

ORDINANCE NO. 6, 2022 SERIES

**AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES
SECTION 120.02 RELATING TO LICENSING OF ESTABLISHMENTS WITHIN THE
ENTERTAINMENT DESTINATION CENTER**

WHEREAS, in 2019, the City of Frankfort established an Entertainment Destination Center (“EDC”) properly licensed by the Kentucky Department of Alcoholic Beverage Control per KRS 243.030(21); and

WHEREAS, the Board of Commissioners of the City of Frankfort now wishes to establish regular hours during which the provisions governing consumption of alcohol within the EDC shall be in effect;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKFORT, AS FOLLOWS:

Section 120.02 of the City of Frankfort Code of Ordinances is hereby amended as follows:

120.02 LICENSING.

(A) The City of Frankfort shall apply for an EDC license.

(B) A business that is located within the EDC that sells alcoholic beverages shall hold the necessary alcoholic beverage license or licenses for its premises. A Licensee within or adjacent to the EDC may sell alcoholic beverages from one or more non-permanent locations within any common area within the EDC if the Licensee holds a supplemental bar license for each non-permanent location and the Licensee holds written permission for these sales in accordance with this ordinance and in the manner required by the City.

(C) Written permission may be granted by the City Manager after a determination that the requirements listed in this ordinance and 804 KAR 4:370 have been met. If permission is denied by the City Manager for sale in a common area, the Licensee may file an appeal of the decision to the Board of Commissioners who will conduct a hearing following the appeal whether to uphold or overturn the decision of the City Manager.

(D) During the established hours of Monday through Friday, 4:30 PM – 11:00 PM, and Saturday and Sunday, 11:00 AM- 11:00 PM, as well as during other special events conducted under Title VII, Chapter 71 of the City of Frankfort Code of Ordinances that may fall outside of these established hours, patrons may leave the premises of Licensees located in or adjacent to the EDC with alcoholic beverage drinks and consume those drinks in any EDC common area or at other licensed premises within the EDC if permitted by the Licensee and if the City:

- (1) Possesses the common area by deed, lease, or permit;
 - (2) Provides adequate security for the common area;
 - (3) Ensures that the public streets are controlled in a manner that ensures public safety and pedestrian protection from vehicular traffic;
 - (4) Has granted written permission for the conduct to participating Licensees per Section 2 of this Ordinance;
 - (5) Determines all special event permits and other licenses, fees or permits required by the City have been approved;
 - (6) Prohibits patrons from taking alcoholic beverages outside the physical boundaries of the EDC; and
 - (7) Requires any drinks that are removed from the licensed premises for authorized consumption within the EDC shall be in cups approved by the City.
- (E) Nothing in this ordinance shall be construed to authorize noncompliance with any law governing vehicle-related open container restrictions or any other state statute or local ordinance or policy.

First Reading on the 28 day of March, 2022.

Final Adoption on the 25 day of April, 2022.

S/Layne Wilkerson
T/Mayor

Attest:

S/Chermie Maxwell
T/City Clerk

Summary: This ordinance amends Section 120.02(D) of the City of Frankfort Code of Ordinances regarding licensing and other requirements for the Entertainment Destination Center (“EDC”) to establish regular weekly hours for EDC operation in addition to other permitted special events falling outside of the regular hours.

S/Laura Milam Ross
T/City Solicitor

Published in full on May 1, 2022.

EXHIBIT "A"

