

**CITY OF SOUTHGATE
CAMPBELL COUNTY, KENTUCKY**

ORDINANCE NO. 24-02

**AN ORDINANCE OF THE CITY OF SOUTHGATE, KENTUCKY
AMENDING CHAPTER 111.09(7)(C) OF THE CODE OF ORDINANCES,
ENTITLED “ALCOHOLIC BEVERAGE CONTROL CODE IN ORDER TO
PERMIT EARLIER TIMES FOR SALE OF ALCOHOLIC BEVERAGES
FOR ON PREMISES CONSUMPTION ON SUNDAYS.”**

WHEREAS, the need has arisen to update portions of the City’s regulations applicable to the hours when alcohol sales are permitted on Sundays in order to allow Sunday alcohol sales to be competitive with neighboring cities; and,

WHEREAS, these updates are necessary for economic development reasons.

NOW, THEREFORE, be it ordained by the City of Southgate in Campbell County, Kentucky, as follows:

SECTION I

That Chapter 119(7)(C) of the City of Southgate Code of Ordinances, entitled “Alcoholic Beverage Control Code” is hereby amended to permit Sunday sales of alcohol for consumption on premises to occur as early as 11:00 a.m., with said amendment being as follows:

§ 111.09 RESTRICTIONS.

(A) *Generally.* In granting any license, the following restrictions are imposed on the licensee, although the restrictions may not be incorporated in or printed on the face of the license.

(B) *Specifically.*

(1) No person, licensee, or any of his or her agents, servants, or employees shall purchase or agree to purchase any alcoholic beverage from another within or without the state who is not duly licensed to sell beverages to the particular purchasers at the time of the sale or the agreement to sell; nor shall he or she give an order for any beverage to any individual who is not a licensee as a special agent or solicitor, if the license is required.

(2) No person, licensee, or any of his or her agents, servants, or employees shall peddle alcoholic beverages from house to house by means of a truck or otherwise where the sale is consummated and delivery made concurrently at the residence or place of business of the consumer.

(3) No person, licensee, or any of his or her agents, servants, or employees shall employ any canvasser or solicitor for the purpose of receiving an order from a consumer for any alcoholic beverage at the residence or place of business of the consumer; nor shall he or she receive or accept any order which has been solicited or received at the residence or place of business of the consumer, except for a licensee as a distributor.

(4) A license issued under this chapter shall not be transferable or assignable to any other person, premises, or part of the building containing the licensed premises without first obtaining the permission of the granting authority first, as provided in § 111.11(B). Permission, if granted, shall be endorsed on the face of the license by the Alcoholic Beverage Control Administrator. No license granted hereunder shall be pledged, hypothecated, or deposited as collateral security on any loan or upon any condition; and, if pledged, hypothecated, or deposited, the license shall be revoked.

(5) The licenses fee for every license issued under this chapter shall be payable by the person making the application for the license and to whom it is issued, and no other person shall pay for any license issued hereunder. In addition to all other penalties provided in this chapter, a violation of this division (B)(5) shall authorize and require the revocation of the license that was paid for by another and also the revocation of the license, if any, of the person paying for the license of another.

(6) No license enumerated below shall be granted for any premises which are located on the same street as and within 200 feet of a building occupied exclusively as a school, hospital, church, or other place of worship without the written permission of the governing authority of the institution.

(7) The hours of operation for businesses which have been granted a license for the sale of distilled spirits, wines, and/or cereal malt beverages shall be as follows:

(a) Cereal malt beverage any day 8:00 a.m. to 12:00 a.m. midnight;

(b) Distilled spirits and wines by the package Monday through Saturday 10:00 a.m. to 12:00 a.m. midnight. Sunday sales shall be 11:00 a.m. to 12:00 a.m. midnight. Special Sunday sale license required pursuant to § 111.11(A)(2); and

(c) Cereal and malt beverages, distilled sprits, and wines for consumption on the premises Monday through Saturday 8:00 a.m. to 2:00 a.m. the following day. Sunday ~~1:00 p.m. to 2:00 a.m.~~ **11:00 a.m. to 2:00 a.m.** the following day. Special Sunday sale license required pursuant to § 111.11(A)(8).

(8) No person, licensee, or any of his or her agents, servants, or employees shall cause, suffer, or permit the licensed premises to be disorderly.

(9) No person, licensee, or any of his or her agents, servants, or employees shall sell, give away, or deliver any distilled spirits, wines, and/or cereal or malt beverage or procure or permit any distilled spirits, wines, and/or cereal or malt beverage to be sold, given away, or delivered to a minor, an intoxicated person, or any person apparently under the influence of liquor.

(10) Any distilled spirits licensee shall be permitted to have until one-half hour after the time set forth in ordinances designated for closing in which to clear the premises and parking lots of patrons of his or her business.

§ 111.99 PENALTY.

(A) Any person, firm, or corporation violating any provision of 111.06 through 111.09 and 111.14 through 111.16 shall be fined in an amount of not more than \$50, imprisoned not more than 20 days, or both fined and imprisoned. Each violation of any separate clause shall constitute a separate offense.

(B) Any person, firm, or corporation selling distilled spirits, wines, and/or cereal or malt beverages, either draft or in containers, at retail for consumption on the premises or any person, firm, or corporation selling cereal or malt beverages at retail by the package for consumption off the premises on any Sunday without first having obtained the license required under § 111.11(A)(8) shall be fined in an amount of not more than \$100, imprisoned not more than 30 days, or both fined and imprisoned. Each Sunday of violation shall constitute a separate offense.

SECTION II

Any and all ordinances or portions thereof in conflict with this Ordinance are hereby repealed to the extent of said conflict.

SECTION III

The provisions of this Ordinance are severable and the invalidity of any provision of this ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION IV

That this ordinance shall take effect and be in full force when passed, published, and recorded according to law. Publication may be in summary form by alternative Internet publication.

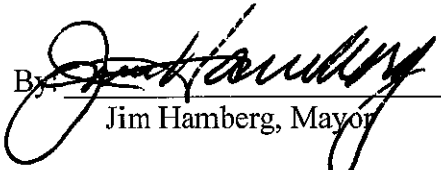
Adopted this 17th day of January, 2024.

1st Reading – January 3, 2024

2nd Reading – January 17, 2024

Attest:

Brandi Barton
Brandi Barton, City Clerk

By: 
Jim Hamberg, Mayor

