

COUNTY OF BRECKINRIDGE, KENTUCKY
ORDINANCE NO. 2016-0613

AN ORDINANCE RELATING TO THE AMENDMENT OF ORDINANCE NO. 2013-1125 PERTAINING TO THE COMPREHENSIVE REGULATION OF THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES WITHIN THE COUNTY OF BRECKINRIDGE, KENTUCKY.

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF BRECKINRIDGE, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

SECTION I: That Section 3.03 of Ordinance No. 2013-1125 is hereby amended as follows:

3.03 TYPE OF LICENSES; FEES

(A) With respect to limited restaurant licenses:

(1) The term "limited restaurant" as used in this section shall have the same meaning as currently provided in KRS 241.010, to-wit:

- a. A facility where the usual and customary business is the serving of meals to consumers, which has a bona fide kitchen facility, which receives at least seventy percent (70%) of its gross receipts from the sale of food, which maintains a minimum seating capacity of one hundred (100) persons for dining, and which is located in a wet or moist territory under KRS 242.1244(2); or
- b. A facility where the usual and customary business is the serving of meals to consumers, which has a bona fide kitchen facility, which receives at least seventy percent (70%) of its gross receipts from the sale of food, which maintains a minimum seating capacity of fifty (50) persons for dining, which has no open bar, which requires that alcoholic beverages be sold in conjunction with the sale of a meal, and which is located in a wet or moist territory under KRS 242.1244.

(B) Types of License for Distilled Spirits and Wine; Annual Fees:

The County shall have the power and authority to issue the following type of license for the sale and trafficking in distilled spirits and wine, upon proper application and payment of the below prescribed annual fees. All license fees indicated are on a per

annum basis, unless otherwise expressly indicated.

(1) Types of Retail Licenses Defined

A. Limited Restaurant License: This license shall authorize the retail sale of distilled spirits, wine, and malt beverages (beer) by the drink only.

B. Retail Package License (distilled spirits and wine): This license shall authorize the retail sale of distilled spirits and wine for consumption other than on the premises.

C. Nonquota Type 2 (NQ2) Retail Drink License: This license shall authorize the retail sale of distilled spirits, wine, and malt beverages by the drink for consumption on the licensed premises.

(2) License Fees—Distilled Spirits and Wine

TYPE OF LICENSE		FEE
A	Limited Restaurant License	\$1400.00
B	Retail Package License	\$1000.00
C	NQ2 Retail Drink License (includes distilled spirits, wine, and malt beverages)	\$1000.00

(3) Malt Beverage Licenses: Fees

The County shall have the power and authority to issue the following types of licenses for the sale and trafficking of malt beverages upon proper application and the payment of prescribed fees as set forth below. All fees stated are on a per annum basis, unless otherwise expressly indicated.

	TYPE OF LICENSE	FEE
A	Retail Malt Beverage License Nonquota Type 4 Retail Malt Beverage Drink License (NQ4)(3)	\$400.00
B	Nonquota Retail Malt Beverage Package License	\$400.00
C	Retail Malt Beverage License Nonquota Type 4 Retail Malt Beverage Drink License (NQ4)(3) AND Nonquota Retail Malt Beverage Package License	\$450.00

(4) Special Temporary Licenses

(a) Special Temporary License

(1) The County shall have the power and authority to issue a special temporary license upon proper application and payment of the prescribed fee. This license shall authorize the retail sale and consumption of malt beverages and wine or inn on the premises of any approved and licensed special temporary occasion such as fairs, sporting events, entertainment events or other approved public events.

(2) The fee for this license shall be \$50.00 per event.

(5) Nonquota Type 3 (NQ3) Private Club; Fee Required

(a) The County shall have the power and authority to issue a NQ3 license to any nonprofit social, fraternal, military or political organization or club which maintains or operates designated premises from which the general public is excluded. All restrictions and prohibitions otherwise applying to a malt beverage and/or distilled spirits and wine retail drink licensee shall apply to a special private club licensee.

