

**241.110 County judge/executive as county administrator -- Appointment of person other than county judge/executive -- Investigators and clerks -- Powers and jurisdiction -- Appeals from orders.**

- (1) The fiscal court of any county in which traffic in alcoholic beverages is not forbidden under KRS Chapter 242 may by resolution declare that regulation of the traffic in that county is necessary. The county judge/executive shall thereupon constitute a county alcoholic beverage control administrator for the county. However, the county judge/executive may decline to accept said office, or after accepting same he may resign therefrom, and in either event, notwithstanding the provisions of KRS 241.120 to and including KRS 241.150, he may thereupon appoint a person at least thirty (30) years of age, who at the time of his appointment has been a citizen of the state and a resident of that county for at least two (2) years next preceding the date of appointment, and who is able to qualify to serve at the pleasure of the county judge/executive as county alcoholic beverage control administrator for such county. Before entering upon his duties as such county alcoholic beverage control administrator appointed by the county judge/executive the appointee shall take the oath prescribed by Section 228 of the Constitution and execute a bond with a good corporate surety in the penal sum of one thousand dollars (\$1,000). The cost of the bond shall be borne by the county. Upon the qualification of such person as county alcoholic beverage control administrator for such county, he shall immediately notify the board.
- (2) The functions of such county alcoholic beverage control administrator, appointed by the county judge/executive, shall be the same as set out in KRS 241.140.
- (3) The compensation of such county alcoholic beverage control administrator, appointed by the county judge/executive, shall be fixed by the fiscal court in accordance with KRS 64.530. The county judge/executive may also appoint such investigators and clerks as are deemed necessary for the proper conduct of such county alcoholic beverage control administrator's office, their salaries likewise shall be fixed by the fiscal court pursuant to KRS 64.530, and they will serve at the pleasure of the county judge/executive.
- (4) No person shall be a county alcoholic beverage control administrator, as herein provided for, an investigator or an employee of the county under the supervision of such county alcoholic beverage control administrator, who would be disqualified to be a member of the board under KRS 241.100.
- (5) The said county alcoholic beverage control administrator, appointed by the county judge/executive, and his investigators, shall have full police powers of peace officers, and their jurisdiction shall be over the unincorporated areas of such county and within the corporate limits of any city therein not having its own administrator. They may inspect any premises where alcoholic beverages are manufactured, sold, stored or otherwise trafficked in, without first obtaining a search warrant.
- (6) Appeals from any order of such county alcoholic beverage control administrator, appointed by the county judge/executive, shall be made pursuant to KRS 241.150.

**Effective:** June 17, 1954

**History through 1968:** Amended 1954 Ky. Acts ch. 139, sec. 1, effective June 17, 1954.

-- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2554b-110.