

CITY OF AUGUSTA
ORDINANCE NO. 2019-3

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 2014-2
TO MODIFY SUNDAY SALES AND REPEALING ALL ORDINANCES IN
CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF AUGUSTA, KENTUCKY THAT
SECTION 4 OF CITY OF AUGUSTA ORDINANCE NO. 2014-02 IS
HEREBY AMENDED AS FOLLOWS:

SECTION 4. Closing Hours: Hours for Sales and Consumption.

No premises for which there has been granted a license for the sale of distilled spirits or wine and malt beverages at retail shall be permitted to remain open for any purpose at any time during the twenty-four hours of a Sunday (except as otherwise specifically authorized herein) unless the licensee provides a separate locked department in which all stocks of distilled spirits and wines are kept during those times, or if a malt beverage licensee, the malt beverage licensee provides a separate department within his premises capable of being covered or closed off, within which is kept all stocks of malt beverages and all fixtures and apparatus connected with his business or such licenses, and said department is kept covered or closed during those times. The sale of alcoholic beverages at all places offering same for sale shall not commence on any day prior to 8:00 a.m. and may not continue after the following hours: Monday through Saturday and following mornings: 1:00 a.m.

Provided, however, that [~~hotels, motels and 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~~] premises for which there has been granted a license for the sale


of alcoholic beverages by the drink may sell distilled spirits and wine and malt beverages by the drink on Sundays from [~~1:00 p.m.~~] 10:00 a.m. to 10:30 p.m., and on every December 31st occurring on a Sunday, from [~~1:00 p.m.~~] 10:00 a.m. to 1:00 a.m. the next morning, and retailers shall be permitted to sell package distilled spirits, wine and malt beverages on Sundays from [~~1:00 p.m.~~] 10:00 a.m. to 10:30 p.m., and on every December 31st occurring on a Sunday, from [~~1:00 p.m.~~] 10:00 a.m. to 1:00 a.m. the next morning. Consumption of alcoholic beverages on licensed premises may not continue for more than thirty minutes after the respective hours above for sales thereof to stop. This ordinance shall be in full force and effect upon its adoption, recordation and publication as required by law.

Adopted by the City Council of the City of Augusta, this the 22 day of February _____ 2019.



MICHAEL C. TAYLOR
MAYOR OF AUGUSTA

Passed on first Reading: 2-20-19
Adopted on Second Reading: 2-22-19
Signed by Mayor: 2-22-19
Recorded by Clerk: 2-22-19
Published: 2-28-19

ATTEST:


Gretchen Usleaman, City Clerk/Treasurer

PREPARED BY:


Cynthia C. Thompson
Attorney at Law
202 East Riverside
Drive Augusta, KY
41002

CITY OF AUGUSTA
ORDINANCE NO. 2019-7

AN ORDINANCE AMENDING SECTION (2) OF ORDINANCE NO. 2014-2, and ADDING ADDING ADDITIONAL SECTIONS, TO AMEND FEES AND ADD ADDITIONAL SPECIFIC LICENSES AND PROVISIONS REGARDING SAME; AND PROVIDING FOR THE REGULATION OF TRAFFIC IN ALCOHOLIC AND MALT BEVERAGES AND REQUIRING LICENSES THEREFOR; FIXING THE AMOUNT OF THE LICENSE TAXES; IMPOSING REGULATIONS AND RESTRICTIONS AND FIXING PENALTIES FOR VIOLATIONS; AUTHORIZING THE ISSUANCE AND REVOCATION OF LICENSES; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF AUGUSTA, KENTUCKY THAT

SECTION 2 AND SECTION 4, OF CITY OF AUGUSTA ORDINANCE NO. 2014-02 ARE HEREBY AMENDED AS FOLLOWS:

SECTION 2. Kind of Licenses and Amount of License Tax

All licenses issued under this ordinance shall expire on 6-30 of each year, except special event or temporary licenses which shall be subject to expiration as specifically stated therein.

1. There shall be the following kinds of licenses, issued by the City of Augusta after payment to the City of Augusta of the specified fees, and which shall be subject to the provisions stated herein, to wit:

a. Distiller's license, per annum -KRS 243.070(1)(a): \$250.00

b. Rectifier's license -KRS 243.070(1)(b):

1. Class A, per annum: \$600.00

2. Class B (craft rectifier), per annum: \$600.00

c. Wholesaler's distilled spirits and wine license, per annum -KRS 243.070(1)(c) \$600.00

