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Dear XXXXXXXXX,

Greetings. This letter is being written to you to gain and maintain compliance with Kentucky Revised Statute (KRS) Chapter 231 which requires all places of entertainment to operate with a permit issued by the county judge/executive (KRS §231.020). Your place of business, XXXXXXXXXXXX, has been identified as falling within the definition of a place of entertainment (KRS §231.010).

The process to apply for a permit is simple. An application obtained from the Edmonson County Clerk's office should be filled out and turned into that same office along with a twenty-dollar (\$20) deposit (KRS §231.050). The only information required on the application will be the following: the name of the owner of the place of entertainment, the location of place of entertainment, and the occupation of the owner or manager of said place for five (5) years preceding the date of the application (KRS §231.040).

The filing of your application will trigger several events as follows: the county clerk will publish public notice that your application has been filed, the county attorney will conduct an investigation of the applicant and make recommendations to the county judge/executive regarding granting or denying the application, the county judge/executive will have a public hearing after thirty (30) days of the filing of the application where evidence in support of or in opposition to the application will be heard by anyone wishing to present it, and finally, the county judge/executive will grant or deny the applicant's request for a permit (KRS §231.060-231.090) based on the findings of the public hearing.

This permit is in effect for normal day-to-day business operations only. If you have a special event that falls outside of your day-to-day business operations, you **must** obtain a separate Special Event Permit by following the same due process as the primary Entertainment Permit.

If you are granted a permit, it is highly recommended that you familiarize yourself with KRS §231.100-231.180 which provides guidance on what is required of you as a permit holder in order to continue operating a place of entertainment lawfully in Edmonson County. As noted in those sections, conviction of a violation of KRS 231 will result in forfeiture of your permit. More importantly, operating a place of entertainment within the county without a permit can result in a fine of up to two hundred dollars (\$200) or confinement in the county jail for up to ninety (90) days, and each day of operation without a permit is considered a separate offense (KRS §231.990). The owner or manager of such a place may face a higher penalty as well (KRS §231.990).

As the requirement for entertainment permits is a new implementation within Edmonson County, a grace period is being granted to all existing places of entertainment which are all operating without said permits. Applications for permits for places of entertainment may be obtained from the Edmonson County Clerk's Office beginning on 12/9/2024. No penalties will be assessed for failing to comply with KRS Chapter 231 until 1/31/2025 at which time your application for a permit must have been submitted regardless of whether or not a permit has been issued to you.

Sincerely,

Ronald Scott Lindsey
Judge/Executive, Edmonson County, Kentucky

KRS 231.010 Place of entertainment defined.

As used in this chapter, "place of entertainment" means a roadhouse, place offering intoxicating or nonintoxicating drinks for sale, tourist camp or place of public entertainment at which people assemble to eat, drink, dance, bathe, or engage in any game or amusement, or any place having therein or thereon any person engaging in the practice of being a medium, clairvoyant, soothsayer, palmist, phrenologist, spiritualist, or like activity, or one who, with or without the use of cards, crystal ball, tea leaves, or any other object or device, engages in the practice of telling the fortune of another; but this last clause shall not be construed to apply to persons pretending to tell fortunes as part of any play, exhibition, fair or amateur show presented or offered by any religious, charitable, or benevolent institution. It shall not mean a private home at which bona fide guests are entertained, drive-in theaters, places of business conducted only as filling stations for motor vehicles or grocery stores, nor transient or temporary entertainment such as circuses, carnivals and county fairs. Effective: June 17, 1954 History: Amended 1954 Ky. Acts ch. 175, sec. 1, effective June 17, 1954. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 1599f

KRS 231.020 Permit to operate required. No place of entertainment shall be operated outside the corporate limits of a city unless its owner or manager has a permit, issued to him by the county judge/executive in the county in which the place of entertainment is located, granting to him the privilege to operate the place of entertainment in that county. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 361, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 1599f-1, 1599f-11.

KRS 231.030 What persons not to be granted permits.

No permit shall be issued to a person who is not of good moral character or who will not, in the judgment of the court, obey the laws of the state in the carrying on of the business or who within two (2) years prior to the date of the filing of the application has been convicted in Kentucky of maintaining a public nuisance. Effective: October 1, 1942 History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-5.

KRS 231.040 Application for permit.

Any person who desires a permit to operate a place of entertainment outside the corporate limits of a city shall file an application with the county clerk. The application shall set forth the true name of the owner of the place of entertainment, the exact location of the proposed place of entertainment and the occupation of the owner or manager of the proposed place of entertainment for five (5) years immediately preceding the date on which the application is filed. Effective: October 1, 1942 History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-2.

231.050 Deposit of applicant –

Disposition of deposit. At the time the application is filed, the applicant shall deposit twenty dollars (\$20) with the county clerk which shall be used by the clerk to defray the cost of the notices required by KRS 231.060 to be published in a newspaper, to pay the clerk's cost for the docketing of the application on the order book of the county judge/executive and for recording such orders of the county judge/executive as may be entered therein. Fifteen dollars (\$15) of the deposit shall be used for advertising and five dollars (\$5) shall be paid to the clerk as his fee. Effective: July 15, 1988 History: Amended 1988 Ky. Acts ch. 249, sec. 1, effective July 15, 1988. -- Amended 1978 Ky. Acts ch. 384, sec. 362, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-6.

