

## **COMMISSIONERS ORDINANCE O-2025-07**

### **AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY REPEALING AND RE-ENACTING SECTION 111.05 OF CHAPTER 111: ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES REGARDING CERTAIN REQUIREMENTS FOR EMPLOYEES OF PREMISES LICENSED TO SELL OR DISPENSE DISTILLED SPIRITS, WINE OR MALT BEVERAGES BY THE DRINK**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, AS FOLLOWS:

#### **SECTION I**

That Section 111.05 of Chapter 111: Alcoholic Beverages of the Code of Ordinances of the City of Newport, Kentucky regarding and titled Registration, Photographing and Fingerprinting of Employees shall be and is hereby repealed, in full, and re-enacted and replaced as set forth below.

#### **SECTION II**

That there is hereby re-enacted a new Section 111.05 of the Code of Ordinances to replace the previous Section 111.05 thereof, regarding certain requirements for employees of premises licensed to sell or dispense distilled spirits, wine or malt beverages by the drink, to read as follows;

#### **CHAPTER 111: ALCOHOLIC BEVERAGES**

#### **SECTION 111:05 EMPLOYEE REQUIREMENTS**

- (A) Every person, including any working proprietor or any independent contractor, employed (“employed” or “employee” as used in this Ordinance shall be interpreted broadly to encompass any and all persons whether they are a traditional employee, independent contractor, volunteer, or such) as a bartender or a server (excepting those whose primary function is the service of food, employed as security or as cleaning or maintenance personnel), working in any establishment or place of business where distilled spirits, wine, or malt beverages are sold or dispensed by the drink as defined in both the Kentucky Revised Statutes and/or City Ordinances, shall be required, upon employment or within 90 days of the commencement thereof, to attend and complete the Kentucky Alcoholic Beverage Control Administration’s Server Training in Alcoholic Regulations (S.T.A.R.) Program to learn how to responsibly serve alcoholic beverages within their employment capacity. However, employees may complete an alternate training program substantially similar to the S.T.A.R. Program, provided they first consult with and obtain verification of compliance with the City’s Alcoholic Beverage Control Administrator. No such training programs are administered by the City. The S.T.A.R. Program may be taken through the Kentucky Alcoholic Beverage Control Portal upon payment of the

appropriate fee, per person, associated therewith. Any training certification provided, upon completion, shall be valid for a period of three (3) years. Any person failing to take and complete the S.T.A.R. Program or any alternate training program within the requisite time period set forth herein, shall be prohibited from employment in such capacity. Employees with existing bar ID's shall only be required to comply herewith upon expiration of their existing bar ID.

- (B) Each employer shall be required to keep and maintain, on premise for review at anytime by the City Police Department or its Alcoholic Beverage Control Administrator, a current list and proof of employee S.T.A.R. training compliance or compliance with an approved alternate program, which shall be updated as frequently as needed to remain current, of all such persons or employees subject hereto in order to determine compliance herewith. Each employer shall also be required to provide the list of all employees subject hereto to the City Finance Department on a quarterly basis along with their payroll tax return.
- (C) Regardless hereof and in addition hereto, all provisions regarding the registration, photographing and fingerprinting of employees of sexually oriented businesses as set forth in Section 110.13 of the Code of Ordinances with regard thereto shall remain in full force and effect.
- (D) Any person or employee found to be in violation of any of the provisions hereof shall be subject to citation and the penalty provisions as set forth in Section 111.99 hereof.

### SECTION III

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, recorded, published, and effective upon publication.

1<sup>st</sup> READING: May 19, 2025

2<sup>nd</sup> READING: June 16, 2025

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Thomas L. Guidugli Jr., Mayor

ATTEST:

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Tiffany Myers, City Clerk