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.

See 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 8. 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:

[Signature]

HUGH COOMER, MAYOR

ATTEST:

[Signature]

DONNA PEEK, CITY CLERK