

# Kentucky: Abramson abandons Sunday liquor license

Source: Courier Journal

By Dan Klepal

January 27, 2010

Mayor Jerry Abramson has decided to abandon a policy of requiring package stores to buy a special license for Sunday sales in Jefferson County.

The reversal came a day after a Courier-Journal story raised questions about the legality of requiring those licenses.

Chris Poynter, an Abramson spokesman, said the mayor consulted with the Jefferson County Attorney's Office before making the decision Wednesday. The \$300 license would have raised about \$62,000, had all 207 liquor stores in Jefferson County bought it.

"It doesn't appear we have the authority to do that," Poynter said, adding that about 20 businesses had already purchased the license and will be receiving refunds from metro government. "Rather than get into a legal fight, we decided to rescind the fee.

"Doing that will also save taxpayer money, and time" from potential lawsuits.

The city in July raised the fees for alcohol licenses across the board, to state maximum levels - a move that will generate more than \$400,000 of additional revenue for the city's general fund.

At the same time, it created the new Sunday sales license for package stores.

But state statutes spell out the type of liquor licenses that can be sold by municipal governments, and the maximum amounts that can be charged. Two pages of license in the state statutes do not include one for Sunday sales at liquor stores.

Ken Singer, owner of Expressway Liquors on East Lee Street for 29 years, said he's glad to avoid the fight.

"That will save us a lot of extra expense we don't need," Singer said.

Sunday package store sales have only been allowed in Jefferson County since August 2005. Jim Mims, director of the city's Department of Codes and Regulations, said there is a cost to enforcing liquor laws on Sunday because Alcohol Beverage Control inspectors have to be scheduled to work on that day.

He said the city may ask the legislature to amend the statute to allow for the creation of a Sunday package store sales license.

"I agree with the decision not to fight it at this point. Apparently, we may have misinterpreted the statute and our ability to collect the fee," Mims said. "Now, should we be assessing a fee? Yes, I think we should because I believe we are providing a bona fide public service.

"So we need to try and change the law."