

ORDINANCE NO. 2020-16

AN ORDINANCE OF THE CITY OF OLIVE HILL, KENTUCKY AMENDING ORDINANCE 2014-03 AMENDING THE HOURS FOR SALE AND DELIVERY OF ALCOHOLIC BEVERAGES WITHIN THE CORPORATE LIMITS OF THE CITY OF OLIVE HILL, KENTUCKY AND AMENDING LANGUAGE REGARDING VIOLATIONS FOR FAILURE TO PAY MONTHLY REGULATORY FEES

WHEREAS, the City of Olive Hill, Kentucky enacted Ordinance 2014-03 to permit the sale and delivery of alcoholic beverages within the corporate limits of the City of Olive Hill, Kentucky;

WHEREAS, it was the intent of the City to permit license holders to sell or dispense package distilled spirits, malt beverages, or wine between the hours of 6:00 a.m. and 12:00 a.m. Monday through Sunday;

WHEREAS, it was the intent of the City to permit license holders to sell or dispense alcoholic beverages by the drink between the hours of 11:00 a.m. and 12:00 a.m., Monday through Sunday.

WHEREAS, Ordinance 2014-03 was inadvertently recorded without amending the hours of sale between the first and second readings;

WHEREAS, a financial hardship exists upon the City and the City will benefit economically by permitting license holders to sell or dispense alcohol on Sundays;

WHEREAS, the City of Olive Hill deems it appropriate to permit license holders to sell or dispense package distilled spirits, malt beverages, or wine and alcoholic beverages by the drink between the hours of 6:00 a.m. and 12:00 a.m. Monday through Sunday; and

WHEREAS, the City wishes to clarify certain language within Ordinance 14-03 Section 2.25 in order to clarify penalties for failure to pay monthly regulatory fees.

NOW, THEREFORE, be it ordained by the City of Olive Hill as follows:

1. Each licensee holding a city license to sell or dispense package distilled spirits, malt beverages, or wine may sell or dispense package distilled spirits, malt beverages, or wine, between the hours of 6:00 a.m. and 12:00 a.m., Monday through Sunday.
2. Each licensee holding a city license to sell or dispense alcoholic beverages by the drink may sell or dispense alcoholic beverages by the drink between the hours of 11:00 a.m. and 12:00 a.m., Monday through Sunday.
3. Section 2.25 of Ordinance 2014-03 is amended as follows:

Section 2.25: PAYMENT OF REGULATORY FEES Payment of license fees and regulatory fees shall be remitted to the City Clerk. Regulatory fees imposed in accordance with KRS 243.075(1) and pursuant to Section 2.4 of this Ordinance shall be used for the purpose of fully reimbursing the City for the estimated cost of any additional policing, regulatory or administrative expense related to the sale of alcoholic beverages in the City. All regulatory license fees shall be in addition to any other taxes, fees or licenses permitted by law, except that a credit against regulatory license fees in the City shall be allowed in an amount equal to any license fee imposed by the City pursuant to KRS 243.070. Payment of regulatory license fees are due monthly and shall be paid no later than the fifteenth (15th) day of the following month. Failure to pay monthly remittance by the date in which it becomes due constitutes a violation and will subject the licensee to suspension or revocation. The penalty for failure to pay monthly remittance by the due date is five percent (5%) of the tax for each thirty (30) days or fraction thereof. The total late filing penalty shall not exceed twenty-five percent (25%) of the fee, provided however that in no case shall the penalty be less than ten dollars (\$10.00). Interest at the rate of eight percent (8%) per annum will apply to any late payment.

4. All terms not in conflict with Ordinance 2014-03 shall remain in full force and effect.

This ordinance shall take effect upon adoption and publication as required by law.

Adopted and enacted this 23rd day of November 23, 2020.



Jerry Callihan, Mayor

ATTEST: 

Chimila Hargett, City Clerk

1st Reading: 11/17/2020

2nd Reading: 11/23/2020

Publication: _____