

**CITY OF BEDFORD**  
**ORDINANCE NO.   1   SERIES 2017**

AN ORDINANCE RELATING TO THE REGULATION OF ALCOHOLIC  
BEVERAGES IN THE CITY OF BEDFORD

**SUMMARY**

Adopts the provisions of the Alcoholic Beverage Control Law of the Commonwealth of Kentucky (KRS Ch. 241-244) and establishes the City of Bedford's Alcoholic Beverage Control Ordinance; creates the office of the Bedford's Alcoholic Beverage Control Administrator and sets forth the functions, authority and requirements for the Administrator; establishes a procedure for appeals from orders of the Administrator; establishes the requirements for application and maintenance of licenses; establishes the application fee of fifty dollars (\$50.00).

Section 3 (g) lost or destroyed license. When a license is lost or destroyed without fault on the part of the licensee or his or her agent or employee a duplicate in lieu of the original license shall be issued by the City of Bedford ABC Administrator after Administrator has been satisfied to the facts, provided, however, that the applicant for said duplicate license shall pay a fee of ten dollars (\$10.00) for the duplicate license.

Section 3 (j) transfer or assignment. No license issued under this chapter shall be transferred or assigned either as to licensee or location, except as provided in the Alcoholic Beverage Control Laws of Commonwealth of Kentucky (KRS 243.630) and with prior approval of the City of Bedford ABC Administrator and not then until a payment of one hundred dollars (\$100.00) shall be made to the City of Bedford ABC Administrator.

Section 4 (a) City Licenses. For the privilege of causing, permitting and engaging in the actions, business, and transactions Authorized thereby in regard to traffic in alcoholic beverages in the city and pursuant to the authority of KRS 243.070, there is hereby established a corresponding city license for each of the state licenses described in KRS 243.070. The fee for each city license shall be as set out in the schedule set forth below. In the event KRS 243.070 shall hereafter be amended to authorize additional city licenses, the fee for each city license shall be the maximum fee provided in the statute as amended. All license fees from licenses issued under this ordinance shall be collected by the City of Bedford ABC Administrator.

(1) Distiller's License, per annum	\$500.00
(2) Rectifier's License	
a. Class A, per annum	\$3,000.00
b. Class B (craft rectifier), per annum	\$960.00
(3) Wholesaler's License, per annum	\$3,000.00
(4) Quota Retail Package License, per annum	\$1,000.00
(5) Quota Retail Drink License, per annum	N/A
(6) Special Temporary License, per event	\$166.00
(7) Non-quota Type 1 Retail Drink License, per annum (includes distilled spirits, wine, and malt beverages)	\$2,000.00

(8) Non-quota Type 2 Retail Drink License, per annum (includes distilled spirits, wine and malt beverages)	\$1,000.00
(9) Non-quota Type 3 Retail Drink License, per annum (includes distilled spirits, wine and malt beverages)	\$300.00
(10) Special Temporary Alcohol Auction License, per event	\$200.00
(11) Special Sunday Retail Drink License, per annum	\$300.00
(12) Extended Hours Supplement License, per annum	\$2,000.00
(13) Caterer's License, per annum	\$800.00
(14) Bottling House or Bottling House Storage License, per annum	\$1,000.00
(15) Brewer's License, per annum	\$500.00
(16) Microbrewery License, per annum	\$500.00
(17) Malt Beverage Distributor's License, per annum	\$400.00
(18) Non-quota Retail Malt Beverage Package License, per annum	\$200.00
(19) Non-quota Type 4 Retail Malt Beverage Drink License, per annum	\$200.00
(20) Limited Restaurant License, per annum	\$1,200.00
(21) Limited Golf Course License, per annum	\$1,200.00
(22) Authorized Public Consumption License, per annum	\$250.00

Section 4 (b) The fee for each of the first five (5) supplemental bar licenses shall be the same as the fee for the primary drink license. There shall be no charge for each supplemental license issued in excess of five (5) to the same licensee at the same premises.

Section 4 (c) The holder of a Nonquota retail malt beverage package license may obtain a Nonquota type 4 malt beverage drink license for a fee of fifty dollars (\$50). The holder of a Nonquota type 4 malt beverage drink license may obtain a Nonquota retail malt beverage package license for a fee of fifty dollars (\$50).

Also defines certain special licenses.

