

CITY OF WINCHESTER, KENTUCKY
ORDINANCE NUMBER 13-2013

SUMMARY

**AN ORDINANCE OF THE CITY OF WINCHESTER, KENTUCKY,
AMENDING THE WINCHESTER CODE OF ORDINANCES SECTION 3-
1 AND ESTABLISHING OPERATING HOURS FOR LICENSEES FOR
SUNDAYS**

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 an accurate summary of the contents of the above-entitled Ordinance.

/s/ William A. Dykeman

William A. Dykeman
City Attorney

CITY OF WINCHESTER, KENTUCKY

ORDINANCE 13-2013

AN ORDINANCE OF THE CITY OF WINCHESTER, KENTUCKY, AMENDING THE WINCHESTER CODE OF ORDINANCES SECTION 3-1 AND ESTABLISHING OPERATING HOURS FOR LICENSEES FOR SUNDAYS

WHEREAS, the City Commission having voted in favor of amending the hours of sale and delivery of alcoholic beverages to certain licensees;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the City of Winchester, Kentucky, as follows:

ARTICLE I. GENERAL ALCOHOLIC BEVERAGE REGULATIONS

Sec. 3-1. Licensed premises ~~to be closed during specified times; exception.~~ hours of operation.

~~It shall be unlawful for any premises within the city for which there has been granted a license for the sale of distilled spirits, malt beverages or wine at retail to remain open for any purpose as hereafter stated:~~

The hours of operation for any premises for which a license has been granted for the sale of distilled spirits, malt beverages or wine by the drink shall be:

(1) The provision of the State Alcoholic Beverage Control laws contained in KRS Chapters ~~244.290(4) and 244.480~~ is ~~is~~ are hereby adopted as part of the alcoholic beverage regulations of the City;

~~(2) — As to a licensee for the sale of distilled spirits or wine, between midnight and 8:00 a.m. or at any time during the twenty four (24) hours of Sunday except that the premises may remain open until 1:00 a.m. Saturday and 1:00 a.m. Sunday;~~

~~(3) — As to a licensee for the sale of malt beverages, between midnight and 6:00 a.m. or at any time during the twenty four (24) hours of Sunday except that the premises may remain open until 1:00 a.m. Saturday and 1:00 a.m. Sunday;~~

(2) — As to a licensee for the sale of distilled spirits or wine, between 8:00 a.m. and 12:00 midnight, Monday through Thursday; And Friday and Saturday, between 8:00 a.m. and 1:00 a.m. of the following day.

(3) As to a licensee for the sale of malt beverages, between 6:00 a.m. and 12:00 midnight, Monday through Thursday; And Friday and Saturday, between 6:00 a.m. and 1:00 a.m. of the following day.

(4) Provided, however, that if a licensee provides a separate department within his licensed premises capable of being locked and closed off, within which is kept all stock of distilled spirits, malt beverages and/or wine, and all fixtures and apparatus connected with his business as a licensee, and such separate department is kept locked during the times for which closure is required above, the licensee shall be deemed to have complied with this section. This provision does not apply to retail sale of malt beverages in package form.

~~(5) — Provided, further, however that a distilled spirits and/or wine retail drink licensee and/or licensee for the sale at retail of malt beverages for consumption on the premises may keep the licensed premises open until 1:00 a.m. on New Year's Day except when New Year's Day is on Monday.~~

(5) In accordance with KRS 244.290 (4), a licensee for the sale of distilled spirits, wine and/or malt beverage by the drink shall be permitted to sell or dispense alcoholic beverages on Sunday between 1:00 p.m. and 10:00 p.m.

(6) Provided, further, for distilled spirits, wine and/or malt beverage licensee by the drink for consumption on the premises on New Year's Eve until 1:00 a.m. on January 1, regardless of the day of the week January 1 shall falls upon, provided that the appropriate licenses and approvals have been obtained from both the City and the State ABC Board.

Introduced and given first reading at a meeting of the Board of Commissioners of the City of Winchester, Kentucky held on **August 20, 2013** and finally adopted, after second reading at a meeting of the said Board held on **September 3, 2013**.

/s/ Edallen York Burtner

Edallen York Burtner, Mayor

/s/ Marilyn Rowe

Marilyn Rowe, City Clerk

Reviewed by the City Attorney William A. Dykeman on: August 16, 2013