

CLERK'S OFFICE

APPROVED

Date: 7-25-00

ANCHORAGE, ALASKA

AO NO. 2000- 72

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 2.30 TO PROVIDE PROCEDURES FOR ASSEMBLY RECOMMENDATION OF CONDITIONS FOR STATE IMPOSITION ON THE ISSUANCE, RENEWAL, TRANSFER, RELOCATION AND CONTINUED OPERATION OF ALCOHOLIC BEVERAGE LICENSES, AND DESIGNATION OF THE ANCHORAGE POLICE DEPARTMENT AS THE AGENCY RESPONSIBLE FOR MONITORING LICENSEES FOR COMPLIANCE WITH SUCH CONDITIONS.

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code section 2.30.120 is hereby amended to read as follows:

**2.30.120      Action on liquor license applications.**

- A. Before acting on an application for a new liquor license or transfer of location of an existing liquor license for which a conditional use permit is required under title 21, the assembly shall first conduct a public hearing under section 21.15.005.
- B. Separate votes shall be taken and recorded on whether the assembly will protest the issuance or transfer of location of a liquor license, and on the question of whether to approve the terms and conditions of a conditional use permit for that use under title 21. Six affirmative votes of the assembly are required to protest the issuance or transfer of location of a license under AS 4.11.480, and six affirmative votes are required to create a conditional use permit required under title 21 for uses involving the retail sale or service of alcoholic beverages.
- C. On or before September 1 of each year, the municipal clerk shall notify all community councils of liquor licenses located within their boundaries that will be reviewed for renewal during the following year, and advise councils they may request a public hearing before the assembly on any renewal within their boundaries. Requests for an assembly resolution as provided in subsection D of this section made by a community council under this section shall be made by no later than October 15 of that same year, and shall be submitted to the assembly as part of its packet before action is taken on those renewals. Holders of licenses for which a public hearing has been requested shall also be notified by the municipal clerk of the request for a public hearing.
- D. Upon introduction of a resolution sponsored by at least three members of the assembly, with grounds for protest specified, and with at least 14 days' notice to the licensee and to the community council involved, the assembly shall schedule and conduct a public hearing before exercising or waiving its right to

Protest the issuance, renewal, relocation, transfer or continued operation of an alcoholic beverage license under AS 04.11.480; or

2. Recommend imposition of conditions on a license under AS 04.11.480(c); or

3. Notify the Alcoholic Beverage Control Board that a licensee has violated Assembly or Board imposed conditions on an alcoholic beverage license.

4. Notice of public hearing required under this section shall be published at least seven days in advance in a newspaper of general circulation within the municipality.

E. In the exercise of its right to determine whether to protest issuance, relocation, transfer, continued operation or renewal of any liquor license, the assembly may elect to take any of the actions listed in subsection D. of this section [TO PROTEST THAT LICENSE] unless [IT IS ISSUED WITH] permanent terms and conditions set by the assembly and communicated in writing to the state alcoholic beverage control board are imposed by the board.

**Section 2.** Anchorage Municipal Code Title 2 is hereby amended with the addition of a new section 2.30.130 to read as follows:

**2.30.130      Compliance with Conditions of Alcoholic Beverage Licenses.**

A. The municipal clerk will provide the Anchorage Police Department with all conditions imposed on alcoholic beverage licenses by the Assembly or the Alcoholic Beverage Control Board on the recommendation of the assembly.

B. The Police Department may inspect any premises with an alcoholic beverage license for compliance with conditions on the license. Upon discovering a violation of such conditions, the Police Department shall submit a written report of the violation to the Assembly, and provide a copy thereof the licensee.

C. Upon receiving a report of conditions violation, the assembly may:

1. Revoke the premise's conditional use permit;

2. Protest the issuance, renewal, transfer, relocation or continued operation of the license pursuant to section 2.30.120;

3. Recommend imposition of conditions on the state liquor license pursuant to AS 04.11.480(c); or

4. Notify the Alcoholic Beverage Control Board that that a licensee has violated

conditions and request that an accusation pursuant to AS 04.11.510(c) be brought against the licensee.

- D. Prior to taking any of the actions listed in subsection C. of this section, the Assembly shall give the permittee or licensee notice and an opportunity to be heard on the accusation(s) in accordance with 2.30.120.

**Section 3.** This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 25 day of July, 2000.

Taylor Van Hemmigen  
Chair of the Assembly

ATTEST:

Lynne Ferguson  
Municipal Clerk

Municipality of Anchorage  
MUNICIPAL CLERK'S OFFICE  
AGENDA DOCUMENT CONTROL SHEET

*AO 2000-72*

<b>1</b>	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED <i>4-11-00</i>
	<i>Amending AMC 2.30 (Implementation of HB 69)</i>	INDICATE DOCUMENTS ATTACHED
		<i>AO, AM, SEE</i>
<b>2</b>	DEPARTMENT NAME <i>Assembly</i>	DIRECTOR'S NAME
<b>3</b>	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER
<b>4</b>	COORDINATED WITH AND REVIEWED BY	INITIALS
		DATE
	Mayor	
	Municipal Clerk	
	Municipal Attorney	
	Employee Relations Director	
	Municipal Manager	
	Finance	
	Community Development and Planning	
	Property and Facility Management	
	Management Information Systems	
	Office of Management and Budget	
	Purchasing	
	Operations Manager	
	Cultural and Recreational Services	
	Fire	
	Health and Human Services	
	Police	
	Public Works	
	Transit	
	Merrill Field (Airport)	
	Municipal Light and Power	
	Anchorage Water and Wastewater	
	Port	
	Solid Waste Services	
<b>5</b>	SPECIAL INSTRUCTIONS/COMMENTS	
	<i>T.B. Introduction</i>	
<b>6</b>	ASSEMBLY MEETING DATE <i>4-18-00</i>	<b>7</b>
		PUBLIC HEARING DATE REQUESTED <i>5-16-00</i>

**RECEIVED**  
Office of Municipal Clerk  
APR 17 2000  
P.O. Box 196644  
Anchorage, AK 99519-6644