

CITY OF HAZARD, KENTUCKY
ORDINANCE NO. 2017-05

ALCOHOLIC BEVERAGES ORDINANCE

Notice is hereby given that the City of Hazard Board of Commissioners of Hazard, Kentucky, at a meeting held at 7:00 p.m. on December 19, 2016 at Hazard City Hall in Hazard, Kentucky gave a final reading to and passage and enactment of amendments to the following Ordinance:

SUMMARY OF ORDINANCE
AMENDMENTS

This ordinance pertains to the licensing, sale and other issues relating to alcoholic beverages within the City limits. This ordinance was previously enacted but recently amended and the amendments were the subject of consideration by the City Commission. The amended ordinance states that to be licensed in the City to transact any business dealing with alcoholic beverages the person or business must first have a valid state license. Any City license issued shall not be transferable or assignable.

The ordinance sets out the current licenses and fees imposed by the City of Hazard for the sale of alcohol as follows;

Distillers license per annum \$500.00; Rectifier's license per annum Class A \$2,756.25, Class B \$960.00; Wholesaler's distilled spirit and wine license per annum \$2,205.00; Quota retail package license per annum \$661.50; Quota retail drink license per annum \$661.50; Special License per annum/event \$110.25, Nonquota type 1 retail drink license per annum \$1,102.50; Nonquota type 2 retail drink license per annum \$1,000.00; Nonquota type 2 retail drink license per annum \$300.00; Distilled spirits and wine special temporary auction license per event \$110.25; Special Sunday retail drink license per annum \$300.00; Caterer's license per annum \$800.00; Bottling house or bottling house storage per annum \$1,000.00; Brewer's license per annum \$500.00; Microbrewery license per annum \$500.00; Malt Beverage distributors license per annum \$400.00; Nonquota retail malt beverage package license per annum \$200.00; Nonquota type 4 retail malt beverage drink license per annum \$200.00; Malt beverage brew-on-premises license per annum \$100.00; Limited golf course license per annum \$1,200.00; Limited restaurant license per annum \$1,200.00.

No license shall be issued or renewed to any person or business which has outstanding taxes, utilities, interest or penalties to the City of Hazard.

The fee for each of the first five (5) supplemental bar licenses shall be the same as the fee for the primary drink license and there's no charge for each supplemental license issued in excess of five (5) to the same licensee at the same premises.

The holder of a nonquota retail malt beverage package license may obtain a Nonquota type 4 malt beverage drink license for a fee of fifty dollars (\$50). The holder of a Nonquota type 4 malt beverage drink license may obtain a nonquota retail malt beverage package license for a fee of fifty dollars (\$50).

Beginning January 1, 2017, a regulatory license fee upon the gross receipts from the sale of alcoholic beverages of each establishment within the City licensed to sell alcoholic beverages, by package or by drink, in the sum of one and one-half percent (1.50%) of the gross receipts of such establishments. A credit shall be allowed to each establishment against the regulatory license fee equal to the annual license fees imposed. The regulatory license fee shall be collected according to the existing framework of the occupational tax and license fee regulations of the City. Such regulatory license fee shall be payable and collectable quarterly.

The amend ordinance has a comprehensive section on prohibiting minors under the age of twenty-one (21) from purchasing and consuming alcoholic beverages; from using fake identification; from asking others to purchase or give alcoholic beverages to the minors; and prohibiting minors from remaining on the premises where alcoholic beverages are sold subject to exceptions. Violations of the ordinance by minors under the age of 21 will be under the jurisdiction of Perry County District Court.

The final substantial amendment is that Police Officers shall have the authority to inspect any licensed premise without first obtaining a search warrant.

The proposed ordinance can be viewed in full text at the office of the City Manager or City Clerk, City Hall.

I hereby certify that the foregoing is a true and accurate summary of the contents of the above-entitled ordinance.

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