

**COMMISSIONERS ORDINANCE NO. O-2023-003**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING CHAPTER 111; ALCOHOLIC BEVERAGES, LICENSING PROCEDURE, SECTION 111.58, SUBSECTIONS (D) (4) AND (E) (2) OF THE CODE OF ORDINANCES CONCERNING EXTENDED HOURS LICENSES.**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, as follows:

**SECTION I**

That Chapter 111: Alcoholic Beverages, Licensing Procedure, Section 111.58, Subsections (D) (4) and (E) (2) of the Code of Ordinances shall be and are hereby amended to read, as follows:

**CHAPTER 111: ALCOHOLIC BEVERAGES**

**LICENSING PROCEDURE**

**SECTION 111.58 EXTENDED HOURS LICENSE.**

(D) (4) If the City's Alcoholic Beverage Control Administrator, upon an annual review or upon complaint and a hearing, shall find repeated violations of divisions (D) (1) through (3), hereof, the Administrator may suspend, revoke or fail to not renew any existing Extended Hours License so issued. The Extended Hours License holder shall have the right to appeal and request a hearing before the Alcoholic Beverage Control Administrator, within ten (10) days of any determination to suspend, revoke or not renew any existing Extended Hours License, otherwise the determination shall stand.

(E) (2) The City's Alcoholic Beverage Control Administrator shall conduct an annual review before the renewal of any existing Extended House License and if it is found, upon review, that the Extended Hours License holder has had three or more any criminal violations of any nature, of the provisions of the Kentucky Revised Statutes for which an alcoholic beverage license may be revoked or suspended, resulting in convictions occur at the business establishment and/or within or upon the licensed premises, or there is determined to be an excessive number of police response calls, as compared to the total number of such to other licensed premises, to the location of the licensed premises for which the Extended Hours License has been issued, within the annual period, then, upon a hearing if the non-renewal is appealed, the City's Alcoholic Beverage Control Administrator shall revoke not renew the Extended Hours License, and no renewal of the same shall be granted.

SECTION II

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

PASSED: 1<sup>st</sup> Reading: April 24, 2023

PASSED: 2<sup>nd</sup> Reading: May 22, 2023

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Thomas L. Guidugli Jr., Mayor

ATTEST:

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Tiffany Myers, City Clerk

**Not An Official Copy**