

ORDINANCE # 1775

AN ORDINANCE AMENDING ARTICLE XIII OF ORDINANCE #1665 PERTAINING TO RESTRICTIONS ON SIGNAGE OF PREMISES LICENSED FOR THE MANUFACTURING OF OR TRAFFICKING IN ALCOHOLIC BEVERAGES.

I. Be it ordained by the Board of Commissioners of the City of Danville, Kentucky, that Article XIII of Ordinance 1665 ("An Ordinance Related to the Manufacturing and Trafficking in Alcoholic Beverages Within the City of Danville, and Providing for the Regulation of Such Activities, the Licensing of Persons or Entities Engaging in Such Manufacturing or Trafficking, and for the Administration and Enforcement of this Ordinance") is hereby amended to provide as follows:

~~ARTICLE XIII. SIGNS AND ADVERTISING: ADVERTISING ON MUNICIPALLY OWNED PROPERTY OR AT MUNICIPALLY SPONSORED EVENTS PROHIBITED; CERTAIN OTHER ADVERTISING PROHIBITED~~

Sec. 13.1 All signage shall be in compliance with any and all other existing rules and regulations of the City of Danville and the Danville-Boyle County Planning & Zoning Commission.

~~Sec. 13.2 Any off-premises signage advertising the sale of alcoholic beverages is prohibited. It shall be unlawful to attach signage advertising alcoholic beverages to the exterior of the building or the exterior premises of the business. This prohibition shall include the use of outdoor umbrellas or other outdoor or patio fixtures that feature the name or logo of an alcoholic beverage or manufacturer of alcoholic beverages.~~

~~Sec. 13.3 Signage which refers directly or indirectly to alcoholic beverages will be limited to one (1) sign not over two (2) square feet that must be displayed from the inside of the window or interior of the business. No additional signs, banners, posters or other type of displaying advertising which refers either directly or indirectly to alcoholic beverages shall be displayed on, nor shall it be visible from the exterior of any premises licensed for the sale of alcoholic beverages, except that reference to such may be included in the name of the business. This restriction shall not prevent any licensee from placing in the windows of the licensed premises business cards not larger than two and one half inches (2-1/2") in size, setting forth the price at which the licensee offers alcoholic~~

beverages for sale.

~~Sec. 13.4~~ No flashing lights shall be used to illuminate the exterior of any premises licensed under this chapter.

~~Sec. 13.5~~ It shall be unlawful for a licensee under this chapter to distribute or cause to be distributed any handbills, circulars, or cards as a medium of advertising alcoholic beverages.

~~Sec. 13.36~~ Any advertising by any licensee under this chapter shall be in compliance with KRS 244.130 and regulations promulgated thereunder.

~~Sec. 13.7~~ No licensee shall advertise alcoholic beverages on any municipally owned property or at any municipally sponsored event.

Sec. 13.4 & No licensee shall publish or display advertising that is false or misleading, nor shall any licensee publish or display advertising that implies that consumption of alcoholic beverages is fashionable or the accepted course of behavior, or advertising that contains any statement, picture or illustration implying that the consumption of alcoholic beverages enhances athletic prowess, whether or not any known athlete is depicted or referred to, nor shall any licensee publish or display advertising that encourages intoxication by referring to the intoxicating effects of alcohol (or the use of terms such as "high test", "high proof" or "extra strong") or depicting activities that tend to encourage excessive consumption.

II. Except as specifically amended herein, the provisions of Ordinance #1665 shall remain in full force and effect.

III. If any section, subsection, paragraph, sentence, clause, phrase, or a portion of this Ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

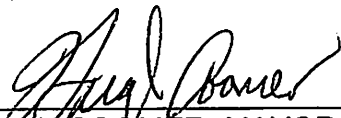
IV. This Ordinance shall be effective upon adoption and publication.

GIVEN FIRST READING AND PASSED: 8/23/10

GIVEN SECOND READING AND PASSED: 9/13/10

PUBLISHED BY DANVILLE ADVOCATE-MESSENGER: 9/17/10

APPROVED:



HUGH COOMER, MAYOR

ATTEST:



DONNA PEEK, CITY CLERK