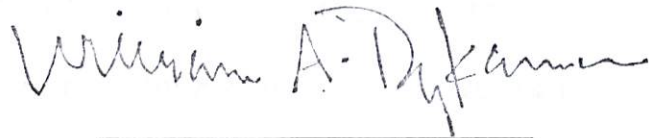


CITY OF WINCHESTER, KENTUCKY
ORDINANCE NO. 7-2024

AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DESTINATION CENTER IN THE DOWNTOWN OF WINCHESTER, KENTUCKY; DIRECTING THE CITY OF WINCHESTER TO APPLY FOR AN ENTERTAINMENT DESTINATION CENTER LICENSE FROM THE KENTUCKY DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL; AND ESTABLISHING THE REQUIREMENTS FOR A LICENSEE TO SELL ALCOHOLIC BEVERAGES WITHIN THE COMMON AREAS OF THE ENTERTAINMENT DESTINATION CENTER

This ordinance can be viewed in the office of the City Clerk, City of Winchester, 32 Wall Street.

I hereby certify that the foregoing is an accurate summary of the contents of the above-entitled Ordinance.



William A. Dykeman
City Attorney

CITY OF WINCHESTER, KENTUCKY
ORDINANCE NO. 7-2024

**AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DESTINATION
CENTER IN THE DOWNTOWN OF WINCHESTER, KENTUCKY; DIRECTING
THE CITY OF WINCHESTER TO APPLY FOR AN ENTERTAINMENT
DESTINATION CENTER LICENSE FROM THE KENTUCKY DEPARTMENT OF
ALCOHOLIC BEVERAGE CONTROL; AND ESTABLISHING THE
REQUIREMENTS FOR A LICENSEE TO SELL
ALCOHOLIC BEVERAGES WITHIN THE COMMON AREAS OF THE
ENTERTAINMENT DESTINATION CENTER**

WHEREAS, KRS 243.030 (21) authorizes the issuance of an Entertainment Destination Center (EDC) License by the Kentucky Department of Alcoholic Beverage Control; and

WHEREAS, the creation of an Entertainment Destination Center (EDC) in the downtown will aid in the economic growth of our downtown; and

WHEREAS, the City of Winchester seeks to create an EDC within its downtown for which it shall obtain a license from the Kentucky Department of Alcoholic Beverage Control; and

WHEREAS, the City of Winchester further seeks to establish the requirement for a licensee to sell alcoholic beverages within the common areas of the EDC.

NOW, THEREFORE, be it ordained by the City of Winchester, Kentucky as follows:

SECTION I. A new Article shall be created in Chapter 3 of the City of Winchester Code of Ordinance to state as follows:

ARTICLE V. ENTERTAINMENT DESTINATION CENTER.

The geographical boundaries of the Entertainment Destination Center (EDC) in the City of Winchester lies generally within the following description:

The Entertainment Destination Center is a geographic area that is bordered on the north by the railroad tracks on North Main Street; from the railroad tracks near Depot Street east to North Highland Street; from Depot Street south on North Highland Street to Ogden Court, then west from South Highland Street on Ogden Court to Wall Alley; then North on Wall Alley from Ogden Court to East Washington Street; then East Washington Street from Wall Alley to Main Street; and north on North Main Street to the railroad tracks at Depot Street.

The following properties within the EDC are excluded from the EDC licensed premise: those properties owned as of the effective date of this ordinance by religious institutions, educational institutions of minors (those under 18). A map of the EDC is attached hereto as "Exhibit A" and incorporated herein.

SECTION II. The following section shall relate to the hours of operation of the EDC under the auspices of the City of Winchester:

- (a) The City of Winchester shall apply for an EDC license with the Kentucky Department of Alcoholic Beverage Control; the City shall not purchase nor sell alcoholic beverages to provide revenue.

- (b) A business that is located within the EDC that sells alcoholic beverages shall hold the necessary alcoholic beverage license or licenses for its premises. This ordinance does not exclude outside vendors. Outside vendors are only permitted to set up during civic events when properly registered through the Events Coordinator.
- (c) During the hours of operation of the EDC, patrons may leave the premises of businesses that sell alcoholic beverages with alcoholic beverage drinks and consume those drinks in any EDC common area or at other licensed premises within the ECD if permitted by the business of the City based upon the following:
- 1) Possesses the common area of the EDC;
 - 2) Provides adequate security for the common area;
 - 3) Ensures that the public streets are controlled in a manner that ensures public safety and pedestrian protection from vehicular traffic; and
 - 4) Has granted written permission for the conduct and has a signed agreement with the City to conduct these activities;
 - 5) Prohibits patrons from taking alcoholic beverages outside the physical boundaries of the EDC;
 - 6) Requires any drinks that are removed from the licensed premises within the EDC shall be in a cup marked with a three-inch (3") sticker indicating "EDC, Dine, Drink, Discover" with the business' logo.

- 7) All licensed premises shall be required to sign a participation contract with the City and hold the City and its employees harmless for any untoward actions that might be instigated on said premises. If the participating licensed business is found to be in violation of the participation contract, the City reserves the right to revoke the participation contract for a period of at least six (6) months. The business shall then be able to reapply for participation.
- 8) Those premises not selling alcoholic beverages in the EDC and wish to not participate in the acceptance of alcoholic beverages on/in their premises are required to provide the City with written acknowledgement of their non-participation and to post signage on their premises showing same.
- 9) The hours for the EDC to operate are Fridays from 10:00 a.m. to 1:00 a.m. on Saturday morning; Saturdays from 11:00 a.m. to 1:00 a.m. on Sunday; and Sundays from 11:00 a.m. to 10:00 p.m. **with the EDC open by request on other days during the year and approved by the Board of Commissioners.**
- 10) It shall be incumbent on all vendors participating in the EDC to make sure all alcohol purchased in your establishment shall be purchased by those twenty-one years (21) and over. The City of Winchester and its employees shall be held harmless if the vendor has failed to act in accordance with laws and regulations governing the consumption of alcohol.

SECTION III. Any Ordinance or part thereof in conflict herewith, is to the extent of such conflict, hereby repealed.

SECTION IV. This Ordinance shall become effective upon publication of the ordinance summary.

Introduced and given first reading at a regular meeting of the Winchester Board of Commissioners held on March 5, 2024, with a motion by Commissioner Cox seconded by Commissioner Soole, and with unanimous vote.

Given second reading at a regular meeting of the Winchester Board of Commissioners on March 19, 2024, with a motion by Commissioner Book, seconded by Commissioner Soole, and with unanimous vote, this Ordinance was adopted.

Those voting:

Mayor Reed: Yes
Commissioner Book Yes
Commissioner Cox Yes
Commissioner Strode Yes
Commissioner Toole Yes

JoEllen Reed
JoEllen Reed, Mayor

Jay L. Curtis
City Clerk

Reviewed by:

William A. Dykeman
William A. Dykeman
City Attorney