

AN ORDINANCE ENACTING SECTION 3-23.1 OF THE CODE OF ORDINANCES TO PROHIBIT OWNERS/OCCUPANTS OF PROPERTY FROM PERMITTING INDIVIDUALS UNDER THE AGE OF TWENTY-ONE (21) YEARS TO POSSESS, CONSUME, OR USE ALCOHOLIC BEVERAGES ON THE PROPERTY, PROHIBITING PERSONS FROM ALLOWING INDIVIDUALS UNDER THE AGE OF TWENTY-ONE (21) YEARS TO VIOLATE THIS SECTION, AND PROVIDING THAT VIOLATIONS SHALL BE PUNISHED BY A FINE OF NOT LESS THAN ONE HUNDRED DOLLARS (\$100.00) NOR MORE THAN FIVE HUNDRED DOLLARS (\$500.00).

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NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 3-23.1 of the Code of Ordinances be  
and hereby is enacted to read as follows:

- (1) No person being the owner or occupant or otherwise in possession or control of any property located within Fayette County shall knowingly allow any minor to remain on such property while in possession of, using or consuming alcoholic beverages.
- (2) No person shall knowingly allow, aid, assist, induce, cause, or otherwise encourage any minor to be in possession of, use or consume alcoholic beverages.
- (3) It shall be a defense to any prosecution under this section if the person charged, upon discovery of said minor individuals, manifests a proper effort to enlist the aid of and cooperate with law enforcement personnel in stopping the minor individuals' possession, consumption or use of alcoholic beverages, or that the minor individuals' possession of alcoholic beverages was exempted by KRS 244.087.
- (4) As used in this section, the term "alcoholic beverages" shall have the meaning given to it in KRS 241.010 and KRS 242.010.
- (5) As used in this section, the term "minor" shall mean a person under the age of twenty-one (21) years.

Section 2 - That Section 3-25 of the Code of Ordinances  
be and hereby is amended to read as follows:

- (a) Any person who shall engage in or carry on, without a license, any business for which a license is provided by this chapter, or who, having had a license, shall continue in such business in any succeeding year without obtaining a renewal of his license, shall be guilty of a misdemeanor and shall be liable to be proceeded against for the penalty prescribed in subsection (b) in addition to the amount of the license.

(b) Any person who shall violate any provisions of this chapter, other than those provisions specified in subsections (c) through (h) of this section, shall, for each offense, and upon conviction in the district court of the urban county government, be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or confined in the detention center for more than thirty (30) days, or both so fined and imprisoned. Each day of such violation shall constitute a separate offense.

(c) Any person violating any of the provisions of section 3-20 shall, upon conviction thereof, be fined one hundred dollars (\$100.00) for each offense.

(d) Any person, who, by himself or acting through another, directly or indirectly, violates any of the provisions of section 3-21 shall upon the first conviction thereof be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00), or imprisoned for not more than six (6) months or both; and for the second and each subsequent conviction he shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00), or imprisoned for not more than six (6) months, or both.

(e) Any person violating any of the provisions of section 3-22 shall, upon conviction thereof, be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) or confined in the detention center not less than one (1) day nor more than thirty (30) days or both so fined and imprisoned; and the license issued to such person shall become null and void.

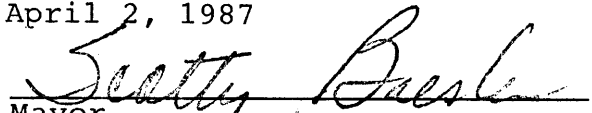
(f) Any person violating any of the provisions of section 3-23 shall, upon conviction thereof, be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) for each offense.

(g) Any person violating any of the provisions of section 3-23.1 shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), and each day of such operation shall constitute a separate offense.

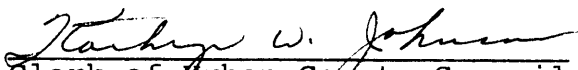
(h) Any person violating any of the provisions of section 3-24 by selling beer or liquor by the drink without providing lavatory facilities shall be fined not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00), and each day of such operation shall constitute a separate offense.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: April 2, 1987

  
Mayor

ATTEST:

  
Clerk of Urban County Council

PUBLISHED: April 8, 1987-1t

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