

ORDINANCE 10-2025

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE III, SECTION 3-57 OF THE OWENSBORO MUNICIPAL CODE RELATING TO THE ENTERTAINMENT DESTINATION CENTER TO ALLOW IT TO BE ENJOYED AT ALL TIMES ALCOHOLIC BEVERAGES ARE SOLD.

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

WHEREAS, in 2018, the City of Owensboro Created an Entertainment Destination Center (EDC) in the Owensboro riverfront area, including the Owensboro Convention Center, designated areas within Smothers Park, and the Bluegrass Music Hall of Fame & Museum; and

WHEREAS, the creation of the EDC has been successful and popular with visitors in downtown Owensboro; and

WHEREAS, on June 16, 2020, by Ordinance 6-2020, the City expanded the hours in which visitors may enjoy the EDC; and

WHEREAS, the City now seeks to allow visitors to enjoy the EDC at all times alcohol is sold by establishments within the EDC.

NOW, THEREFORE, BE ORDAINED BY THE CITY OF OWENSBORO, AS FOLLOWS:

Section 1. That Chapter 3, Article III, Section 3-57 of the Owensboro Municipal Code be, and the same is hereby amended, to read as follows:

- (a) The city shall apply for an EDC license.
- (b) During ~~[the hours of 5:00 p.m. to 12:00 a.m. every Friday, 12:00 p.m. to 12:00 a.m. every Saturday and Sunday and during designated special events conducted under Article II, Chapter 19 of this Code,]~~ any time

when alcoholic beverages are legally sold, patrons may leave the premises of businesses that sell alcoholic beverages with alcoholic beverage drinks and consume those drinks in any entertainment destination center common area within the EDC. If a special event permitted by the City does not wish to allow open containers during their event [~~occurring during the regularly scheduled EDC hours in Section 2(b)~~], the City will notify businesses within the EDC of the restriction to allow alcoholic beverages to leave their premise on specified days. During [~~the regularly scheduled hours in Section 2(b) and during designed special events~~] operation of the EDC, the city:

- (1) Possesses the common area;
- (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) Prohibits patrons from taking alcoholic beverages outside the physical boundaries of the entertainment destination center[; and].

~~[(5)](c)~~ [A] Businesses within the EDC shall r[emove] r[equire[s]] any drinks that are removed from the licensed premises [~~within the boundaries of the EDC shall~~] to be in a designated disposable cup.

(d)~~[(c)]~~ A business that is located within the EDC that sells alcoholic beverages shall hold the necessary alcoholic beverage license or licenses for its premises. The City may elect to allow a licensee within or adjacent to the EDC to sell alcoholic beverages from one (1) or more non-permanent locations within any common area within EDC if the licensee holds a Supplemental Bar License or a Quota Retail Drink Supplemental Bar License for each non-permanent location and the licensee holds written permission for these sales from the city.

~~(e)~~~~[(d)]~~ Written permission may be granted by the city manager after a determination that the requirements listed in 804 KAR 4:370 have been met. If permission is denied by the city manager for sale in a common area, the licensee may file an appeal of the decision to the board of commissioners who will conduct a hearing following the appeal whether to uphold or overturn the decision of the city manager.

INTRODUCED AND PUBLICLY READ ON THE FIRST READING, this the 15th day of July, 2025.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 5th day of August, 2025.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk