

CITY OF DAYTON, KENTUCKY ORDINANCE NO. 2021#21

AN ORDINANCE AMENDING SECTION 111.16 OF THE CITY OF DAYTON CODE OF ORDINANCES TO CHANGE THE REGISTRATION REQUIREMENTS FOR EMPLOYEES WHO WORK IN ESTABLISHMENTS THAT SERVE ALCOHOL.

BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY:

Section 111.16 of the City of Dayton Code of Ordinances is hereby amended as follows:

§ 111.16 REGISTRATION; PHOTOGRAPHING AND FINGERPRINTING OF EMPLOYEES.

(A) Any person employed or working in any capacity, whether it be as an employee, as volunteer help, or as a working proprietor (“Employee”), in any establishment or place of business, except as hereinafter provided, where distilled spirits, wine, or malt beverages are sold or dispensed by the drink as defined in both the Kentucky Revised Statutes and/or the city ordinances, shall register in a book of registration to be kept by the Dayton Police Department; and Employee is required to be registered; fingerprinted and photographed by the Police Department of the city as well as complete a background check through Kentucky State Police prior to the date of commencing his or her employment with the establishment or place of business. No person shall fail to ~~register or be fingerprinted and photographed~~ and or complete a state background check prior to commencing the employment. The Police Department shall issue Employee a temporary ID card upon registration, which will have an expiration date of 30 days from the date of issue until the state background check is received, reviewed, and accepted or denied by the Dayton Police Department. After acceptance of the registration, the Police Department will issue a permanent ID card to Employee that will expire two years after acceptance date.

(B) No employer, whether a person, firm or corporation, shall allow any person to be employed unless the Employee shall have ~~has~~ registered and ~~shall have been fingerprinted and been~~ been photographed within the time period and as prescribed in division (A) above.

(C) The registrants under this section are required to have the identification cards issued by the Dayton Police Department in their immediate possession during their hours of employment. The identification card shall contain the registrant’s picture, name, age, hair color, eye color, weight and place of employment.

(D) The city shall require a payment of twenty dollars (\$20) of each person registered, which charge shall be applied to cover the cost involved in the registration, including the cost of the identification card furnished to the registrants.

(E) Those businesses having a distilled spirits, wine, or malt beverages by the drink license as an accessory use with another business as the principal use at the same location, including, but not limited to restaurants and hotels/motel, shall register only those persons who are directly engaged in that portion of that business which sells distilled spirits, wine, or malt beverages by the drink.

(F) This registration procedure shall not apply to waiters and waitresses whose primary function is the service of food.

(G) Any Employee, volunteer help, or working proprietors at a festival or similar event which lasts less than five (5) days, for which a Special Temporary liquor license has been secured, shall not be required to register under this section.

(H) The employees, volunteer help, or working proprietors of a holder of a Non-Quota 3 (NQ3) retail drink license shall be exempt from registration under this section if and only if the use of the Non-Quota 3 (NQ3) retail drink license is an accessory use to a principal permitted use.

(I) Any establishment having a distilled spirits, wine, or malt beverage by the drink license that employs a contract cleaning service or other maintenance service to work in their establishment after closing hours shall require those persons so employed by the contractor to wear an identification card while working in that portion of the establishment that is directly involved in the sale of distilled spirits, wine, or malt beverage by the drink.

First Reading: Dec. 7, 2021

Second Reading: *JAN. 4, 2022*

CITY OF DAYTON, KENTUCKY

By: _____

BB
Mayor Ben Baker

ATTEST:

Donna Leger

Donna Leger, City Clerk