

ORDINANCE NO. 9-2004

**AN ORDINANCE OF THE CITY OF CORBIN, KENTUCKY
AMENDING ORDINANCE NO. 8-2003 TO CHANGE THE
OFFICE OF CITY ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATOR FROM THE CITY OFFICE OF DEPUTY
CITY COLLECTOR TO THE OFFICE OF CHIEF OF POLICE
AND ESTABLISHING THE OFFICE OF DEPUTY CITY
COLLECTOR AS AN ADMINISTRATIVE ASSISTANT TO
THE OFFICE OF CITY ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATOR**

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

SECTION 1. Ordinance No. 8-2003 at SECTION ONE, ARTICLE III. (a)(b)(c) is hereby amended and shall read as follows:

ARTICLE III. DUTIES OF THE OFFICE OF THE CITY ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR

~~(a)---The existing City Office of Deputy City Collector shall serve as the City Alcoholic Beverage Control Administrator (hereinafter referred to as City ABC Administrator).~~

~~(b)---The City Commission may from time to time appoint such additional personnel to the office of the Deputy City Collector as is necessary to assist the office in the administration of this ordinance.~~

~~(c)---The salary for the office of City ABC Administrator, if any, together with the salaries of any other personnel assisting the City ABC Administrator, shall be fixed from time to time by the City Commission.~~

(a) The existing City Office of Chief of Police shall serve as the City Alcoholic Beverage Control Administrator (hereinafter referred to as City ABC Administrator).

(b) The existing City Office of Deputy City Collector shall serve as an administrative assistant to the City ABC Administrator and the City Commission may from time to time appoint such additional personnel to the office of the City ABC Administrator as is necessary to assist the office in the administration of this ordinance.

(c) The salary for the office of City ABC Administrator and the administrative assistant, if any, together with the salaries of any other personnel assisting the City ABC Administrator, shall be fixed from time to time by the City Commission.

(d) The functions of the City ABC Administrator shall be the same with respect to the City licenses and regulations as the functions of the Alcoholic Beverage Control Board of the Commonwealth of Kentucky (hereinafter referred to as ABC Board) with respect to state licenses and regulations, except that no amendment to these regulations proposed by the City ABC Administrator may be less stringent than the statutes relating to Alcoholic Beverage Control, or than regulations of the ABC Board. No regulation of the City ABC Administrator shall become effective until it has first been appropriately approved by the City Commission.

(e) No person shall be a City ABC Administrator, an Investigator or an employee of the City under the supervision of the City ABC Administrator, who would be disqualified to be a member of the ABC Board under KRS 241.100.

(f) The City ABC Administrator shall have all authority as authorized under Chapters 241 through 244 of the Kentucky Revised Statutes.

(g) Should the City ABC Administrator at any time have reasonable grounds to believe that any applicant, licensee, employee of a licensee, or any stockholder, agent or employee of a licensed corporation, has a criminal record, he shall have the authority to require such person to appear in person at the Corbin Police Department for the purpose of having his or her fingerprints taken.

(h) The City ABC Administrator before entering upon his or her duties as such, shall take the oath as prescribed in Section 228 of the Constitution and shall execute a bond with a good corporate surety in the penal sum of not less than one thousand dollars (\$1,000.00).

(i) Appeals from the orders of the City ABC Administrator may be taken to the state ABC Board by filing with the Board within thirty (30) days a certified copy of the orders of the City ABC Administrator. Matters at issue shall be heard by the Board as upon an original proceeding. Appeals from orders of the City ABC Administrator shall be governed by KRS Chapter 13B.

GIVEN FIRST READING AND PASSED: 10-11-04

GIVEN SECOND READING AND PASSED: 11-8-04

APPROVED:

BY:

MAYOR, CITY OF CORBIN,
KENTUCKY

Nelson E. Miller

ATTEST:

ERIN BLOUNT, CITY CLERK