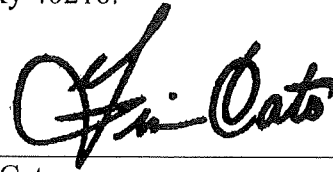


**CITY OF SHIVELY**  
**ORDINANCE NO. 6, SERIES 2024**  
**CERTIFIED SUMMARY**  
**AN ORDINANCE AMENDING SHIVELY CODIFIED ORDINANCE CHAPTER 114,**  
**SECTION 114.17, (ORD. NO. 16, SERIES 1968) RELATING TO ALCOHOL**  
**BEVERAGE CONTROL LICENSE APPLICATION PUBLISHING AND POSTING**  
**REQUIREMENTS IN THE CITY OF SHIVELY**

I hereby certify that the foregoing amended ordinance requires Alcoholic Beverage Control license applicants to publish a concise advertisement of their intention to apply for a license pursuant to KRS 243.360 prior to the City of Shively ABC Administrator's approval of any application for an original license to sell alcoholic beverages and further requires applicants to post a notice of intent to apply for an original license to sell alcoholic beverages, any amendments to an original license or application for additional license to sell alcoholic beverages. Such notice must be posted conspicuously on the property at the time the applicant publishes its notice of intent to apply for license and remain posted for 30 days, and the posting shall be in at least 14-point font size, on at least 8.5 inches by 11 inches yellow paper of durable material.

The complete text of said ordinance may be read at the office of the Shively City Clerk, Shively City Hall, 3920 Dixie Highway, Shively, Kentucky 40216.



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CATO LAW OFFICE PLLC  
2950 Breckenridge Lane, Suite No. 3  
Louisville, KY 40220  
Shively City Attorney

**CITY OF SHIVELY  
ORDINANCE NO. 6, SERIES 2024**

**AN ORDINANCE AMENDING SHIVELY CODIFIED ORDINANCE CHAPTER  
114, SECTION 114.17, (ORD. NO. 16, SERIES 1968) RELATING TO ALCOHOL  
BEVERAGE CONTROL LICENSE APPLICATION PUBLISHING AND  
POSTING REQUIREMENTS IN THE CITY OF SHIVELY**

**WHEREAS**, the City of Shively adopted the provisions of the Kentucky State Alcoholic Beverage and Control Law in Chapter 114, Section 114.03 (Ord. No. 16, Series 1968), and

**WHEREAS**, the City Council of the City of Shively has determined that it is necessary, desirable and in the best interest of the public for the City of Shively to amend Shively Codified Ordinance Chapter 114, Section 114.17 (Ordinance No. 16, Series 1968), to call for certain publishing and posting requirements to be met by license applicants to sell alcoholic beverages in the City of Shively, now therefore:

**BE IT ORDAINED BY THE CITY OF SHIVELY:**

**SECTION 1:** Chapter 114, Section 114.17 (Shively Ordinance No. 16, Series 1968) of the Shively codified ordinances shall be amended and adopted as follows:

**§ 114.17 PUBLISHED NOTICE OF APPLICATION; POSTED NOTICE OF INTENT TO APPLY; APPLICATION; REVIEW AND APPROVAL.**

- (A) The City of Shively ABC Administrator shall not approve any application for an original license to sell alcoholic beverages until the applicant has caused to be published a concise advertisement in accordance with the provisions of KRS 243.360.
- (B) Applicant shall post notice of its intent to apply for an original license to sell alcoholic beverages, any amendments to an original license or application for additional license to sell alcoholic beverages. The notice must be posted conspicuously on the property at the time the applicant publishes its notice of intent to apply for the license and remain posted for 30 days. The posting shall be in at least 14-point font size, on at least 8.5 inches by 11 inches yellow paper of durable material.
- (C) ~~(A)~~ Licenses shall be issued upon a written application therefore with the truth of the information, statements, and representations therein attested by the signature and the oath or affirmation of the applicant. The form and content of such application shall be prescribed by regulation of the City Administrator; however, all information required by KRS 243.390 to be contained in the application for state licenses shall and must be included therein.

~~(D)~~~~(B)~~ No license permitting the sale of alcoholic beverages in the city shall hereafter be issued until the provisions of this division (B) have been met in full. Any application for the issuance of a license to sell alcoholic beverages shall, prior to final approval by the Administrator, be forwarded to the Mayor or his designee to verify that the proposed application is in conformity with applicable statutes, ordinances, and regulations relative to the sale of alcoholic beverages. When such review has been completed and the Mayor is satisfied that the application is fully in order, such application shall be returned to the Administrator and thence be forwarded to the appropriate state authorities.

~~(E)~~~~(C)~~ All license fees from any license issued under this chapter shall be collected by the Administrator, who shall make a monthly report to the Mayor of all license fees collected.

**SECTION 2:** The sections of this ordinance shall be severable, and any provision herein found to be unenforceable shall not affect the validity of the remaining provisions hereof.

**SECTION 3:** This ordinance shall take effect upon its adoption by the Shively City Council and publication as required by law.

**FIRST READING: AUGUST 5, 2024**  
**SECOND READING: AUGUST 19, 2024**  
**PASSED AND APPROVED AUGUST 19, 2024.**

**ENTERED THIS 19 DAY OF AUGUST 2024.**

**Introduced by: Mr. Gibson**

*Maria D. Johnson*

**Maria Johnson, Mayor**

Attest: *Mitzi R. Kasitz*  
**Mitzi R. Kasitz, City Clerk**

<b>Council</b>	<b>Yea</b>	<b>Nay</b>
Ms. Bizzle	√	___
Ms. Burton-McBroom	√	___
Mr. Gibson	√	___
Ms. Thompson	√	___
Mr. Vincent	√	___
Ms. Wakaba	√	___