

ORDINANCE NO. **BG2024 - 11**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 4  
(ALCOHOLIC BEVERAGE CONTROL) OF THE  
CITY OF BOWLING GREEN CODE OF  
ORDINANCES RELATED TO RESTRICTIONS ON  
PACKAGE LIQUOR LICENSE

WHEREAS, nonprofits with 501(c)(3) status have requested to sell package liquor for fundraising purposes, which is permitted by State law with the appropriate Alcoholic Beverage Control license; and,

WHEREAS, it is in the best interest of the City to amend Chapter 4 (Alcoholic Beverage Control) of the City of Bowling Green Code of Ordinances to reflect these changes.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 4 (Alcoholic Beverage Control) is hereby amended as follows:

...

4-4 Causes for Refusal to Issue or Renew License and for Suspension or Revocation of License.

...

4-4.03 Restrictions on Package Liquor License.

a. No retail package liquor license shall be issued for any premises unless the applicant certifies under oath that ninety (90) percent of the total projected gross receipts from sale made at the licensed premises during the twelve (12) month period following the issuance of the license shall consist of the projected gross receipts from sales of alcoholic beverages; and, no such license shall be renewed for any premises unless ninety (90) percent of its gross receipts from sales for the immediate past month and the immediate past twelve (12) months have been derived from the sale of alcoholic beverages. This section shall not apply to nonprofits with Internal Revenue Code Section 501(c)(3) status when the nonprofit is selling package liquor for fundraising purposes. Said nonprofits shall be limited to sales of

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no more than 150 individual items per calendar year.

b. A retail package liquor license shall not be granted or issued to any licensee who proposes to sell retail package liquor at a location within one thousand (1,000) feet of a location of any similar establishment in the City of Bowling Green. ~~[This distance shall be measured according to the provisions of KRS 241.075(3).]~~ This Section shall not prohibit the renewal or reissuance to the same premises of existing licenses which may be closer in proximity than the distance herein prohibited.

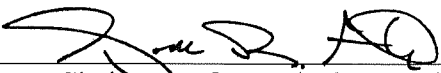
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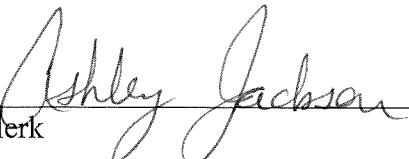
2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on May 21, 2024, and given final reading on June 4, 2024, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: June 4, 2024

APPROVED:   
Mayor, Chairman of Board of Commissioners

ATTEST:   
City Clerk

SPONSORED BY: Melinda Hill, Commissioner