

COMMISSIONERS' ORDINANCE NO. 0-13-19

AN ORDINANCE AMENDING CHAPTER 111 OF THE COVINGTON CODE OF ORDINANCES, SECTION 111.024, MODIFYING THE GEOGRAPHIC BOUNDARIES OF THE CITY'S ENTERTAINMENT DESTINATION CENTER.

* * * *

WHEREAS, an "Entertainment Destination Center" or "EDC" license allows consumption of alcoholic beverages in public places within the boundaries of the EDC. There are currently five EDC's in the state: Fourth Street Live (Louisville), Newport on the Levy (Newport), The Summit at Fritz Farm (Lexington), Piazza at Rivercenter (Covington), and The Landing at Limestone (Maysville);

WHEREAS, an EDC area acts as an overlay within which businesses or residences may be located. It is permissible to take alcoholic drinks out of restaurants or bars within the EDC into the common areas and into other ABC licensed premises within the EDC area;

WHEREAS, State ABC regulations require the local jurisdiction to pass an ordinance: 1. Determining an EDC licensed premises would aid economic growth and tourism in the county or city; and 2. Defining the geographic boundaries of the EDC;

WHEREAS, in 2018 Covington passed an ordinance which met the statutory requirements for the creation of an EDC and subsequent licensing of The Piazza at Rivercenter;

WHEREAS, certain existing and proposed annual events would benefit from an enlargement of the City's current EDC boundaries to include City owned right-of-way and other spaces;

WHEREAS, it is lawful for the City to apply for and hold a State ABC Entertainment Destination Center license once the EDC boundaries are established by local ordinance;

WHEREAS, it is anticipated that the City, as an EDC licensee, will control the use of City licensed areas through its Special Event Permit ordinance, ensuring that any event where alcoholic beverages are consumed in public spaces remain safe and secure; and

WHEREAS, the proposed expanded EDC boundaries would aid economic growth and tourism in the City and the City should amend its existing ordinance.

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

Section 1

Section 111.024 of the Covington Code of Ordinances is amended to read as follows:

§ 111.024 ENTERTAINMENT DESTINATION CENTERS.

(A) *Economic Growth and Tourism.* This section is hereby established pursuant to applicable Kentucky laws and regulations regarding an Entertainment Destination Center or “EDC” premises. Pursuant to applicable law, this ordinance confirms that an Entertainment Destination Center licensed premises would aid economic growth and tourism in the City for the following applicant(s):

(1) Rivercenter Entertainment Venues, LLC dba Piazza at Rivercenter[-]; ***and***

(2) City of Covington, Kentucky

(B) *Boundaries.* Pursuant to applicable Kentucky regulations, geographic boundaries ***in which one or more state-issued Entertainment Destination Center Licenses are allowed*** [~~for the following Entertainment Center licensed premises have been identified and are depicted on official drawings and or maps, currently on file with the City ABC Administrator:~~

~~(1) — Rivercenter Entertainment Venues, LLC dba Piazza at Rivercenter.] ***are hereby identified as all of the area that lies within and adjacent to the following description:***~~

Beginning at a point on the westernmost parcel line for parcel number 040-34-04-008.00 at the Ohio River’s south bank, south along said parcel line until turning eastward along the southernmost parcel line for said parcel, then turning south along the westernmost right of way boundary for Bakewell street, then turning west at the north westernmost right of way boundary on W. 5th Street and continuing west until the north easternmost right of way boundary at the intersection of W. 5th Street and Philadelphia Street, then turning south along the easternmost right of way boundary on Philadelphia Street until reaching the south easternmost right of way boundary on W. 6th Street, then turning east along the southernmost boundary of W. 6th Street until reaching the south westernmost right of way boundary for the intersection of W. 6th Street and Bakewell Street, then turning south on Bakewell Street along the westernmost right of way boundary until the south westernmost right of way boundary at the intersection of Bakewell Street and W. 7th Street, then turning east along the southernmost right of way boundary on W. 7th Street until reaching the south easternmost right of way boundary at the

intersection of Main Street and W. 7th Street, then turning north at the south easternmost right of way boundary at the intersection of Main Street and W. 7th Street and continuing north along the easternmost right of way boundary along Main Street until reaching the south easternmost right of way boundary at the intersection of Main Street and W. 6th Street, then turning east along the southern most right of way boundary along W. 6th Street until reaching the north westernmost right of way boundary at the intersection of W. 6th Street and Russell Street, then turning south along the westernmost right of way boundary of Russell Street until reaching the south westernmost right of way boundary at the intersection of Russell Street and W. 8th Street, then turning east along the southernmost right of way boundary along W. 8th Street until reaching the south easternmost right of way boundary at the intersection of W. 8th Street and Madison Avenue, then turning north along the westernmost right of way boundary along Madison Avenue until reaching the south easternmost right of way at the intersection of Madison Avenue and E. 5th Street, then turning east along the southernmost right of way boundary along E. 5th Street until reaching the south easternmost right of way boundary at the intersection of E. 5th Street and Scott Street, then turning north along the easternmost right of way boundary along Scott Street until reaching the south easternmost right of way boundary at the intersection of Scott Street and E. 4th Street, then turning east along the southernmost right of way boundary long E. 4th Street until reaching the south easternmost right of way boundary at the intersection of E. 4th Street and Greenup Street, then turning north long the easternmost right of way boundary along Greenup Street and continuing north along the easternmost right of way boundary of Riverside Place to the south westernmost point of parcel number 054-14-00-002.00 and continuing north along said parcel until southern bank of the Ohio River, then turning west along the southern bank of the Ohio River back to the point of origin.


(C) Each business located within the EDC that sells alcoholic beverages may sell alcoholic beverages within its licensed premises or in other areas as set forth by applicable Kentucky laws.

(D) Patrons may take lawfully purchased beverages from licensed premises located within or adjacent to the EDC to other licensed premises or to a common area within the EDC, subject to applicable Kentucky laws.

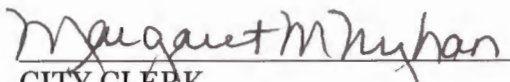
(E) For any EDC licensed premises where the City of Covington is the EDC licensee, the City reserves the right to determine the most appropriate use of the EDC licensed premises through its Special Event Permit ordinance. A Special Event Permit shall authorize the event organizer to hold an event within the City's EDC licensed premises. By locating an approved event within the City's EDC licensed premises, patrons may bring beverages from other business's licensed premises into the Special Event Permit boundaries and common areas and vice versa, subject to applicable state laws and applicable restrictions set forth with the Special Event Permit process. Any such event shall be restricted in location so that its borders fall entirely within the City's EDC boundaries. The City, through the Special Event Permit ordinance and process, shall ensure that any organizer of a special event within the EDC: (i) maintains adequate security, (ii) ensures any portion of public thoroughfare is controlled in a manner that ensures public safety and pedestrian protection from vehicular traffic, and (iii) prohibits patrons from taking alcoholic beverages outside the physical boundaries of the EDC.

Section 2

That this ordinance shall take effect and be in full force when passed, published and recorded according to law.


MAYOR

ATTEST:


CITY CLERK

Passed: 5-28-19 (Second Reading)

5-14-19 (First Reading)

Meeting Date:

ORD.: 1ST 5-14-19 2ND 5-28-19

OR:

	Bowman	Downing	2 Smith	1 Williams	Meyer
Yeas		✓	✓	✓	✓
Nays	✓				
Present, not Voting					