Section 4 (f) Payment of license fee; Delinquency (f) Payment of license fees; delinquency. No licensee shall enter into or begin operating any business for which a license is required by this chapter until the license fee has been paid in full. The fee for renewal of any license shall be paid with the renewal application. Failure to pay any license fee within ten (10) days after it becomes due shall result in a penalty equal to ten percent (10%) of the license fee. Any licensee failing to pay the fees, including penalties, within ten (10) days after such fees are due may be subject to revocation of the license and to other penalties as provided in this Ordinance.

The Ordinance also sets the time for expiration of a license and allows for proration of fees, and sets forth the provision for refund of fees; establishes the hours for sale; establishes the conditions, prohibitions and restrictions for premises selling alcoholic beverages.

The ordinance establishes conditions, prohibitions and restrictions on licenses. Section 6 provides: Violation of this and any other Section shall subject the licensee to penalties provided in this Ordinance and shall be cause for revocation or suspension of City licenses.

Section 6 (h) Sign requirements-Notice to persons under the age of twenty-one (21). Per state law, the licensee shall display at all times in a prominent place a sign at least 8" x 11" in thirty (30) point or larger type font which states as follows:

Persons under the age of twenty-one (21) are subject to a fine of 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.

Section 6 (i) Requires licenses to be displayed and provides:

- (2) The licensee shall post in a prominent place easily seen by patrons a printed sign at least 11" x 14" in size, with letters at least one (1) inch high, supplied by the Department of Alcoholic Beverage Control, and with gender-neutral language supplied by the Kentucky Cabinet for Health and Family Services, which shall warn that drinking alcoholic beverages prior to conception or during pregnancy can cause birth defects. A person who violates this section shall be subject to a fine of not less than ten dollars (\$10.00), nor more than fifty dollars (\$50.00).

The Ordinance prohibits sale or possession of alcoholic beverages to minors, including limitations upon entry of minors into premises with license to sell packaged alcoholic beverages; prohibits alcohol consumption at package stores without an appropriate drink license and habitual congregation; establishes requirements for keg registration for retail licensees operating within the city that sell malt beverages in kegs for consumption off the premises; sets forth requirements and limitations upon display of printed warnings advertising and other signage; sets forth regulations for patio and outdoor sales; requires mandatory responsible beverage service training; applies the provisions of KRS 243.020 regarding operation without a license within the city's jurisdiction; requires licensees to notify employees that sales of alcohol to minors are prohibited and requires licensees to obtain acknowledgement signed by the employee; authorizes City Code Enforcement Officers and the Administrator and his or her Investigators to enforce the ordinance; and provides for implementation of the ordinance severability.

#### **Section 16 Penalties**

(a) In addition to any criminal prosecution instituted in Trimble District Court against an alleged violator, the City of Bedford ABC Administrator may assess civil fines

in lieu of suspension as authorized in KRS 243.480, including the per diem assessments for ongoing violations. Payment of all fines shall be remitted to the City of Bedford ABC Administrator, who shall then transmit the fines to the City Clerk for deposit in the appropriate designated account. Civil penalties are as follows:

<u>First Offense</u>	<u>Second Offense</u>	<u>All Other Offenses</u>
\$200	\$300	\$500

(b) Any person, firm or corporation who violates any of the provisions of this chapter, for which no other penalty is hereby provided, shall be guilty of a Misdemeanor, and subject to prosecution in the Trimble County Court System, as follows: for the first offense, be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) and not more than five hundred dollars (\$500.00) for subsequent offenses, or imprisoned for not more than six months, or both. The penalties provided for in this subsection shall be in addition to the revocation or suspension of the offender's license. If the offender is a corporation, LLC, joint stock company, association or other business organization, or a fiduciary, the principal officer or officers responsible for the violation may be imprisoned.


This summary is made pursuant to the authority of KRS 83A.060(9), which allows the City to prepare for publication a summary of an Ordinance in lieu of the publication of the full Ordinance itself.

The Ordinance becomes effective upon the final reading and publication.

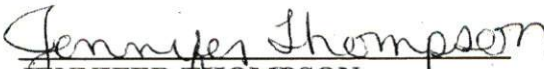
The full text of this Ordinance is on file in the Office of the Clerk for the City of Bedford where it may be inspected.

INTRODUCED AND PUBLICLY READ FIRST TIME: 2-13, 2017

PUBLICLY READ SECOND TIME AND PASSED: 2-14, 2017

  
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**TODD POLLOCK**  
MAYOR, CITY OF BEDFORD

**ATTEST:**

  
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**JENNIFER THOMPSON**  
CITY CLERK