

**CITY OF DAYTON, KENTUCKY  
ORDINANCE NO. 2023#1**

**AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DESTINATION CENTER IN THE CITY OF DAYTON; AND FURTHER DIRECTING THE CITY OF DAYTON TO APPLY FOR AN ENTERTAINMENT DESTINATION CENTER LICENSE FROM THE KENTUCKY DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL; AND FURTHER ESTABLISHING THE REQUIREMENTS FOR A LICENSEE TO SELL ALCOHOLIC BEVERAGES WITHIN THE COMMON AREAS OF THE ENTERTAINMENT DESTINATION CENTER.**

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

**WHEREAS**, in addition to the Central Business Historic District and other attractions, the creation of an EDC in the designated area as described herein certain boundaries of the City will aid in the economic growth of tourism in the City; and

**WHEREAS**, the City seeks to create an EDC on Sixth Avenue for which it shall obtain a license from the Kentucky Department of Alcoholic Beverage Control; and

**WHEREAS**, the City further seeks to establish the requirements for a licensee to sell alcoholic beverages within the common areas of the EDC.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF DAYTON, AS FOLLOWS:**

**Section 1.** A new Section 111.20 of the Dayton Code of Ordinances, under Chapter 111, Alcoholic Beverages, shall state as follows:

The geographical boundaries of the Entertainment Destination Center (“EDC”) in the City of Dayton lie within and immediately adjacent to the following description:

The Entertainment Destination Center is a geographic area that is bordered on the north by the structures and sidewalks fronting Sixth Avenue, including Sixth Avenue and its sidewalks, on the south by the structures and sidewalks fronting Sixth Avenue, and including Sixth Avenue and its sidewalks, on the east by Main Street and on the west by O'Fallon Avenue. The geographic area also includes Berry Avenue and its sidewalks, and the structures and sidewalks fronting Berry Avenue, from Sixth Avenue to Fifth Avenue on the north, including Monument Park, and Berry Avenue and its sidewalks, and the structures and sidewalks fronting Berry Avenue, from Sixth Avenue to Seventh Avenue on the south.

A map of the EDC is attached as an exhibit to this ordinance, which is incorporated herein.

**Section 2.** A new Section 111.21 of the Dayton Code of Ordinances shall state as follows:

(a) The City of Dayton shall apply for an EDC license.

(b) A business located within the EDC that sells alcoholic beverages shall hold the necessary alcoholic beverage license or licenses for its premises.

(d) During days and times designated by the City, patrons may leave the premises of businesses located in the EDC that sell alcoholic beverages with alcoholic beverage drinks and consume those drinks in any EDC common area, as outlined above, or at other licensed premises within the EDC if permitted by said business, if the City:

(1) Possesses or owns the common area;

(2) Provides adequate security for the common area;


(3) Ensures that the public streets are controlled in a manner that promotes public safety and pedestrian protection from vehicular traffic;

(4) Prohibits patrons from taking alcoholic beverages outside the physical boundaries of the entertainment destination center;

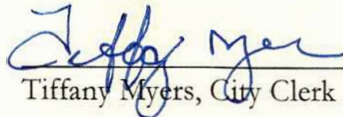
(5) Requires any drinks that are removed from the licensed premises within the EDC be in a particular type and/or style of cup as determined by the City.

(e) The City shall have the authority to draft, create, and enforce further regulations within the EDC, by executive order, which does not require an additional or amended ordinance.

First Reading: Feb. 7, 2023  
Second Reading:

CITY OF DAYTON, KENTUCKY  
By:   
Mayor Ben Baker

ATTEST:

  
Tiffany Myers, City Clerk