

ORDINANCE NO. 83-10

AN ORDINANCE AMENDING SECTION IV. D. OF ORDINANCE NO. 83-6, AN ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF RUSSELLVILLE, KENTUCKY, DEFINING TERMS: CREATING THE OFFICE OF CITY ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR; REQUIRING LICENSES; SPECIFYING TYPES WITH THE FEES FOR EACH AND RESTRICTING LOCATION OF LICENSEES; PROVIDING FOR THE ISSUANCE OF LICENSES AND PAYMENT OF FEES; SETTING THE TERMS OF LICENSES; REQUIRING THE DISPLAY OF LICENSES AND PROVIDING FOR REPLACEMENT OF LOST OR DESTROYED LICENSES AND FEE THEREFOR; REQUIRING STATE LICENSE; SPECIFYING HOURS WHEN SALES PERMITTED; SPECIFYING THAT SUBMITTING APPLICATION CONSENTS TO ENTRY, INSPECTION AND SEARCH, REMOVAL, AND INTRODUCTION IN EVIDENCE; IMPOSING A REGULATORY LICENSE FEE; RESTRICTING ADVERTISING AND SIGNS; PROVIDING FOR REVOCATION AND SUSPENSION OF LICENSES IN THE EVENT OF VIOLATIONS OF STATE OR FEDERAL LAW OR OF THIS ORDINANCE; PROVIDING FOR PENALTIES; PROVIDING IMMUNITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF; WITH A SEVERABILITY PROVISION.

BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, KENTUCKY, THAT:

Section IV. D. of Ordinance no. 83-6 AN ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF RUSSELLVILLE, KENTUCKY, DEFINING TERMS; CREATING THE OFFICE OF CITY ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR; REQUIRING LICENSES; SPECIFYING TYPES WITH THE FEES FOR EACH AND RESTRICTING LOCATION OF LICENSEES; PROVIDING FOR THE ISSUANCE OF LICENSES AND PAYMENT OF FEES; SETTING THE TERMS OF LICENSES; REQUIRING THE DISPLAY OF LICENSES AND PROVIDING FOR REPLACEMENT OF LOST OR DESTROYED LICENSES AND FEE THEREFOR; REQUIRING STATE LICENSE; SPECIFYING HOURS WHEN SALES PERMITTED; SPECIFYING THAT SUBMITTING APPLICATION CONSENTS TO ENTRY, INSPECTION AND SEARCH, REMOVAL, AND INTRODUCTION IN EVIDENCE; IMPOSING A REGULATORY LICENSE FEE; RESTRICTING ADVERTISING AND SIGNS; PROVIDING FOR REVOCATION AND SUSPENSION OF LICENSES IN THE EVENT OF VIOLATIONS OF STATE OR FEDERAL LAW OR OF THIS ORDINANCE; PROVIDING FOR PENALTIES; PROVIDING IMMUNITY; PROVIDING FOR THE EFFECTIVE DATE HEREOF; WITH A SEVERABILITY PROVISION, be and it is hereby amended as follows:

D. A Malt Beverage Retail Drink License shall authorize the licensee to purchase, receive, possess, and sell malt beverages at retail for consumption on the licensed premises. The licensee shall purchase only from licensed brewers or licensed distributors. Unless the licensee holds a Malt Beverage Retail Package Carry-out License, he shall not sell malt beverages by the package for consumption off the premises. A Malt Beverage Retail Drink License shall only be issued to a business for a location which receives fifty percent (50%) or more of its gross annual income from the sale of food consumed on the premises and has, and maintains, a minimum indoor seating capacity of fifty (50) people at tables.

This Ordinance shall be effective upon its passage and publication.

PASSED FIRST READING, by roll call vote this the 21st day of

June, 1983.

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Everett Daniel</u>	_____	<u>Keith Fruits</u>	_____
<u>Willie Hampton</u>	_____	_____	_____
<u>Billy Ray Parrish</u>	_____	_____	_____
<u>Gary Woodlee</u>	_____	_____	_____
<u>Ken Campbell</u>	_____	_____	_____
_____	_____	_____	_____

PASSED SECOND READING, by roll call vote this the 24th day of June, 1983.

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Everett Daniel</u>	_____	<u>Keith Fruits</u>	_____
<u>Willie Hampton</u>	_____	_____	_____
<u>Billy Ray Parrish</u>	_____	_____	_____
<u>Gary Woodlee</u>	_____	_____	_____
<u>Ken Campbell</u>	_____	_____	_____
_____	_____	_____	_____

Ken Lutz
MAYOR

ATTEST:
[Signature]
CITY CLERK