

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2014-16

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING TITLE 6, BUSINESS LICENSES AND REGULATIONS, TO TRANSFER CHAPTER 6.08 ALCOHOLIC BEVERAGES TO TITLE 8, HEALTH AND SAFETY, RENAME IT AS NEW CHAPTER 8.20 ALCOHOLIC BEVERAGES, AND RENAME TITLE 6 TO BE TITLE 6 (RESERVED)

BE IT ENACTED BY THE VOTERS OF THE CITY OF DILLINGHAM:

Section 1. Classification. This is a code ordinance.

Section 2. Remove Chapter 6.08, Alcoholic Beverages from Title 6, Business Licenses and Regulations, to Title 8, Health and Safety, and rename Chapter 6.08 as Chapter 8.20, Alcoholic Beverages. Chapter 6.08 of the Dillingham Municipal Code is hereby renamed as Chapter 8.20. New text is displayed in underlined font and deleted language is displayed as strikethrough.

**Chapter 6.08 8.20
ALCOHOLIC BEVERAGES**

Sections:

- ~~6.08.010~~ 8.20.010 Sale on election day.
- ~~6.08.020~~ 8.20.020 Hours of sale of intoxicating liquor.
- ~~6.08.030~~ 8.20.030 Protest of liquor licenses of establishments that sell beverages containing more than ninety percent alcohol.

~~6.08.010~~ 8.20.010 Sale on election day.

The sale of intoxicating liquor is permitted within the city during election day for any federal, state or local election. (Ord. 74-3, 1974.)

~~6.08.020~~ 8.20.020 Hours of sale of intoxicating liquor.

A. For bar or eating establishments, alcohol sales will be prohibited between the hours of 2:00 a.m. Sunday morning until 10:00 a.m. Monday morning. Alcohol sales will be prohibited between the hours of 1:00 a.m. to 10:00 a.m. Tuesday through Friday. Alcohol sales will be prohibited between 2:00 a.m. Saturday morning and 10:00 a.m. Saturday morning.

However, licensed bars and eating establishments may provide for alcohol sales on Super Bowl Sunday from 12:00 p.m. until 9:00 p.m., and on New Year's Eve when the holiday falls on a Sunday from 6:00 p.m. until 2:00 a.m. the following Monday.

B. Packaged liquor stores shall be closed between the hours of 9:00 p.m. and 10:00 a.m., and on Sunday. (Ord. 97-5 § 1, 1997; Ord. 11-09 §§ 1, 2, 2012.)

~~6.08-030~~ 8.20.030 Protest of liquor licenses of establishments that sell beverages containing more than ninety percent alcohol.

- A. The council finds that the sale of beverages containing more than ninety percent alcohol is a serious threat to public health and welfare.
- B. The city shall protest the issuance, renewal or transfer of any liquor license for an establishment within the city unless the applicant notifies the city that it has not within the past thirty days, and will not in the future, sell beverages containing more than ninety percent, or one hundred eighty proof, alcohol.
- C. The application for a liquor license for any establishment within the city that in fact sells beverages containing more than ninety percent, or one hundred eighty proof, alcohol after notifying the city that it would not do so shall also be protested.
- D. The city manager is directed to take reasonable steps to ensure that this section is being enforced. Any establishment affected by this provision shall have the right to appear before the council at the public hearing and present evidence or arguments in its behalf.
- E. Nothing in this chapter operates to prevent the city from protesting applications for liquor licenses on other reasonable grounds, as permitted by state law. (Ord. 90-04 § 1, 1990.)

Section 3. Amend Title 6, Business Licenses and Regulations. Rename Title 6, Business Licenses and Regulations to be Title 6 (Reserved). New text is displayed in underlined font and deleted language is displayed as strikethrough.

TITLE 6 ~~Business Licenses and Regulations~~ (Reserved)

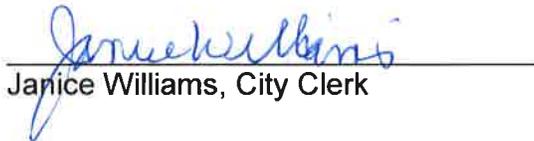
Section 4. Effective Date. This ordinance is effective upon passage.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on Nov. 6, 2014.



Alice Ruby, Mayor

ATTEST:



Janice Williams, City Clerk

[SEAL]

City of Dillingham Information Memorandum

Agenda of: November 6, 2014

Attachment to: 2014-16
Ordinance No. _____ / Resolution No. _____

Subject:

An ordinance of the Dillingham City Council amending Title 6, Business Licenses and Regulations, to transfer Chapter 6.08 Alcoholic Beverages to Title 8, Health and Safety, rename it as new chapter 8.20 Alcoholic Beverages, and rename Title 6 to be Title 6 (Reserved)

City Manager: Recommend Approval

Signature: Rose Doera

Route to	Department Head	Signature	Date
	Finance Director		
X	City Clerk	<i>Janice Williams</i>	<i>10/28/14</i>

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

None

Summary Statement:

This ordinance is mainly a housekeeping item and is being recommended by the Code Review Committee. Regulations regarding business licenses are contained under Chapter 4.16, Business Licenses, in Title 4. Chapter 6.08, Alcoholic Beverages, is the only chapter listed under Title 6, Business Licenses. It would make more sense to realign the three sections under Chapter 6.08 Alcoholic Beverages to Title 8 Health and Safety. This ordinance was introduced at the October 2, 2014 Council Meeting.

Sections to be renumbered:

- 6.08.010 Sale on election day.
- 6.08.020 Hours of sale of intoxicating liquor.
- 6.08.030 Protest of liquor licenses of establishments that sell beverages containing more than ninety percent alcohol.

Ordinance No. 2014-16 / Resolution No. _____

Summary Statement continued:

A public hearing on Ordinance No. 2014-12 is scheduled to be advertised in the October 30, 2014, edition of Bristol Bay Times as required to be advertised in a local newspaper five days in advance of the public hearing.