

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE 2023-02**

**AN ORDINANCE AMENDING ORDINANCE 83-6 “AN ORDINANCE REGULATING
THE SALE OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF
RUSSELLVILLE...” AND AMENDING ORDINANCE 2014-03 REGARDING THE
SALE OF ALCOHOLIC BEVERAGES**

WHEREAS, City of Russellville, Kentucky, Ordinance 83-6, regulates the sale of alcoholic beverages within the City of Russellville and sets forth certain conditions necessary to be met before a license would be issued under said Ordinance; AND

WHEREAS, City of Russellville, Kentucky, has since amended Ordinance 83-6, specifically in Ordinances 2005-03, 2005-08, 2014-03, and 2021-08; AND

WHEREAS, said City of Russellville, Kentucky ordinances have set forth various license types and fees for such licenses; AND

WHEREAS, said City of Russellville, Kentucky ordinances have set out specific hours and days when alcoholic beverage sales are permitted; AND

WHEREAS, the Kentucky State Legislature has established a fee schedule for local governments, which cannot be exceeded in setting alcoholic beverage license fee amounts; AND

WHEREAS, in order to better serve the health, safety, and well-being interests of the City of Russellville and its citizens, the City Council of Russellville, Kentucky, deems it appropriate and necessary to revise said ordinances.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Russellville, Kentucky as follows:

SECTION I. SUBSTANTIVE AMENDMENTS.

1. Ordinance 83-6 is hereby amended as follows:

IX. HOURS WHEN SALES PERMITTED

A. A licensee may sell alcoholic beverages or do any act authorized by the licensee's license with respect to the sale of alcoholic beverages only during the hours between 6 a.m. and midnight, prevailing time, except that no retail sale shall be made during the hours the polls are open on any election day, ~~or on Sundays~~ or Christmas. The sale of alcoholic beverages on Sundays may only occur between the hours of 1:00 p.m. and midnight, prevailing time.

2. Ordinance 2014-03 is hereby amended as follows:

IV. TYPES OF LICENSES: FEES

A. The following kinds of distilled spirits and wine licenses and malt beverage licenses may be issued by the City and the annual fees for each license shall be:

Distilled Spirits and Wine Licenses

Distilled Spirits and Wine Wholesaler's License	\$3000
Quota Retail Package License	\$600 <u>\$1000</u>
NQ-2 Retail Drink License	\$600 <u>\$1000</u>
Quota Retail Drink License	\$300 <u>\$1000</u>

Malt Beverage Distributor's Licenses

Malt Beverage Distributor's License	\$400
NQ Retail Malt Beverage Package License	\$200
NQ-4 Retail Malt Beverage Dink License	\$200

Special Licenses

Special Sunday Retail Drink License

\$300

H. A Special Sunday Retail Drink License permits a retail licensee to remain open and sell alcoholic beverages by the drink for consumption on the premises during the hours permitted under this Ordinance. Licensees who obtain a Special Sunday Retail Drink License must comply with KRS 243.050(2).

SECTION II. SEVERABILITY.

The provisions of this Ordinance are severable. If any sentence, clause, or part of this Ordinance or the application thereof to any particular state of case is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance, it being the legislative intent of this body to ordain and in act each other.

SECTION III. REPEAL OF EXISTING ORDINANCES.

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

SECTION IV. EFFECTIVE DATE.

This ordinance shall become effective upon passage and publication as required by law.

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FIRST READING conducted on May 16, 2023.

SECOND READING AND PASSAGE on June 6, 2023.

APPROVED:

By: Mark Stratton
Mark Stratton, Mayor
City of Russellville

ATTEST:

By: Robert Nishibun
Robert Nishibun, City Clerk
City of Russellville

At a meeting of the City Council of the City of Russellville, Kentucky, held on June
6, 2023, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

Sandra Kinser **Jimmy Davenport**
Larry Wilcutt **Pat Bell**
Diane Walker
Bill Decker