

ORDINANCE 2013 – 07 - 01

AN ORDINANCE OF THE CITY OF THE CITY OF BELLEVUE, KENTUCKY, RELATING TO SECTIONS OF THE CITY’S CODE OF ORDINANCES ALLOWING THE USE OF BELLEVUE BEACH PARK FOR LIMITED OUTDOOR EVENTS, FOR THE ISSUANCE OF SPECIAL TEMPORARY ALCOHOLIC BEVERAGE LICENSES FOR LIMITED OUTDOOR EVENTS, AND DIRECTING THAT THIS ORDINANCE BE PUBLISHED BY SUMMARY.

WHEREAS, KRS 243.260 allows cities to issue special temporary distilled spirits and wine and special temporary wine licenses, and

WHEREAS, KRS 243.290 allows cities to issue special temporary malt beverage licenses, and

WHEREAS, the City of Bellevue desires to enhance the general welfare of the city by allowing Limited Outdoor Events within the City, including but not limited to that area known as Bellevue Beach Park and by licensing the sale of alcoholic beverages at such Limited Outdoor Events;

NOW, THEREFORE, BE IT ORDERED BY THE CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY, AS FOLLOWS:

1. Special Temporary Distilled Spirit and Wine License.

The City Administrator may grant, in writing, upon application to the City’s Alcoholic Beverage Control Administrator, no later than thirty (30) days prior to the commencement of any Limited Outdoor Event, a Special Temporary Distilled Spirit and Wine License, allowing the sale of distilled spirits and wine, by any valid existing license holder, at such Limited Outdoor Event, the term of said license shall be for a specified length of time not exceed the time frames established by KRS 243.260.

2. Special Temporary Wine License.

The City Administrator may grant, in writing, upon application to the City’s Alcoholic Beverage Control Administrator, no later than thirty (30) days prior to the commencement of any Limited Outdoor Event, a Special Temporary Wine License, allowing the sale of wine, by any valid existing license holder, at such Limited Outdoor Event, the term of said license shall be for a specified length of time not exceed the time frames established by KRS 243.260.

3. Special Temporary Malt Retail License.

The City Administrator may grant, in writing, upon application to the City’s Alcoholic Beverage Control Administrator, no later than thirty (30) days prior to the commencement of any Limited Outdoor Event, a Special Temporary Malt Retail License, allowing the sale of wine, by any valid

existing license holder, at such Limited Outdoor Event, the term of said license shall be for a specified length of time not exceed the time frames established by KRS 243.290.

4. Permit to use Bellevue Beach Park

The City Administrator shall, at the direction of City Council, grant in writing, upon application to the City, no later than thirty (30) days prior to the commencement of any Limited Outdoor Event, a permit to use that area known commonly as Bellevue Beach Park for a Limited Outdoor Event, said permit not to exceed three (3) consecutive days. In granting such a permit the City Council shall take into account at least, but not limited to, the following: the proposed hours of operation, noise concerns, ingress and egress thereto, parking, clean-up and security therefore. The City Administrator shall establish an application process, insurance requirements and a fee for use of the Bellevue Beach Park.

5. Definitions:

“Limited Outdoor Event” means a special outdoor temporary event held within the City and, in cooperation with the Alcoholic Beverage Control Administrator, approved by the City Administrator, taking into account at least, but not limited to, the following: the premises to be utilized for the event, the proposed hours of operation, noise concerns, ingress and egress thereto, parking, and security therefore.

6. Restrictions.

All restrictions and prohibitions applying to regular retail drink distilled spirits and wine licenses and retail malt beverage licenses shall apply to the special licenses, unless otherwise provided by law.

7. Application fee.

A nonrefundable application fee of fifty dollars (\$50.00) shall be paid with the filing of the application for any license under this ordinance. If the license is granted, the application fee shall be credited against the initial license fee. Fees for licenses established hereunder shall be set by the City Administrator in amounts not to exceed those established from time to time by KRS 243.070.

8. Miscellaneous.

A. All ordinances or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

B. This Ordinance is hereby ordered to be published by Summary.

C. This Ordinance shall take effect and be in force ten (10) days from its passage, approval and publication as provided by law.

D. All ordinances or parts thereof in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

If any provision of this Ordinance is found to be invalid or unconstitutional, such decision shall not affect the validity of the remaining parts of this Ordinance and the same shall remain in full force and effect.

CITY OF BELLEVUE, KENTUCKY

By: _____
EDWARD RIEHL
ITS: Mayor

ATTEST:

_____, City Clerk

Date of First Reading: _____

Date of Second Reading and Enactment: _____

Date of Publication: _____

