

**COMMONWEALTH OF KENTUCKY  
CITY OF MAYSVILLE  
Ordinance No. 08C-28**

**AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 231.07 TO ADD  
PROVISIONS FOR REVOCATION OR SUSPENSION OF LICENSES**

Summary

This Ordinance amends Code of Ordinances Section 231.07 to state that applications for licenses shall be made to the City Alcoholic Beverage Control Administrator and that no license shall be granted or renewed to any person who is delinquent in the payment of any taxes or fees due the City at the time of issuing the license and if the licensee becomes delinquent in payment of any taxes or fees due to City at any time during the license period, the license shall be subject to revocation or suspension. Appeals may be taken to the State Alcoholic Beverage Control Board.

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

(1) Code of Ordinances Section 231.07 is hereby amended to read in its entirety as follows:

§ 231.07 APPLICATION FOR AND ISSUANCE OF LICENSES.

(A) Applications for licenses shall be made to the ~~Board of Commissioners-~~  
City  
Alcoholic Beverage Control Administrator in writing, on forms furnished by the City Clerk, and setting forth in detail such information concerning the applicant and the premises sought to be licensed as required by the Kentucky Alcoholic Beverage Control Law, and any amendment as may be added thereto. Each application shall be accompanied by payment of the fee required by this chapter for a license of the kinds or class applied for. Any license authorized to be issued under this chapter shall be refused if the applicant therefor, or the premises for which same is sought, does not comply fully with the rules and regulations of the Kentucky Alcoholic Control Board or if the applicant shall have done any act for which refusal or revocation of state licenses would be authorized under Kentucky law.

(B) No license to sell alcoholic beverages shall be granted or renewed to any person who is delinquent in the payment of any taxes or fees due to City at the time of issuing the license; nor shall any license be granted or renewed to sell upon any premises or property, owned or occupied by the licensee, upon which there are any delinquent taxes or fees due the City. Further, if a licensee becomes delinquent in the payment of any taxes or any fees due the City at any time during the license period, the license to sell alcoholic beverages shall be subject to revocation or suspension by the

City Administrator. Appeals may be taken from decisions of the City Administrator to the State Alcoholic Beverage Control Board according to the provisions of KRS 241.200 and 243.550.

(1991 Code, § 231.07) (Ord. 56, passed 5-22-1939; Am. Ord. 89C-19, passed 6-26-1989)

Case references:

Statutory delegation of veto power to churches to prohibit retail sale of alcoholic beverages within certain radius of church unconstitutional, see Larkin v. Grendel’s Den, Inc., 459 U.S. 116, 74 L.Ed.2d 297 (1982)  
Statute authorizing church veto of alcoholic beverage applications violates establishment clause of First Amendment, see Larkin v. Grendel’s Den, Inc., 459 U.S. 116, 74 L.Ed.2d 297 (1982)

Form reference:

Application for Alcoholic Beverage License, see Form 25

Opinion reference:

School veto over alcoholic beverage applications, see OCA 4-17-85

Statutory references:

Refusal of state licenses, see KRS 243.450  
Revocation of state license, see KRS 243.490

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MAYSVILLE, KENTUCKY, THIS \_\_\_\_\_ 2008.

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David W. Cartmell, Mayor

Passed on 1st reading: 6 November 2008.  
Adopted on 2nd reading: \_\_\_\_\_ 2008.  
Recorded by Clerk: \_\_\_\_\_ 2008.  
Signed by Mayor: \_\_\_\_\_ 2008.  
Published by Summary: \_\_\_\_\_ 2008.

ATTEST:

INDEX:

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Lisa Dunbar, City Clerk

Section 231.07

CERTIFICATE

I hereby certify that I am an attorney licensed to practice law in the Commonwealth of Kentucky, that I prepared the Summary above of the foregoing Ordinance of the City of Maysville, Kentucky, and that such Summary constitutes a general summary of the essential provisions of said Ordinance, reference to the full text of which Ordinance is hereby made for a complete statement of its provisions and terms.

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