

COMMISSIONERS' ORDINANCE NO. 0-03-19

AN ORDINANCE AMENDING COVINGTON CODE OF ORDINANCES SECTION 111.021 ESTABLISHING AN EXCEPTION TO CHAPTER 111 OF THE COVINGTON CODE OF ORDINANCES TO ALLOW THE SALE OF ALCOHOL BY THE DRINK ON SUNDAY BETWEEN 6:00 A.M. AND 9:00 A.M. IF CERTAIN CONDITIONS ARE MET.

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WHEREAS, Kentucky alcoholic beverage control laws allow regulation of Sunday sales by local governments; and

WHEREAS, Chapter 111 of the Covington Code of Ordinances allows the sale of: (i) malt beverages by the drink on Sundays from the hours of 9:00 a.m. Sunday until 1:00 a.m. Monday, (ii) malt beverages by the package on Sundays from the hours of 11:00 a.m. Sunday until 1:00 a.m. Monday (iii) wine and distilled spirits by the drink from 9:00 a.m. Sunday until 1:00 a.m. Monday, if a special permit is obtained, and (iv) wine and distilled spirits by the package from 11:00 a.m. Sunday until 1:00 a.m. Monday; and

WHEREAS, St. Patrick's Day occurs on March 17, 2019, which is a Sunday; and

WHEREAS, several proprietors of local businesses have requested permission to serve alcoholic beverages by the drink earlier than 9:00 a.m. to celebrate St. Patrick's Day 2019; and

WHEREAS, the City has allowed single event exceptions to its typical Sunday sales hours twice in recent years: once for a Cincinnati Bengals game played in London, England, and once for a celebration of the 2017 Flying Pig Marathon; and

WHEREAS, the City of Covington desires to allow an exception for the proposed St. Patrick's Day celebrations on March 17, 2019 and such an exception should be allowed through an amendment of the City's existing ordinance to allow earlier sale of alcohol by the drink on Sunday if certain conditions are met.

NOW THEREFORE,
BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

§ 111.021 HOURS OF OPERATION.

(A) A premises licensed to sell distilled spirits or wine at retail by the drink shall not be permitted to remain open for any purpose between the hours of 1:00 a.m. and 6:00 a.m. or between the hours of 1:00 a.m. Sunday, and 6:00 a.m. Monday, and no person shall be permitted to remain within the licensed premises between these hours other

than owners, employees or subcontractors while performing work on the licensed premises, including but not limited to plumbing, cleaning, or electrical repair.

(B) Malt beverages by the drink or by the package shall not be sold between the hours of 1:00 a.m. and 6:00 a.m., Monday through Saturday, or between the hours of 1:00 a.m., Sunday, and 11:00 a.m., Sunday.

(C) Distilled spirits and wine by the package shall not be sold between the hours of 1:00 a.m. and 6:00 a.m. Monday through Saturday, or between the hours of 1:00 a.m., Sunday, and 11:00 a.m., Sunday.

(D) No holder of a distributor's license shall distribute and sell by wholesale any distilled spirits, wine, or malt beverages between the hours of 7:00 p.m. and 6:00 a.m., except on Saturdays when the hours of such deliveries shall be between 6:00 a.m. and midnight. No holder of a distributor's license shall distribute and sell by wholesale any such beverages at any time during the 24 hours of a Sunday.

(E) Exceptions.

(1) Those premises which have obtained a special Sunday retail drink license may remain open between the hours of 9:00 a.m., Sunday, and 1:00 a.m., Monday, and may sell distilled liquor by the drink and/or wine by the drink.

(2) Premises for which there has been granted a Nonquota Type 4 Retail Malt Beverage Drink license shall be permitted to serve malt beverages by the drink on Sunday from 9:00 a.m. until 1:00 a.m. on the following Monday.

(3) Those premises which have obtained a 2:30 a.m. permit may remain open an additional 1½ hours between the hours of 1:00 a.m. and 2:30 a.m. and are permitted to sell malt beverages, distilled spirits, and wine by the drink, so long as the premises are properly licensed to do so.

(4) Those premises which have been granted a City Special Event Permit and applicable state and local Special Temporary Licenses may sell and serve alcohol by the drink between the hours of 6:00 a.m. and 9:00 a.m. on Sunday, provided all conditions associated with the aforementioned permit and licenses are satisfied.

Section 2

This ordinance shall take effect and be in full force when passed and recorded according to law.

Meeting Date: 2-26-19					
ORD.: 1ST 2-12-19		2ND 2-26-19			
OR:					
	2 Bowman	Downing	Smith	1 Williams	Meyer
Yeas	✓	✓	✓	✓	✓
Nays					
Present, not Voting					