

MCCRACKEN COUNTY FISCAL COURT
ORDINANCE NO. 2014-2

**AN ORDINANCE PROHIBITING THE RETAIL
SALE OF DISTILLED SPIRITS, WINE AND
MALT BEVERAGES WITHIN MCCRACKEN
COUNTY'S TERRITORIAL LIMITS ON ANY
PRIMARY, REGULAR, LOCAL OPTION OR
SPECIAL ELECTION DAY DURING THE
HOURS THAT POLLS ARE OPEN**

WHEREAS, McCracken County, Kentucky, permits the retail sale of distilled spirits, wine and malt beverages within its territorial limits so long as such sales are conducted in accordance with all state laws, federal laws and local ordinances; and

WHEREAS, Kentucky Revised Statutes Sections 244.290 and 244.480 have been amended to grant local county governments the exclusive option to permit or prohibit the retail sale of distilled spirits, wine and malt beverages within their territorial limits on any primary, regular, local option or special election day during the hours that the polls are open; and

WHEREAS, in accordance with Kentucky Revised Statutes Sections 244.290 and 244.480, the McCracken County Fiscal Court now desires to exercise this exclusive option to prohibit the retail sale of distilled spirits, wine and malt beverages on such days and at such times;

NOW THEREFORE, be it ordained by the Fiscal Court of the County of McCracken, Commonwealth of Kentucky, as follows:

Section 1. Limited Prohibition On Retail Sales of Distilled Spirits, Wine and Malt Beverages.

All entities licensed to conduct retail sales distilled spirits, wine and malt beverages within the territorial limits of McCracken County, Kentucky, shall be prohibited from engaging in such retail sales on any primary, regular, local option or special election days during the hours that the polls are open.

Section 2. Territorial Limitation.

Pursuant to Kentucky Revised Statutes Sections 244.290 and 244.480, the prohibition on retail sales of distilled spirits, wine and malt beverages set forth herein shall be limited to the territorial limits of McCracken County, Kentucky and shall not supersede, reverse or modify any decision made pursuant to said sections by the legislative body of a city of the first, second, third or fourth class located within McCracken County, Kentucky.

Section 3. Severability.

If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

Section 4. Effective Date.

This Ordinance shall be read on two separate days, published pursuant to KRS Chapter 242, and become effective on March 25, 2014.

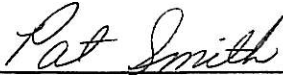
MCCRACKEN COUNTY FISCAL COURT

BY:


Van E. Newberry

McCracken County Judge Executive

ATTEST:



Fiscal Court Clerk

Introduced and publically read on March 10, 2014.

Publically read and adopted on March 25, 2014.

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