


MEMORANDUM

LOUISVILLE METRO POLICE DEPARTMENT

GREG FISCHER
MAYOR

STEVE CONRAD
CHIEF OF POLICE

TO: All Personnel

FROM: Steve Conrad 
Chief of Police

DATE: March 20, 2020

**RE: Alcoholic Beverage Sales During the COVID-19 Pandemic
Special Order #20-009**

On March 6, in response to the current COVID-19 situation, Governor Beshear signed an Executive Order declaring a state of emergency.

On March 16, the Cabinet for Health and Family Services ordered a restriction limiting bars, locations that sell alcohol, and restaurants to carry-out, delivery, and drive-thru only in an effort to minimize in-person interaction. Onsite consumption of food and beverages is prohibited.

By 5:00 p.m. on March 16, 2020 food and beverage sales are restricted to carry-out, delivery and drive-thru only; no onsite consumption is permitted.

In order to diminish the economic impact to bars and restaurants by this sudden closure, the Department of Alcoholic Beverage Control (ABC) has implemented the following supplemental rules while the prohibition of onsite consumption of food and beverages persists:

- Any on-premises drink licensee may sell for off-premises consumption any alcoholic beverages that it is ordinarily able to sell for on-premises consumption under the law, subject to the following restrictions:
 - Alcoholic beverages sold for off-premises consumption pursuant to this order must be sold in a closed and sealed original container (no to-go cups).
 - The sale of any alcoholic beverages must be incidental to the purchase of a meal, and not in bulk quantities. This order does not authorize deliveries of quantities of alcoholic beverages greater than may reasonably be expected to be consumed with the meal, which is part of the delivery.

- Deliveries that include alcoholic beverages sold pursuant to this order shall be made in a vehicle owned and operated by the licensee, its employee, or an independent contractor/agent. An independent contractor/agent does not need a separate transporter's license to make deliveries for one (1) or more retail licensees. Any person delivering alcoholic beverages under this order must be at least twenty (20) years of age.
- Vehicles used for deliveries are not required to display the name and license number of the retail licensee selling the alcoholic beverages being delivered.
- The same standards for selling/serving alcohol to consumers on a retailer's premises apply to delivering alcohol to consumers located off of the retailer's premises. It is illegal to sell or deliver an alcoholic beverage to a minor under twenty-one (21) years of age or to an intoxicated person.
- Nothing in this order permits the delivery or sale of alcoholic beverages in dry territories.
- The Department of ABC's Enforcement Division may take appropriate action to enforce this order.
- Alcoholic beverage licenses expiring on April 30, 2020 shall remain in effect for an additional thirty (30) days and authorize alcoholic beverage sales until May 31, 2020. Licensees must submit license renewal applications to continue alcoholic beverage sales thereafter.

A copy of the Executive Order is attached to this Special Order.

All members having computer access are responsible for reading, understanding, and acknowledging receipt of this Special Order, using the PowerDMS Document Management System. Members without computer access will continue to sign an accountability roster, as they have in the past.

All commanding officers will ensure that their personnel are made aware of this information.

This Special Order will be posted in each division, section, or unit for a period of ten (10) days. Please refer any questions through the appropriate chain of command.



PUBLIC PROTECTION CABINET

Andy Beshear
Governor

500 Mero Street 218 NC
Frankfort, KY 40601
Phone: 502-782-2736
Fax: 502-564-3969
<http://ppc.ky.gov>

Kerry B. Harvey
Secretary

ORDER

Effective: March 19, 2020 at 5:00 p.m.

On March 16, 2020, pursuant to Gov. Andy Beshear's Executive Order 2020-215 declaring a state of emergency in the Commonwealth due to the outbreak of COVID-19 virus, a public health emergency, the Cabinet for Health and Family Services, the Department for Public Health, and the Public Protection Cabinet, Department of Alcoholic Beverage Control promulgated an Order prohibiting the onsite consumption of food and beverages, including alcoholic beverages, in the Commonwealth of Kentucky.

In order to diminish the economic impact to restaurants and bars caused by this sudden closing, pursuant to KRS 39A.180, the Department of Alcoholic Beverage Control (the "Department") hereby orders the following supplemental rules while the prohibition of onsite consumption of food and beverage persists under Executive Order 2020-215:

1. Any on-premises drink licensee may sell for off-premises consumption any alcoholic beverages that it is ordinarily able to sell for on-premises consumption under the law, subject to the following restrictions:
 - a. Alcoholic beverages sold for off-premises consumption pursuant to this order must be sold in a closed and sealed original container (no to-go cups).
 - b. The sale of any alcoholic beverages must be incidental to the purchase of a meal, and not in bulk quantities. This Order does not authorize deliveries of quantities of alcoholic beverages greater than may reasonably be expected to be consumed with the meal which is part of the delivery.
 - c. Deliveries that include alcoholic beverages sold pursuant to this order shall be made in a vehicle owned and operated by the licensee, its employee or an independent contractor/agent. An independent contractor/agent does not need a separate transporter's license to make deliveries for one or more retail licensees. Any person delivering alcoholic beverages under this order must be at least twenty (20) years of age.
 - d. Vehicles used for deliveries are not required to display the name and license number of the retail licensee selling the alcoholic beverages being delivered.

2. The same standards for selling/serving alcohol to consumers on a retailer's premises apply to delivering alcohol to consumers located off the retailer's premises. It is illegal to sell or deliver an alcoholic beverage to a minor under twenty-one (21) years of age or to an intoxicated person.
3. Nothing in this Order permits the delivery or sale of alcoholic beverages in dry territories.
4. The Department's enforcement division may take appropriate action to enforce this Order.
5. Alcoholic beverage licenses expiring on April 30, 2020, shall remain in effect for an additional thirty (30) days and authorize alcoholic beverage sales until May 31, 2020. Licensees must submit license renewal applications to continue alcoholic beverage sales thereafter.


Kerry B. Harvey, Secretary