



**OFFICE OF THE MAYOR
CITY OF COVINGTON**

Joseph U. Meyer
Mayor

Covington City Hall
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**EXECUTIVE ORDER
CITY OF COVINGTON, KENTUCKY**

EXECUTIVE ORDER NO. 2020-EO-41

ALCOHOLIC BEVERAGE CONTROL MATTERS – 2:30 A.M. PERMIT FEE WAIVER

WHEREAS, on March 16, 2020, pursuant to Gov. Andy Beshear's Executive Order 2020-215 declaring a state of emergency in the Commonwealth due to the outbreak of COVID-19 virus, a public health emergency, the Cabinet for Health and Family Services, the Department of Public Health, and the Public Protection Cabinet, Department of Alcoholic Beverage Control promulgated an Order prohibiting the onsite consumption of food and beverages, including alcoholic beverages, in the Commonwealth of Kentucky; and

WHEREAS, effective on March 19, 2020, the Department of Alcoholic Beverage Control, in order to diminish the economic impact to restaurants and bars caused by this sudden closing and pursuant to KRS 39A.180, ordered supplemental rules while the prohibition of onsite consumption of food and beverage persists under Executive Order 2020-215; and

WHEREAS, on March 19, 2020, Mayor Joseph U. Meyer signed Executive Order 2020-EO-01, declaring a state of emergency in the City of Covington due to the outbreak of COVID-19 virus, a public health emergency; and

WHEREAS, applicable Kentucky laws authorize a mayor to exercise emergency powers to efficiently and effectively provide for the health, safety, and welfare of citizens; and

WHEREAS, Covington issues local Alcoholic Beverage Control (ABC) licenses in accordance with relevant state statutes, regulations, and directives; and

WHEREAS, Covington may expressly adopt any temporary State ABC directives and/or rules to remain consistent with the State ABC regulatory process and for the convenience and ease of Covington licensees; and

WHEREAS, Mayor Meyer previously signed Executive Orders 2020-EO-07 and 2020-EO-10 setting

forth specific temporary ABC regulations consistent with state actions; and

WHEREAS, the State ABC previously extended state license renewal deadlines through December 31, 2020 and waived state fees associated with certain state licenses; and

WHEREAS, the City of Covington previously waived local ABC license fees via Executive Order 2020-EO-37 for calendar year 2021; and

WHEREAS, certain Covington businesses are eligible to apply for and hold a 2:30 a.m. permit which allows the sale of alcoholic beverages from 1:00 a.m. until 2:30 a.m. if licensing conditions are met and an annual fee in the amount of \$5,000 is paid; and

WHEREAS, with the pandemic continuing, businesses are not able to utilize the rights conveyed by the City's 2:30 a.m. permit and the annual permit fee presents a unique financial hardship to existing 2:30 a.m. permit holders who may wish to utilize their permits in 2021 when allowed to do so by state regulations; and

WHEREAS, City staff have analyzed the anticipated financial impact should the City waive renewal fees for the 2021 2:30 a.m. permits and staff recommends waiver of the fee to provide additional financial relief to Covington 2:30 a.m. permit holders and businesses.

NOW and therefore, I, Joseph U. Meyer, pursuant to the authority vested in me as Mayor of the City of Covington, Kentucky by KRS Chapter 39A, KRS 39B, and in furtherance of the declaration set forth in Executive Order 2020-EO-01, hereby order:

Notwithstanding Executive Orders 2020-EO-07, 2020-EO-10, and 2020-EO-37:

1. All Covington 2:30 a.m. permit holders who wish to renew their existing 2:30 a.m. permit for the permit year from February 1, 2021 through January 31, 2022 shall submit a renewal application and meeting all applicable licensing conditions with the exception that the 2:30 a.m. permit fee for an permit holder is waived for the permit period from February 1, 2021 through January 31, 2022.
2. City staff is authorized to take appropriate and necessary steps to carry out this waiver program for the license period from February 1, 2021 through January 31, 2022 included but not limited to: processing refunds for any permit fee already paid for the applicable permit period, providing revised renewal applications for the applicable permit period, and issuing local permits, upon approval of the City's 2:30 a.m. board, for the period expiring January 31, 2022.
3. Covington ABC license holders and 2:30 a.m. permit holders are reminded and encouraged to stay up to date on all state and local health and business regulations during the COVID-19 pandemic and take all necessary steps to comply with state and local health directives concerning safe business practices.
4. The City may take appropriate action to enforce this Order and any previously enacted Orders.

This Order shall remain in effect until terminated by the issuance of another Executive Order when I

determine that a state of emergency no longer exists and the exercise of extraordinary measures are no longer required for the protection of the public health, safety and welfare.

THIS ORDER IS EFFECTIVE DECEMBER 14, 2020 AND SHALL REMAIN IN EFFECT UNTIL RESCINDED BY EXECUTIVE ORDER.

[Signature Page Follows]

Signed on this the 14th day of December, 2020.

Joseph U. Meyer
Joseph U. Meyer, Mayor

Attest:

Margaret M. Nyhan
Margaret M. Nyhan, City Clerk

12-14-20
Date