

ORDINANCE NO. 2022-22

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING AN AMENDMENT OF BOONE COUNTY CODE OF ORDINANCES SECTION 112.05 REVISING THE TIMES WHEN CERTAIN SALES OF ALCOHOL ARE PERMITTED ON SUNDAYS, SUCH SECTION HAVING PREVIOUSLY BEEN ADOPTED ON JANUARY 7, 2014 BY ORDINANCE 14-01 AND AMENDED ON DECEMBER 19, 2017 BY ORDINANCE 2017-27.

WHEREAS, The Kentucky General Assembly has given authority to the Fiscal Court to protect and preserve the health, safety, welfare, and convenience of the inhabitants of Boone County pursuant to KRS 67.083; and

WHEREAS, The Boone County Fiscal Court exercised such authority to promulgate ordinances regulating the licensing and sale of alcoholic beverages in Boone County, Kentucky by adopting Ordinance 14-01 which amended and updated its local ordinances to ensure alignment and compliance with the statutory ABC legislative framework as established by the General Assembly; and

WHEREAS, the Boone County Fiscal Court desires to amend its local ordinance with respect to times when certain sales of alcoholic beverages are permitted.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

Section One

That Boone County Fiscal Court hereby amends the Boone County Code of Ordinances Section 112.05 by adding and deleting the following words and phrases:

§ 112.05 HOURS WHEN SALES ARE PERMITTED.

(A) The sale of alcoholic beverages shall occur only during the hours hereinafter set out for each license as follows:

- (1) *Distilled spirits package licenses*: during the period between 6:00 a.m. to 1:00 a.m. daily, except Sunday and from 11:00 a.m. to midnight on Sunday.
- (2) *Distilled spirits drink licenses*: during the period between 6:00 a.m. to 2:30 a.m. daily except Sunday and from ~~4:00 p.m.~~ 9:00 a.m. to midnight on Sunday, except when December 31 falls on a Sunday on which day license holders may extend service until 2:30 a.m. provided that all required licenses have been obtained from the County ABC Administrator and State ABC Board.
- (3) *Retail malt beverage drink licenses*: during the period between the hours of 6:00 a.m. to 2:30 a.m. daily except Sunday and from ~~11:00~~ 9:00 a.m. to midnight on Sunday, except when December 31 falls on a Sunday on which day license holders may extend service until 2:30 a.m. provided that all required licenses have been obtained from the County ABC Administrator and State ABC Board.

(B) During all times when a licensed premises is open and the licensee is not permitted to sell alcoholic beverages, a licensee shall provide a separate area within the licensed premises capable of being locked, closed off or otherwise properly separated, within which is kept all stocks of alcoholic beverages and all fixtures and apparatus connected with the business as a licensee, and said area shall be kept locked or separated.

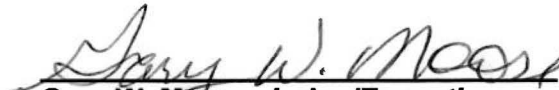
Section Three

This Ordinance shall be in effect and in full force from and after its passage, publication and adoption, according to law.

First Reading the 23rd day of August, 2022

Second Reading the 13th day of September, 2022

Adopted this 13th day of September, 2022 Yes 4 No 0



Gary W. Moore, Judge/Executive
Boone County Fiscal Court

ATTEST:



Shona Schulkers,
Fiscal Court Clerk