

**CITY OF JEFFERSONTOWN  
JEFFERSON COUNTY, KENTUCKY**

**ORDINANCE NO. 1296, SERIES 2013**

**AN ORDINANCE RELATING TO ORDINANCE NO. 1185, SERIES 2004, AND ADDING A NEW SECTION 5.2.4 (D) TO THE LAND DEVELOPMENT CODE TO DESIGNATE THE GASLIGHT FESTIVAL DISTRICT AND ANCILLARY FESTIVAL DISTRICTS 1, 2 AND 3, AND TO ADOPT REGULATIONS FOR CERTAIN ACTIVITIES DURING DECLARED FESTIVAL PERIODS, INCLUDING THE GASLIGHT FESTIVAL.**

**WHEREAS**, the City of Jeffersontown, Kentucky has by Ordinance No. 1185, Series 2004 adopted the Land Development Code, and as part of that process created the Town Center/Renaissance Form District, and;

**WHEREAS**, the City of Jeffersontown has since 1969 been the site of the Gaslight Festival sponsored by the Jeffersontown Chamber of Commerce, which has become a tremendously popular community event and an event which promotes commercial activity in the Town Center/ Renaissance District; and

**WHEREAS**, the activities of the Gaslight Festival include a traditional event area, and also extend beyond the traditional boundaries and the Town Center/Renaissance District, as shown on the plat attached hereto as Exhibit A and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the City Council, City of Jeffersontown, Kentucky, finds that it is in the best interests of the public and the property owners who are located within the areas directly impacted by the Festival that there be regulations as to certain activities so as to enhance the ability of property owners and businesses to more reasonably and more equally engage in the sale of alcoholic beverages and in providing live musical performances; and,

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY, AS FOLLOWS:**

**SECTION 1.** A new Section 5.2.4 is hereby added to the Land Development Code creating the Gaslight Festival District as shown on the attached plat, which plat is incorporated herein by reference as if set forth in full, and there are further created Ancillary Festival Districts 1,2 and 3, as shown on the attached plat.

**SECTION 2.** The Regulations pertaining to the Gaslight Festival District and Ancillary Districts 1 2 and 3, as set forth below and established pursuant hereto, shall apply during the third week of September during the period in which the Gaslight Festival is traditionally held or by Proclamation issued from time to time as the case may be by the ~~Mayor~~ of Jeffersontown, Kentucky.

*C. Ty Council*

**SECTION 3.** In the Gaslight Festival District only, there may be issued by the City of Jeffersontown Code Enforcement Department as few as one Special Event Master Vendor Permit, pursuant to which the Master Permit Holder may establish and designate fixed vending locations and walk-around vending locations.

(a) A lessee or permittee of the Master Permit Holder who intends to offer outdoor music may only do so if they have first obtained a Special Festival Permit pursuant to Section 4 below, and subject to all conditions applicable thereto.

(b) A lessee or permittee of the Master Permit Holder who does not already operate under a valid and existing alcoholic beverage license pursuant to Chapter 111 of the Jeffersontown Code of Ordinances may dispense or otherwise traffic in alcoholic beverages only pursuant to Section 5 below.

(c) Lessees or permittees holding valid and existing distilled spirits, malt beverage or wine licenses other than temporary licenses may dispense or traffic in alcoholic beverages as permitted by those licenses and the Ordinances, laws, regulations, and statutes pertaining thereto.

**SECTION 4.** In the Gaslight Festival District and Ancillary Districts 1 2, and, during Festival Periods, on properties zoned either CN or C-1, property owners may apply for Special Festival Permits, whereby on such properties, between the hours of 10:00 A.M. and 11:00 P.M. outdoor music (live, piped, radio, television or amplified) may be played, subject to reasonable restrictions that may be imposed by the Jeffersontown Code Enforcement Department to ensure adequate buffering of sound and lighting from surrounding properties. All other properties may provide outdoor music only as permitted under existing zoning laws and regulations.

**SECTION 5.** In the Gaslight Festival District and Ancillary Districts 1, 2 and 3, during Festival Periods, on properties zoned either CN or C-1, property owners may apply for Special Temporary Distilled Spirits licenses, Special Temporary malt beverage retailer's license, and/or a temporary wine license pursuant to Chapter 111 of the Jeffersontown Code of Ordinances and Chapter 243 of the Kentucky Revised Statutes, whereby on such properties, between the hours of 10:00 A.M. and 11:00 P.M. on weekdays and Saturdays and 1:00 P.M. and 11:00 P.M. on Sundays license holders may traffic in alcoholic beverages in accordance with all applicable laws and other terms and conditions under which the applicable license(s) have been issued.

**SECTION 6.** Unless otherwise permitted under existing zoning regulations and/or existing permanent business licenses, during a Festival Period no outdoor commercial activity may be conducted after the hour of 11:00 P.M. in the Festival District and Ancillary Districts 1, 2 and 3.

**SECTION 7.** Under no condition shall any of the rights, opportunities or privileges afforded pursuant to this Ordinance extend beyond the time period established by the Festival Resolution adopted by the City Council of Jeffersontown, Kentucky as referred to in Section 2 of this Ordinance, and all licenses and permits issued by reason of this Ordinance will automatically expire upon the expiration of the Festival Period without any further action and will thereafter be of no further force or effect.

**SECTION 8.** Nothing herein shall repeal, amend, modify or abridge any existing regulation contained in Chapter 111 of the Code of Ordinances pertaining to alcoholic beverages, aside from those matters set forth in Section 5 of this ordinance.

**INTRODUCED AND READ AT A MEETING OF THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY AT A MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

**READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY AT A MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

**VETOED:**

**APPROVED:**

\_\_\_\_\_  
**BILL DIERUF, MAYOR**

  
\_\_\_\_\_  
**BILL DIERUF, MAYOR**

**DATE:** \_\_\_\_\_

**DATE:** 9/4/13

**ATTEST:**

  
\_\_\_\_\_  
**BILL FOX, CITY CLERK**