

HARRODSBURG CITY COMMISSION
MERCER COUNTY, KENTUCKY
ORDINANCE NO. 2017- 12.

ORDINANCE OF THE CITY OF HARRODSBURG, KENTUCKY AMENDING SECTION 4.4 (c) OF ORDINANCE 2016-06, THAT RELATED TO THE MANUFACTURING AND TRAFFICKING IN ALCOHOLIC BEVERAGES WITHIN THE CITY OF HARRODSBURG, AND PROVIDING FOR THE REGULATION OF SUCH ACTIVITIES, THE LICENSING OF PERSONS OR ENTITIES ENGAGING IN SUCH MANUFACTURING OR TRAFFICKING AND FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE.

WHEREAS, before any alcoholic beverage license can be issued or renewed by the City of Harrodsburg, pursuant to Ordinance # 2016-06, and as amended, all City taxes and fees shall be paid in full such as Net Profit Taxes, Payroll Taxes, ABC Regulatory fees and taxes, Business License Fee, Nuisance Liens owed to the City of Harrodsburg, Water & Sewer bills, Real and Personal Property taxes, due the City, Transient Room tax fees, Restaurant Tax fees, and other fees or taxes payable by the City of Harrodsburg and Harrodsburg/Mercer County Tourism Commission.

NOW THEREFORE, be it Ordained by the City of Harrodsburg Commission that Ordinance # 2016-06, referred to the Manufacturing and Trafficking in Alcoholic Beverages within the City of Harrodsburg, and providing for the regulation of such activities, the license of persons or entities engaging in such manufacturing or trafficking and for the administration and enforcement of this Ordinance, as to Section 4.4 (c) is amended as follows:

Sec. 4.4 Other conditions.

In addition to any other inquires, conditions or considerations required or permitted by law:

- (a) The City ABC Administrator shall not grant any alcoholic beverage license or approve a renewal of a license until the applicant and his or her place of business shall have been approved by the City Building Inspector, and any and other inspections required by the Kentucky Building Code;
- (b) All applicants shall voluntarily submit to a criminal background check and shall sign a waiver allowing the release of this information to the City ABC Administrator; and
- (c) No license to sell alcoholic or malt beverages shall be granted or renewed to any person who is delinquent in the payment of any taxes or fees due the City of Harrodsburg such as, Net Profit Taxes, Payroll Taxes, ABC Regulatory fees and taxes, Business License Fee, Nuisance Liens filed by the City of Harrodsburg, Water & Sewer bills, Real and Personal Property taxes, due the City, Transient Room tax fees, Restaurant Tax fees, and other fees or taxes collected by the City of Harrodsburg and/or Harrodsburg/Mercer County Tourism Commission. All licenses and fees shall be paid in full prior to the issuance of any license.

Further, if a licensee becomes delinquent in the payment of any taxes or any fees, such as Net Profit Taxes, Payroll Taxes, ABC Regulatory fees and taxes, Business License Fee, Nuisance Liens filed by the City of Harrodsburg, Water & Sewer bills, Real and Personal Property taxes, due the City, Transient Room tax fees, Restaurant Tax fees, and other fees or taxes payable to the City of Harrodsburg and/or Harrodsburg/Mercer County Tourism due the city at any time during the license period, the license to sell alcoholic or malt beverages shall be subject to revocation or suspension.

No person, whether an applicant for license, or a licensee, shall in any manner attempt to bribe, threaten, unduly influence or intimidate the City ABC Administrator, or any member of his or her staff, or any state ABC Administrator or staff, in any matter in which an application or proposed application for license, or procedure for revocation or suspension is pending before such officer. This division is not intended to stifle expressions of opinion; however, it is intended to make clear that the ABC Administrators are public officials charged with the administration and enforcement of the law, both local and state. Any person applying for a license, or contesting the revocation or suspension of a license, who engages in attempted bribes, threats, attempted undue influence or intimidation of a city or state ABC Administrator or staff shall be disqualified from receiving or retaining a license, in addition to other penalties as provided by law. The procedures for appeals shall apply to disqualification, revocations or suspensions under this section. This section shall not be interpreted to prohibit monetary settlements in lieu of revocation or suspension of license after a final order or revocation or suspension, where the chapter and applicable statutes allow for such payments in settlement.

This Ordinance shall become effective upon passage and publication.

Passed 1st reading _____

Passed 2nd reading _____; Said Ordinance was read and approved on the _____ day of _____, 2017.

Published: _____

EDDIE LONG, MAYOR
CITY OF HARRODSBURG

ATTEST:

KIM STINNETT, CITY CLERK