ORDERED by the Kentucky Alcoholic Beverage Control Board that the Retail Drink Liquor License Quota and the Retail Package Liquor License Quota be set as follows:

<u>COUNTY</u>	<u>RETAIL DRINK LICENSE QUOTA</u>	<u>RETAIL PACKAGE LICENSE QUOTA</u>
Anderson	-	5
Boone	19	21
Bourbon	7	8
Bracken	3	3
Bullitt	18	20
Campbell	34	37
Carroll	-	4
Christian	27	30
Clark	11	12
Daviess	35	38
Fayette	84	92
Floyd	-	22

Quotas for Retail Drink &
 Package Liquor Licenses

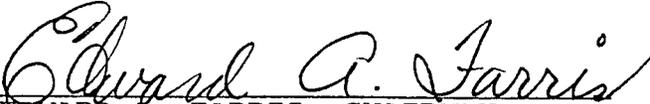
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Order No. QDP-5

Franklin	17	18
Fulton	-	3
Gallatin	-	2
Harlan	-	18
Harrison	-	6
Henderson	16	18
Henry	-	5
Jefferson	280	304
Jessamine	-	12
Kenton	56	61
Lewis	-	6
McCracken	25	27
Madison	21	23
Magoffin	-	6
Marion	-	77
Mason	7	7
Meade	-	10
Montgomery	-	9
Nelson	11	12
Pendleton	-	4
Perry	13	15
Rowan	-	8
Shelby	-	10
Union	-	7
Warren	29	31
Washington	-	4
Woodford	-	8

This the 7th day of February, 1983.

ALCOHOLIC BEVERAGE CONTROL BOARD


EDWARD A. FARRIS, CHAIRMAN

ATTEST:


Bennie H. Hall, Secretary
Alcoholic Beverage Control Board

ALCOHOLIC BEVERAGE CONTROL BOARD

In the matter of:

ORDER NO. QDP-4

Quotas for Retail Drink
Liquor Licenses and
Retail Package Liquor
Licenses

ORDER

* * * * *

In accordance and compliance with Regulation 804 KAR 9:010, effective the 7th day of October, 1981;

IT IS, HEREBY, ORDERED by the Kentucky Alcoholic Beverage Control Board that the Retail Drink Liquor License quota and the Retail Package Liquor License quota be set as follows:

<u>COUNTY</u>	<u>RETAIL DRINK LICENSE QUOTA</u>	<u>RETAIL PACKAGE LICENSE QUOTA</u>
Anderson	-	5
Boone	18	19
Bourbon	7	8
Bracken	3	3
Bullitt	17	18
Campbell	33	33
Carroll	-	3
Christian	26	26
Clark	11	12
Daviess	34	37
Fayette	81	88

Quotas for Retail Drink and
Package Liquor Licenses

-2-

ORDER NO. QDP-4

<i>Floyd</i>	-	21
<i>Franklin</i>	16	16
<i>Fulton</i>	-	3
<i>Gallatin</i>	-	1
<i>Harlan</i>	-	18
<i>Harrison</i>	-	6
<i>Henderson</i>	16	16
<i>Henry</i>	-	5
<i>Jefferson</i>	273	273
<i>Jessamine</i>	-	11
<i>Kenton</i>	54	54
<i>Lewis</i>	-	6
<i>McCracken</i>	24	24
<i>Madison</i>	21	23
<i>Magoffin</i>	-	5
<i>Marion</i>	-	7
<i>Mason</i>	7	7
<i>Meade</i>	-	8
<i>Montgomery</i>	-	8
<i>Nelson</i>	11	11
<i>Pendleton</i>	-	4
<i>Perry</i>	13	13
<i>Rowan</i>	-	8
<i>Shelby</i>	-	10
<i>Union</i>	-	7
<i>Warren</i>	28	31

Quotas for Retail Drink and
Package Liquor Licenses

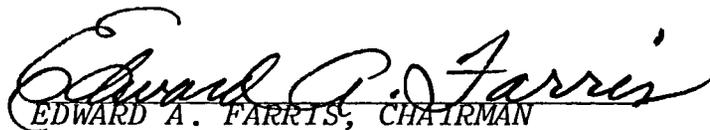
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ORDER NO. QDP-4

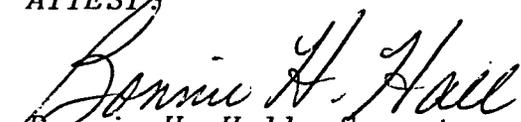
Washington	-	4
Woodford	-	7

This the 30th day of November, 1982

ALCOHOLIC BEVERAGE CONTROL BOARD


EDWARD A. FARRIS, CHAIRMAN

ATTEST


Bonnie H. Hall, Secretary
Alcoholic Beverage Control Board