d. Quota retail package license, per annum -KRS 243.070(1)(d)(2): \$210.00

e. Quota retail drink license, per annum -KRS 243.070(1)(e): \$210.00

<u>f. Special temporary license, per event -KRS 243.070(1)(f)(2):</u>	<u>\$50.00</u>
<u>g. Nonquota type 2 retail drink license, per annum</u> <u>-KRS 243.070(1)(h)(2):</u>	<u>\$210.00</u>
<u>h. Caterer's license, per annum -KRS 243.070(1)(m):</u>	<u>\$250.00</u>
<u>i. Bottling house or bottling house storage license, per annum</u> <u>-KRS 243.070(1)(n):</u>	<u>\$500.00</u>
<u>j. Brewer's license, per annum -KRS 243.070(1)(o):</u>	<u>\$300.00</u>
<u>k. Microbrewery license, per annum -KRS 243.070(1)(p):</u>	<u>\$300.00</u>
<u>l. Malt beverage distributor's license, per annum</u> <u>-KRS 243.070(1)(q):</u>	<u>\$200.00</u>
<u>m. Nonquota retail malt beverage package license, per annum</u> <u>-KRS 243.070(1)(r):</u>	<u>\$52.50</u>
<u>n. Nonquota type 4 retail malt beverage drink license, per annum</u> <u>-KRS 243.070(1)(s):</u>	<u>\$52.50</u>
<u>o. Limited restaurant license, per annum -KRS 243.070(1)(t)(2):</u>	<u>\$210.00</u>
<u>p. Authorized public consumption license, per annum</u> <u>-KRS 243.070(1)(v):</u>	<u>\$50.00</u>

2. 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).

~~{(A) Wholesaler's license, the tax for which shall be \$200.00 per annum.~~

~~(B) Quota retail package license, the tax for which shall be \$200.00 per annum.~~

~~(C) Quota [Distilled spirits and wine] retail drink license, the tax for which shall be \$200.00 per annum.~~

~~(D) [Malt beverage d] Distributor's license, per annum, the tax for which shall be~~

~~\$100.00 per annum.~~

~~(E) — [Retail malt beverage license] NQ Retail Malt Beverage Drink License, the tax for which shall be ~~[\$100.00]~~ \$50.00 per annum.~~

~~(F) — [Special temporary retail malt beverage license, the tax for which shall be \$25.00, per event.] NQ retail malt beverage package license, the tax for which shall be \$50.00 per annum~~

~~[(G) — Special temporary wine license, the tax for which shall be \$50.00, per event.]~~

~~[(H) — Distilled spirits and wine special temporary liquor license, the tax for which shall be \$100.00, per event].~~

~~(G) Special Temporary License, the tax for which shall be \$50.00 per event.]~~

This ordinance shall be in full force and effect upon its adoption, recordation and publication as required by law.

Adopted by the City Council of the City of Augusta, this the 19th day of June 2019.


MICHAEL C. TAYLOR, MAYOR

Passed on first Reading: 05/15/2019

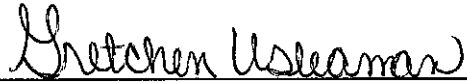
Adopted on Second Reading: 06/19/2019

Signed by Mayor: 06/20/2019

Recorded by Clerk: 06/20/2019

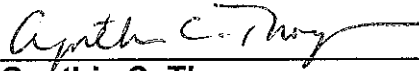
Published: 06/27/2019

ATTEST:



Augusta City Clerk

PREPARED BY:



Cynthia C. Thompson

Attorney at Law

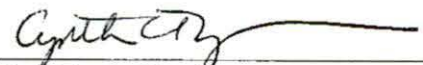
202 East Riverside Drive, Augusta, KY 41002

A SUMMARY OF CITY AUGUSTA ORDINANCE 2014-2

AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 2006-07 PURSUANT TO KENTUCKY SENATE BILL 13, AND PROVIDING FOR THE REGULATION OF TRAFFIC IN ALCOHOLIC AND MALT BEVERAGES AND REQUIRING LICENSES THEREFOR; FIXING THE AMOUNT OF THE LICENSE TAXES; IMPOSING REGULATIONS AND RESTRICTIONS AND FIXING PENALTIES FOR VIOLATIONS; AUTHORIZING THE ISSUANCE AND REVOCATION OF LICENSES; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith. THE FULL TEXT OF THIS ORDINANCE MAY BE VIEWED AT AUGUSTA CITY HALL DURING REGULAR BUSINESS HOURS.

The "distilled spirits and wine license" is renamed the "wholesaler's license," the tax for which shall remain \$200.00 per annum; the "distilled spirits and wine retail package license" is renamed the "quota retail package license", the tax for which shall remain \$200.00 per annum; the "distilled spirits and wine retail drink license" is renamed the "quota retail drink license" the tax for which shall remain \$200.00 per annum; the "malt beverage distributor's license" is renamed the "distributor's license", the tax for which shall remain \$100.00 per annum; the "retail malt beverage license" (the tax for which was \$100.00 per annum) is eliminated, and is replaced with the following two separate licenses: the "NQ retail malt beverage drink license," the tax for which shall be \$50.00 per annum; and the "NQ retail malt beverage package license," the tax for which shall be \$50.00 per annum. The following three special temporary licenses are eliminated, namely: the "special temporary retail malt beverage license," the "special temporary wine license," and the "distilled spirit and wine special temporary liquor license." The "special temporary license" is added, the tax for which shall be \$50.00 per annum. The prohibition against retail sales of distilled spirits, wine or malt beverages during the times that the polls are open on any regular or primary election day is eliminated.

