

ORDINANCE NO. _____, SERIES 2017

AN ORDINANCE CREATING A NEW SECTION OF CHAPTER 113 OF THE LOUISVILLE METRO CODE OF ORDINANCES TO ESTABLISH AN AUTHORIZED PUBLIC CONSUMPTION OPERATIONAL ZONES PURSUANT TO KRS 243.089. (AS AMENDED).

SPONSORED BY: PRESIDENT YATES

WHEREAS, the 2016 session of the Kentucky General Assembly approved and the Governor signed SB 11 creating Section 243.089 of the Kentucky Revised Statutes, the Authorized Public Consumption (“APC”) alcoholic beverage license;

WHEREAS, KRS 243.089 authorizes a wet territory to issue an APC license, but only after the local government adopts an ordinance regulating the operation; and

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) desires to authorize the issuance of APC licenses and regulate the operation of such licensees; and

WHEREAS, pursuant to KRS 243.089, Louisville Metro must establish an operational zone to serve as the premise for APC licensees.

BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: A new section of chapter 113 of the Louisville Metro Code of Ordinances is hereby enacted as follows:

- A. Authorized Public Consumption License Established.** There is hereby established an Authorized Public Consumption (“APC”) license pursuant to KRS 243.089. APC licenses shall only be available to persons or entities operating as a commercial quadricycle business as such term is defined in KRS 241.010(16)

and LMCO Chapter 115.

B. Requirements for APC License Applicants. In addition to the commercial quadricycle requirements specified in subsection A, an APC license applicant must:

1. Have a physical business office;
2. Maintain general liability insurance of at least two million dollars (\$2,000,000) and provide written documentation of such coverage; and
3. Possess an operating permit pursuant to LMCO Chapter 115.

C. Permanent APC Operational Zone. The map, attached hereto as Exhibit A and incorporated herein, identifies the Permanent APC Operational Zone and shall serve as the permanent premise for APC licensees.

D. Temporary APC Operational Zone. Any temporary travel route approved to permit the commercial quadricycle business to operate in or around an organized civic or community-sponsored event, as defined in 804 KAR 4:250, shall serve as a premise for an APC licensee. Any such temporary APC premise shall terminate upon the expiration of the temporary travel route, as such term is defined in LMCO Chapter 115.

E. Severability. If any provision of this Section as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

Section II: This Ordinance shall take effect upon passage and approval.

H. Stephen Ott
Metro Council Clerk

David Yates
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____