231.060 County clerk to docket and publish application.

When the application is filed with the county clerk he shall have a notice that the application has been filed, published pursuant to KRS Chapter 424 in the county. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 363, effective June 17, 1978. -- Amended 1966 Ky. Acts ch. 239, sec. 172. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-3.

231.070 County attorney to investigate applicant.

The county attorney, after an application has been filed, shall investigate the applicant and file with the county judge/executive a written report setting forth the facts revealed by his investigation, recommending the granting or the denial of the permit. The report shall be filed with the county clerk within thirty (30) days after the application is filed. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 364, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-7.

231.080 Hearing for or against granting of permit.

After the expiration of thirty (30) days from the date on which the application is filed, the county judge/executive shall hear evidence in support of or in opposition to the granting of the permit. Any person desiring to oppose the permit shall have filed in writing allegations that show cause as to why the application should not be granted. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 365, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-4.

231.090 Appeal from decision denying or granting permit.

(1) From the decision of the county judge/executive refusing to grant the permit, the applicant may appeal to the Circuit Court, where the appeal shall be tried as an action in equity, and the evidence shall be heard in open court. (2) From the decision of the county judge/executive granting a permit, any citizen of the county may appeal to the Circuit Court and the appeal in the Circuit Court shall be tried as in the case of an appeal from a judgment denying the permit. (3) Before any appeal is perfected, the party appealing shall file a copy of the decision of the county judge/executive with the circuit clerk and shall execute a bond guaranteeing the payment of the cost of the appeal. The cost of the appeal shall be adjudged against the person losing the appeal. (4) The county attorney shall resist any appeal filed by an applicant and shall represent the county judge/executive granting a permit in any court proceedings. Effective: July 15, 1988 History: Amended 1988 Ky. Acts ch. 369, sec. 1, effective July 15, 1988. -- Amended 1978 Ky. Acts ch. 384, sec. 366, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 213, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-15.

KRS 231.100 County judge/executive to fix hours of operation.

The county judge/executive shall, by an order entered in his order book, fix reasonable hours of operation for places of entertainment throughout the county. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 367, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-8.

KRS 231.110 Conduct prohibited on premises.

No person who has been granted a permit shall allow: (1) Drunken, disorderly, or boisterous persons, or persons of lewd or lascivious reputation to congregate in or about the premises; (2) People to congregate there for immoral or unlawful purposes or to permit any man or woman who are not married to each other to occupy any cabin, cottage, or secreted room or place from which the view of the public is excluded; (3) The premises to be used as a place of assemblage or entertainment at later hours than those which are stated in the permit or recorded on the order book of the county judge/executive; (4) Engaging in fortune-telling at any location except that specifically stated in his permit; (5) Engaging in fortune-telling without first posting in a conspicuous place, both inside and outside the premises at which he is authorized to engage in fortune-telling, and without first filing with the county clerk of the county in which the premises are located, a schedule showing in detail the fees charged for readings, predictions, and services of any nature. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 368, effective June 17, 1978. -- Amended 1954 Ky. Acts ch. 175, sec. 2, effective June 17, 1954. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-9.

KRS 231.120 Forfeiture of permit for violation of chapter.

Upon the conviction of the owner or manager of a place of entertainment for a violation of any of the provisions of this chapter: (1) The judgment of the court shall provide for the forfeiture of the permit; (2) A copy of the judgment shall be certified by the court in which the conviction occurs to the county clerk and shall be recorded by him in the order book of the county judge/executive; and (3) The permit shall then be canceled and become void. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 369, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-10.

KRS 231.125 Forfeiture for violation of alcoholic beverage control laws.

The conviction of the owner or manager of a place of entertainment for violation of the alcohol beverage control laws may be an additional ground for revocation and forfeiture of the place of entertainment permit by the county judge/executive. Effective: June 17, 1978 History: Amended 1978 Ky. Acts ch. 384, sec. 370, effective June 17, 1978. -- Created 1954 Ky. Acts ch. 175, sec. 3, effective June 17, 1954.

KRS 231.130 Peace officers to visit. The sheriff, deputy sheriff and county patrolmen of each county shall visit places of entertainment regularly. Upon their observing any violation of this chapter, by the owner or manager, they shall make arrests without warrants for violations committed within their presence. Effective: October 1, 1942 History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599f-13.

KRS 231.180 Showing "X" or "R" rated movies in certain previews prohibited.

No movie theater, drive-in theater, or other facility requiring a fee for admission shall show a "X" or "R" rated movie in their previews if a "G" or "GP" movie is playing. History: Created 1974 Ky. Acts ch. 12, sec. 1(1).

231.990 Penalties.

(1) Any person who violates KRS 231.020 shall be fined not more than two hundred dollars (\$200) or confined in the county jail not more than ninety (90) days, or both. Each day that a place of entertainment is operated without a permit shall be a separate offense. (2) Except as provided in subsection (1), any owner or manager of a place of entertainment who violates any of the provisions of this chapter shall be fined not more than three hundred dollars (\$300) or confined in the county jail not more than ninety (90) days, or both. (3) Any person who violates the provisions of KRS 231.180 shall be fined not less than one hundred dollars (\$100) per violation. Each showing shall be considered as a separate violation. History: Amended 1974 Ky. Acts ch. 12, sec. 1(2). -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 1599