

Frequently Asked Questions Related to Alcohol for the Opening of Restaurants on May 22



Note: All answers contained in this document are contingent on the business's ability to comply with the State of Kentucky's reopening guidelines found at https://govsite-assets.s3.amazonaws.com/TdYXqclsTjGOGI4XOBf8_Healthy%20at%20Work%20Regs%20-%20Restaurants%20-%20Final%20Version%201.0.pdf

1. **Who may open as of May 22, 2020?**

Licensees that operate as traditional restaurants and licensees that have a food permit so long as they are actively providing food to patrons, not just alcohol. This does not include businesses primarily engaged in the sale of alcoholic drinks that serve popcorn, hot dogs, snacks, or other concessions incident to its primary pursuit.

2. **May a licensed establishment sell alcohol in their parking lot?**

Yes, restaurants and other businesses with a food permit may sell alcohol in a parking lot. If the parking lot is part of the licensed premises - no additional action needs to be taken to serve alcohol in the parking lot. This means that if the original lease or deed submitted to the Alcoholic Beverage Control Office when applying for the alcohol license encompassed the parking lot, the parking lot is part of the licensed premises.

If the parking lot is not part of the licensed premises, send material changes to maggie.woods@ky.gov and iparish@paducahky.gov. Material changes should include exactly how many feet outward from the licensed premises the restaurant plans to extend into the parking lot area.

*Any action related to expanding outdoor seating or temporary structures also requires compliance with the regulatory authority of the Paducah Fire Prevention Division. The Paducah Fire Prevention Division can be contacted at 270-444-8527.

3. **May a restaurant erect a temporary bar outside?**

Yes, if the licensee submits an application through the State's ABC portal for a Supplemental Bar License. Each supplemental bar will require a license. The cost for each supplemental bar license is the same amount as the primary drink license for both the State and the City.

4. **Are there specific license types that may sell alcohol in their parking lot and others that may not?**

Restaurant licensees and other licensees with a food permit may open and sell in their parking lot on May 22 or as soon thereafter as they can comply with the Healthy at Work guidance for restaurants.

5. **Can a licensee with a concession permit open up when restaurants open?**

No, the licensee must have a food permit at minimum.

6. **May small farm wineries and microbreweries with food permits open on May 22?**

Yes, small farm wineries and microbreweries with a food permit may open on May 22 or as

soon thereafter as they are able to comply with Healthy at Work guidelines related to restaurants.

7. May a licensee without a food permit partner with a caterer, food truck, or local restaurant and open up on May 22?

No, the bar will need to obtain a food permit to open.

8. If an establishment has both indoor and outdoor seating does the 33% capacity apply to just the indoor area or to the indoor and outdoor area as a whole?

The 33% capacity applies to indoor seating with appropriate social distancing and other Healthy at Work guidelines. Outdoor seating is not capacity-based but must also comply with appropriate distancing and other Healthy at Work guidelines for restaurants.

9. Is live music allowed if people remain at their tables and comply with all guidelines related to social distancing, etc.?

Yes, as long as venues continue to observe all Codes, Ordinances, and requirements of the City of Paducah including but not limited to the Noise Control Ordinance which can be found at https://library.municode.com/ky/paducah/codes/code_of_ordinances?nodeId=CD_ORD_CH42_EN_ARTIVNO

10. When restaurants open up, can patrons go to the bar just to drink and not order food?

No.

11. May restaurants continue to provide alcohol to-go with curbside service, carry-out, and delivery orders?

Yes.

12. If a bar has a food permit, will minors be allowed on the premises?

No, license types that exclude minors should continue to comply with laws related to minors on the premises.

13. Are golf course licensees with food permits allowed to open on May 22 under the restaurant guidelines?

Yes, golf course licensees with a food permit may open on May 22 or as soon thereafter as they are able to comply with Healthy at Work guidelines related to restaurants.

Please direct questions to Allyson.Taylor@ky.gov for the State Alcoholic Beverage Control Office and to Lparish@paducahky.gov for the City of Paducah Alcoholic Beverage Control Office.