SUMMARY PREPARED BY:


Cynthia C. Thompson, Augusta City Attorney

CITY OF AUGUSTA
ORDINANCE NO. 2014-2

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 2006-07 PURSUANT TO KENTUCKY SENATE BILL 13, AND PROVIDING FOR THE REGULATION OF TRAFFIC IN ALCOHOLIC AND MALT BEVERAGES AND REQUIRING LICENSES THEREFOR; FIXING THE AMOUNT OF THE LICENSE TAXES; IMPOSING REGULATIONS AND RESTRICTIONS AND FIXING PENALTIES FOR VIOLATIONS; AUTHORIZING THE ISSUANCE AND REVOCATION OF LICENSES; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF AUGUSTA, KENTUCKY THAT SECTION 2 AND SECTION 4, OF CITY OF AUGUSTA ORDINANCE NO. 2006-07 ARE HEREBY AMENDED AS FOLLOWS:

SECTION 2. KIND OF LICENSES AND AMOUNT OF LICENSE TAX.

All licenses issued under this ordinance shall expire on 6-30 of each year, except special event or temporary licenses which shall be subject to expiration as specifically stated therein. There shall be the following kinds of licenses, to wit:

- (A) Wholesaler's ~~[distilled spirits and wine]~~ license, the tax for which shall be \$200.00 per annum.
- (B) Quota ~~[Distilled spirits and wine]~~ retail package license, the tax for which shall be \$200.00 per annum.
- (C) Quota ~~[Distilled spirits and wine]~~ retail drink license, the tax for which shall be \$200.00 per annum.
- (D) ~~[Malt beverage]~~ Distributor's license, per annum, the tax for which shall be \$100.00 per annum.
- (E) ~~[Retail malt beverage license]~~ NQ Retail Malt Beverage Drink License, the tax for which shall be \$50.00 per annum.
- ~~[(F) — Special temporary retail malt beverage license, the tax for which shall be \$25.00 per event.]~~ NQ retail malt beverage package license, the tax for which shall be \$50 per annum.
- ~~[(G) — Special temporary wine license, the tax for which shall be \$50.00 per event.]~~

~~[(H) — Distilled spirits and wine special temporary liquor license, the tax for which shall be \$100.00, per event.]~~

(G) Special Temporary License, the tax for which shall be \$50.00 per event.

SECTION 4. CLOSING HOURS: HOURS FOR SALES AND CONSUMPTION

No premises for which there has been granted a license for the sale of distilled spirits or wine and malt beverages at retail shall be permitted to remain open for any purpose at any time during the twenty-four hours of a Sunday (except as otherwise specifically authorized herein) ~~[or during the times that the polls are open on any regular or primary election day,]~~ unless the licensee provides a separate locked department in which all stocks of distilled spirits and wines are kept during those times, or if a malt beverage licensee, the malt beverage licensee provides a separate department within his premises capable of being covered or closed off, within which is kept all stocks of malt beverages and all fixtures and apparatus connected with his business or such licenses, and said department is kept covered or closed during those times. The sale of alcoholic beverages at all places offering same for sale shall not commence on any day prior to 8:00 a.m. and may not continue after the following hours:

Monday through Saturday and following mornings: 1:00 a.m.

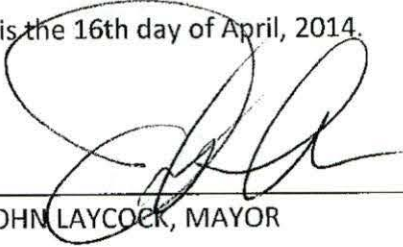
Provided, however, that hotels, motels and inns containing not less than fifty (50) sleeping units and having dining facilities for not less than one hundred (100) persons or bona fide restaurants open to the general public having dining facilities for not less than one hundred (100) persons may sell distilled spirits and wine and malt beverages by the drink on Sundays from 1:00 p.m. to 10:30 p.m. , and on every December 31st occurring on a Sunday, from 1:00 p.m. to 1:00 a.m. the next morning, and retailers shall be permitted to sell package distilled spirits, wine and malt

beverages on Sundays from 1:00 p.m. to 7:00 p.m., and on every December 31st occurring on a Sunday, from 1:00 p.m. to 1:00 a.m. the next morning.

Consumption of alcoholic beverages on licensed premises may not continue for more than thirty minutes after the respective hours above for sales thereof to stop.

This ordinance shall be in full force and effect upon its adoption, recordation and publication as required by law.

Adopted by the City Council of the City of Augusta, this the 16th day of April, 2014.



JOHN LAYCOCK, MAYOR


Passed on First Reading: March 19, 2014
Adopted on Second Reading: April 16, 2014
Signed by Mayor: April 17, 2014
Recorded by Clerk: April 17, 2014
Published: May 1, 2014

ATTEST:



AUGUSTA CITY CLERK

PREPARED BY:



CYNTHIA C. THOMPSON
ATTORNEY AT LAW
202 EAST RIVERSIDE DRIVE
AUGUSTA, KY 41002