

ORDINANCE NO. 2017 - 27

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT AMENDING ORDINANCE 14-01, ADOPTED ON JANUARY 7, 2014 AND AMENDED WITH ORDINANCE 2017-18, ADOPTED ON OCTOBER 3, 2017, ESTABLISHING REGULATIONS FOR THE CONTROL AND LICENSING OF ALCOHOLIC BEVERAGES BY AMENDING THE HOURS WHEN SALES OF DISTILLED SPIRITS DRINK LICENSES AND RETAIL MALT BEVERAGE DRINK LICENSES ARE PERMITTED.

WHEREAS, there is a need for regulation of the sale of alcoholic beverages within Boone County, and

WHEREAS, the Boone County Fiscal Court now desires to amend its local ABC Ordinance to ensure fairness and consistency with respect to all businesses required to secure said ABC license, and

WHEREAS, the Fiscal Court of Boone County, Commonwealth of Kentucky, deems it necessary to enact this Ordinance to protect and preserve the health, safety, welfare, and convenience of the inhabitants of Boone County pursuant to Fiscal Court authority under KRS 67.083.

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

Section One

That the Boone County Fiscal Court hereby amends its ABC regulations, previously enacted pursuant to Ordinance No. 14-01, adopted on January 7, 2014, and amended by Ordinance No. 2017-18, adopted on October 3, 2017, by adding and deleting the following words and phrases:

(SECTION 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 1:00 p.m. to midnight on Sunday, except when December 31st 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 beverages 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 a.m. to midnight on Sunday, except when December 31st 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.

Section Two

That the provisions of this Ordinance are severable; and the invalidity of any portion of this Ordinance shall not affect the validity of any other provision; and such other provisions shall remain in full force and effect so long as they remain in the absence of those provisions determined to be invalid.

Section Three

This Ordinance shall be in effect and in full force from and after its adoption and publication as provided by law.

Adopted this 19th day of December, 2017

First Reading - the 21st day of November, 2017

Second Reading - the 19th day of December, 2017 Yes 4 No 0

Gary W. Moore

GARY W. MOORE, Judge/Executive
Boone County Fiscal Court

Attest:

Sharon Burcham,
Fiscal Court Clerk