

## **ORDINANCE 02-2024**

**AN ORDINANCE OF THE CITY OF FORT WRIGHT, IN KENTON COUNTY, KENTUCKY, AMENDING THE FORT WRIGHT CODE OF ORDINANCES CHAPTER 112 ENTITLED ALCOHOLIC BEVERAGES, SECTION §112.99, ENTITLED "PENALTY" ADDING A PROVISION AUTHORIZING THE CITY TO REVOKE OR SUSPEND AN ALCOLHOL LICENSE FOR NON-PAYMENT OF TAXES AND OTHER LEGAL VIOLATIONS.**

**WHEREAS**, KRS 243.500 provides authority to revoke or suspend a liquor license for various causes enumerated in the said Statute;

**WHEREAS**, the City seeks to impose an additional penalty due to multiple occasions of violations by various operators of different businesses in the City who are delinquent in their taxes or otherwise not complying with City Ordinances or other laws; and

**WHEREAS**, the Fort Wright City Council desires to amend its Code of Ordinances to provide for the revocation or suspension of a liquor license held by a licensee in the City of Fort Wright for non-payment or non-compliance with its ordinances or other applicable laws by parties holding liquor licenses within the City; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FORT WRIGHT, KENTON COUNTY, KENTUCKY, AS FOLLOWS.**

### **SECTION 1**

The Code of Ordinances Title XI, entitled Business Regulations, Chapter 112 entitled Alcoholic Beverages, Section 112.99 entitled Penalties is hereby amended as follows (any text being added is shown by a single solid line drawn underneath it; text that is removed is marked at the beginning with an opening bracket and at the end with a closing bracket; the text between the brackets is stricken through with a single solid line).

### **SECTION 2**

Section 112.99 is amended as follows:

#### **§ 112.99 PENALTY.**

- (1) Whoever violates any provision of this chapter shall be guilty of a misdemeanor and shall be fined not more than \$500.
- (2) Any license may be revoked or suspended by order of the City Alcoholic Beverage Control Administrator for the causes authorized by KRS 243.500, as may be amended from time to time, including but not limited to, for failure or default of a

licensee to pay an excise tax or any part of the tax or any penalties imposed by or under the provisions of any statutes, ordinances, or Acts of Congress relative to taxation, or for a violation of any related administrative regulations promulgated by the Department of Revenue, including any real estate taxes and occupational license or net profit taxes, insurance premium taxes, or any other taxes or payments owed to the City or its agencies.

### **SECTION 3**

Any and all Ordinances in conflict with this Ordinance shall be, and hereby are, repealed to the extent of said conflict.

### **SECTION 4**

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

### **SECTION 5**

That this ordinance shall become effective upon its passage and shall be published under KRS 83A.060(9) and other applicable law. This ordinance may be published by summary.

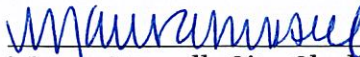
Passed by City Council on March, 2024

CITY OF FORT WRIGHT, KENTUCKY

By: 

Dave Hatter, Mayor

ATTEST:

  
Maura Russell, City Clerk

FIRST READING: 02-07-2024  
SECOND READING: 03-06-2024  
PUBLICATION: 03-08-2024



## AFFIDAVIT OF PUBLICATION

See Proof on Next Page

**LINK Reader**  
31 Innovation Aly, Ground Floor  
(859) 878-1669

I, Laquansay Nickson Watkins, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of LINK Reader, a publication that maintains a "notice website" as that phrase is defined in the State of Kentucky (KRS 424.145), that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper or online notice website at <https://linkreader.column.us/search>, as provided by the requirements of KRS 424, in consecutive issues on the following dates:

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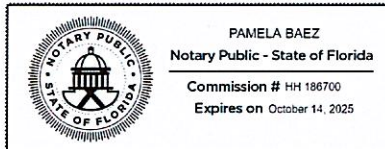
*Laquansay Watkins*

Agent

**VERIFICATION**

State of Florida  
County of Orange

Subscribed and sworn to before me 03/11/2024



*Pamela Baez*

Notary Public  
Notarized remotely online using communication technology via Proof.

The City of Fort Wright has adopted the following Ordinances: 01-2024, imposing administrative holds on license or permit applications if there are outstanding taxes, fines, or other violations; and 02-2024, adding a provision to the Alcoholic Beverages section authorizing the City to revoke or suspend an alcohol license for non-payment of taxes and other legal violations. The Ordinances may be viewed in full at <https://www.fortwright.com/about/city-ordinances>. The Ordinances and any documents associated may be inspected and copied during ordinary business hours at the offices of the City at 409 Kyles Lane, Fort Wright, KY, 41011. The City's telephone number is 859-331-1700 and fax number is 859-331-0454.