

COPY

**ORDINANCE NO. 220.500-10-2009
AN ORDINANCE AMENDING A PRIOR ORDINANCE RELATING TO
ALCOHOLIC BEVERAGE CONTROL**

WHEREAS, Ordinance No. 220.500-12-2004 was previously adopted relating to alcoholic beverage control pursuant to Kentucky's alcoholic beverage control statutes, specifically KRS Chapters 241-244; and,

WHEREAS, the City Commission has been asked to amend the ordinance to reflect the change set forth herein;

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

Article V shall be amended to read as follows:

ARTICLE V — HOURS FOR SALE AND DELIVERY; RESTRICTIONS

(a) Upon the licensee being granted a license for the retail sales of distilled spirits, wine and malt beverages by the drink for consumption on its premises, it shall not be permitted to sell or dispense said beverages Monday through ~~Saturday~~ Thursday between the hours of midnight and 6:00 a.m.

(b) The licensee shall not sell or dispense distilled spirits, wine and malt beverages by the drink for consumption on Friday and Saturday, except between the hours of 6:00 a.m. Friday until 2:00 a.m. Saturday and 6:00 a.m. Saturday until 2:00 a.m. Sunday.

(bc) The licensee shall not sell or dispense distilled spirits, malt beverages and wine on Sunday except between the hours of 1:00 p.m. and 12:00 a.m. and the hours set forth in Article V(b) above.

(ed) The licensee shall provide a separate locked department in which all stocks of distilled spirits, wine and malt beverages are kept during the hours when sales are prohibited. KRS 244.290.

(de) All delivery of alcoholic beverages in the City shall be made during normal business hours, Monday through Saturday. No delivery shall occur on Sunday.

(ef) The licensee shall not sell or dispense any distilled spirits, wine or malt beverages during the hours that the polls are open on any regular or primary election day. The licensee shall remain closed during the hours the polls are open on any regular or primary election day unless it can provide a separate locked department in which all stock of distilled spirits, wine and malt beverages are kept during the hours the polls are open. KRS 244.290.

(fg) Notwithstanding any provision herein to the contrary, and regardless of the day of the week on which New Year's Eve falls, all licensees shall be allowed to sell or dispense distilled spirits, wine and malt beverages on New Year's Eve beginning at the time normally permitted for the day of the week upon which New Year's Eve falls (as set forth hereinabove) until 2:00 a.m. on New Year's day.

If any section, subsection, sentence, clause, 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 holdings shall not affect the validity of the remaining portions of Ordinance.

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

OCT 26, 2009

FIRST READING

NOV 9, 2009

SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on November 9, 2009, on motion made by Commissioner Wendell Stewart and seconded by Commissioner Mike Simpson, the foregoing ordinance was adopted, after full discussion, by the following vote:

YES MIKE SIMPSON

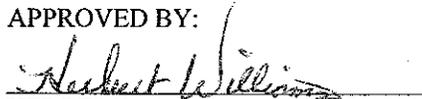
YES JAMIE POWELL

YES WENDELL STEWART

NO HENRY STONE

NO HERBERT WILLIAMS, MAYOR

APPROVED BY:


HERBERT WILLIAMS, MAYOR

ATTEST:


KATHY STRADTNER, CITY CLERK