(b) In order to assure that the general public is excluded from the designated premises of a NQ3 license holder, the following guidelines must be met:

(1) Each private club member shall be issued a membership card which can be readily produced while visiting said club.

(2) Each private club member shall be limited to no more than two (2) non-member guests at any club function or event; and

(3) A written log shall be maintained of all non-member guests.

(4) The fee for this category of license shall be:

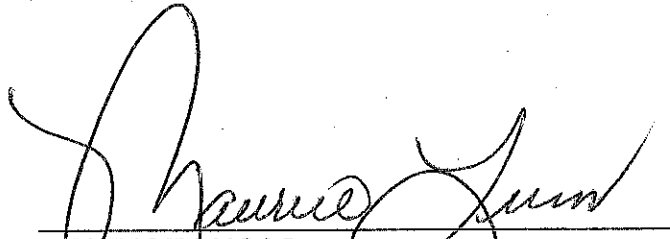
TYPE OF LICENSE	FEE
Special Private Club License, (NQ3)	\$300.00
Supplemental Bar License	\$310.00

SECTION II: All provisions set out in full in Ordinance No. 2013-1125 and not amended hereby shall remain in full force and effect.


SECTION III: This ordinance shall become effective immediately upon its passage.

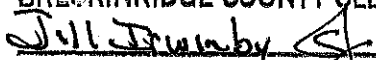
Introduced and given first reading by the Fiscal Court on the 13th day of June, 2016.

Given second reading, passed and enacted by the Fiscal Court on the 27th day of June, 2016.


 MAURICE LUCAS
 BRECKINRIDGE CO. JUDGE/EXECUTIVE

ATTEST:


 KATHINA BELL
 BRECKINRIDGE CO. FISCAL COURT
 CLERK

FILED July 5 2016
 BRECKINRIDGE COUNTY CLERKS OFFICE
 CLERK

RECORDED IN BRECKINRIDGE COUNTY
 CLERKS OFFICE IN Fiscal Court Order
 BOOK NO. 38 PAGE 175-178

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Monday, June 27, 2016
4:00 P.M.

RE: Claims

Esquire Moore moved, seconded by Esquire Milburn, to approve the claims as submitted by Finance Officer, Odessa Hobbs. Judge Lucas called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "B-062716"

OLD BUSINESS

RE: 2nd Reading, Ordinance No. 2016-0523 FY 2016-2017 County Budget

Esquire Greenwell moved, seconded by Esquire Bosley, to amend the budget from 1st Reading. Judge Lucas called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (7-0).

Esquire Gedling moved, seconded by Esquire Greenwell, to approve 2nd Reading, Ordinance No. 2016-0523 FY 2016-2017 County Budget as amended. The FY 2016-2017 County Budget totals: General Fund, \$4,154,727.31; Road Fund, \$2,077,189.60; Jail Fund, \$2,573,988.75; LGEA Fund, \$140,400.00 with a grand total of \$8,946,305.66. Judge Lucas called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "C-062716"

RE: 2nd Reading, Ordinance No. 2016-0613, Alcohol Ordinance Amendment

Esquire Henning moved, seconded by Esquire Gedling, to approve and adopt 2nd Reading of Ordinance No. 2016-0613 Alcohol Ordinance Amendment, an ordinance relating to the amendment of Ordinance No. 2013-1125 pertaining to the comprehensive regulation of the sale and distribution of alcoholic beverages within the County of Breckinridge, Kentucky. Judge Lucas called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (7-0). Exhibit "D-062716"

RE: Administrative Code

No action taken.

NEW BUSINESS

RE: Bids: Road Materials FY 2016-2017

Road Tile:

Esquire Henning moved, seconded by Esquire Milburn, to approve the bids for Road Tile as submitted by Hardinsburg Tire, Joe Bennett Backhoe and Willoughby Lumber Co. Judge Lucas called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "E-062716"