

ORDINANCE NO. 2017-004

**AN ORDINANCE AMENDING THE PRIOR ORDINANCES RELATING TO
ALCOHOLIC BEVERAGE CONTROL**

WHEREAS, the Kentucky General Assembly adopted changes to the Kentucky Revised Statutes related to alcoholic beverage control during its 2016 session; and

WHEREAS, the changes to the statutes require amendments to the City of Franklin Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRANKLIN, KENTUCKY as follows:

ARTICLE II, Section 2.2(b) shall be amended as follows:

Section 2.2 Consumption of Drink on Premises; License Required; Fee (“NQ-2 and/or NQ-4” Licenses)

(b) The city shall have the power and authority to issue licenses authorizing hotels, motels, inns, or restaurants to sell any and all alcoholic beverages by the drink for consumption on the premises. The licenses shall only be issued to hotels, motels or inns containing not less than 50 sleeping units and having dining facilities for not less than ~~100~~ 50 persons, or bona fide restaurants open to the general public having dining facilities for not less than ~~100~~ 50 persons. The term “bond fide restaurants” as used in this section shall mean, in addition to having the minimum seating requirements set forth above, restaurants which derive at least 50% of their gross revenue from the sale of food for consumption on the premises; this requirement is and shall be in accord with the Kentucky Revised Statutes. The fee for said licenses shall be as set forth herein.

ARTICLE II, Section 2.4 shall be amended as follows.

Section 2.4 Distilled Spirits and Wine License Fees.

The following distilled spirits and wine licenses may be issued by the city, the fees for which shall be:

Distilled Spirit Licenses as set forth in KRS 243.030:

(a)	Distiller’s License, per annum	\$ 500.00
(b)	Rectifier’s License: per annum	\$3,000.00
	<u>(a) Class A, per annum</u>	<u>\$3,000.00</u>
	<u>(b) Class B (craft rectifier), per annum</u>	<u>\$ 960.00</u>
(c)	Wholesaler’s Distilled Spirit and Wine License, per annum	\$3,000.00

(d)	Quota Retail Package License, per annum	\$ 800.00
(e)	Quota Retail Drink License, per annum	\$ 800.00
(f)	Special Temporary License, per event:	
	Beer only	\$ 50.00
	Wine only	\$ 50.00
	All other alcoholic beverages	\$ 50.00
(g)	Nonquota Type 1 Retail Drink License (includes distilled spirits, wine and malt beverages), per annum	\$2,000.00
(h)	Nonquota Type 2 Retail Drink License (includes distilled spirits, wine and malt beverages), per annum	\$ 800.00
(i)	Nonquota Type 3 Retail Drink License (includes distilled spirits, wine and malt beverages), per annum	\$ 300.00
(j)	Distilled Spirits and Wine Special Temporary <u>Alcoholic Beverage</u> Auction License, per event	\$ 200.00
(k)	Special Sunday Retail Drink License, per annum	\$ 300.00
(l)	Extended Hours Supplemental License, per annum	\$2,000.00
(m)	Caterer's License, per annum	\$ 800.00
(n)	Bottling House or Bottling House Storage License, per annum	\$1,000.00
(o)	Limited Restaurant License (includes distilled spirits, wine and malt beverages), per annum	\$ 800.00
(p)	Limited Golf Course License (includes distilled spirits, wine and malt beverages), per annum	\$1,200.00

ARTICLE II, Section 2.7 shall be amended to read as follows:

Section 2.7 Expiration of License; Proration of Fees.

All city licenses, except temporary licenses, shall begin on May 1 of any year and shall expire on April 30 of the following year. Any licenses issued after October 31 of any year shall be assessed a fee which is based on the pro rata portion of the remainder of the license period; however, the cost of any license shall not be less than one-half (1/2) the amount of the full fee for an annual license of that type. Provided, however, that all batch renewals, as the term "batch" is defined in 804 KAR 4:390 (Section 1), shall have an annual term beginning September 1 and ending August 31 of the following year and shall be renewed in August.

If any section, subsection, sentence, clause, or phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

January 23, 2017

FIRST READING

February 13, 2017

SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on February 13, 2017, on motion made by Commissioner Barnes and seconded by Commissioner Powell the foregoing ordinance was adopted, after full discussion, by the following vote:

Aye

LARRY DIXON

Aye

JAMIE POWELL

Aye

MASON BARNES

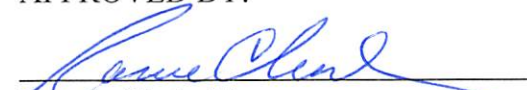
Aye

WENDELL STEWART

Aye


RONNIE CLARK, MAYOR

APPROVED BY:



Ronnie Clark, Mayor

ATTEST:



Cathy Dillard, City Clerk
City of Franklin, Kentucky

AFFP

Ordinance No. 2017-004

Affidavit of Publication

STATE OF KY }
COUNTY OF SIMPSON } SS

Carla Renfrow, being duly sworn, says:

That she is Accounting Clerk of the Franklin Favorite, a daily newspaper of general circulation, printed and published in Franklin, Simpson County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

February 16, 2017

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Carla Renfrow
Accounting Clerk

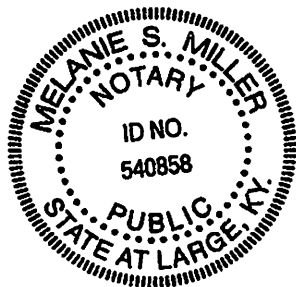
Subscribed to and sworn to me this 16th day of February 2017.

Melanie Miller
Melanie Miller, Simpson County, KY

My commission expires: September 26, 2019

00000196 00507668

Daniel Reetzke
CITY OF FRANKLIN
ATTN ACCOUNTS PAYABLE
PO Box 2805
FRANKLIN, KY 42135



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| Beer only | \$ 50.00 |
| Wine only | \$ 50.00 |
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AYE LARRY DIXON	AYE JAMIE POWELL
AYE MASON BARNES	AYE WENDELL STEWART
AYE RONNIE CLARK, MAYOR	

APPROVED BY:

/s/ Ronnie Clark
Ronnie Clark, Mayor

ATTEST:

/s/ Cathy Dillard
Cathy Dillard, City Clerk
City of Franklin, Kentucky