ANCHORAGE, ALASKA
AO No. 2024-62, As Amended

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 10.50.010 REGARDING THE HOURS OF CLOSURE FOR PREMISES LICENSED FOR SALE, SERVICE OR CONSUMPTION OF ALCOHOLIC BEVERAGES.

WHEREAS, the State of Alaska regulates the manufacture, sale, service and consumption of alcoholic beverages in the state, through Title 4 of the Alaska Statutes, including required standard closing hours for licensed premises; and

WHEREAS, per AS 04.16.010 selling or consuming an alcoholic beverage for consumption on any licensed premises is prohibited between the hours of 5:00 a.m. and 8:00 a.m. every day; and

WHEREAS, with recently enacted state law changes by Senate Bill 9, passed by the 22nd Alaska Legislature, establishments with a brewery, distillery, or winery retail license for service and consumption on the licensed premises standard closure hours changed and are now between 9:00 p.m. and 9:00 a.m. each day; and

WHEREAS, a municipality may provide for additional hours of closure of licensed premises as authorized by AS 04.16.010(d) and AS 04.21.010; and

WHEREAS, the Municipality of Anchorage, for many years, has required closure of licensed premises for the sale and consumption of alcoholic beverages “between the hours of 2:30 a.m. and 10:00 a.m. Monday through Friday, and between the hours of 3:00 a.m. and 10:00 a.m. on Saturday or Sunday or on a legal holiday,” AMC 10.50.010; and

WHEREAS, this ordinance would allow for earlier hours than current Code for service and consumption on licensed premises that also serve food, as evidenced by a restaurant and eating place license or a restaurant endorsement from the State Alcoholic Beverages Control Board, by changing the required closure for such premises so they may serve alcohol beginning at 8:00 a.m. each day; and

WHEREAS, the Code did not previously address hours of closure separately for breweries, wineries and distilleries with a retail license that serve their products for consumption on the premises and this ordinance would provide for the same standard closure hours as in state law for such premises; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 10.50.010 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):
10.50.010 – Closing hours for licensed premises.

A. Hours of operation:

1. Service and consumption: Except as otherwise provided in this section, premises licensed by the state for the service and consumption of alcoholic beverages shall be closed for the sale, service and consumption of alcoholic beverages except for those in subsection b., between the hours of 2:30 a.m. and 10:00 a.m. Monday through Friday, and between the hours of 3:00 a.m. and 10:00 a.m. on Saturday or Sunday or on a legal holiday recognized by the state under AS 44.12.010.

   a. if the premises are under a restaurant or eating place license or a restaurant endorsement, between the hours of 2:30 a.m. and 8:00 a.m. Monday through Friday, and between the hours of 3:00 a.m. and 8:00 a.m. on Saturday or Sunday or on a legal holiday recognized by the state under AS 44.12.010.

   b. if the premises are under a state issued brewery retail, winery retail, or distillery retail license shall be closed as required in state law.

2. Brewery, winery, and distillery retail licensees. Premises under a state issued brewery retail, winery retail, or distillery retail license shall be closed as required in state law.

3[2]. Retail sales: All other premises licensed by the State for retail sales shall be closed for the sale of alcoholic beverages between the hours of 1:00 a.m. and 10:00 a.m. Monday through Friday, and between the hours of 2:00 a.m. and 10:00 a.m. on Saturday and Sunday, AND BETWEEN THE HOURS OF 2:00 A.M. AND NOON ON SUNDAY.

B. Extended hours of operation: The following premises may remain open between the hours of 3:00 A.M. and 4:00 a.m. on Saturday or Sunday or on a legal holiday recognized by the state under AS 44.12.010:

1. Restaurant endorsement: Premises licensed by the state provided the licensee possesses a valid restaurant endorsement from the board; or

2. Bar safety hour permit: Premises licensed by the state provided the licensee possesses a valid bar safety hour permit under section 10.50.035D.
a. Licensed premises with a title 21 alcohol special land use permit requiring closure prior to 3:00 a.m. are not eligible for a bar safety hour permit under this section.

(CAC 6.08.010; AO No. 81-35(S); AO No. 81-197; AO No. 2013-42, § 1, 4-11-13; AO No. 2013-86(S), § 2, 8-6-13; AO No. 2023-71, § 4, 6-20-23)

State law references: AS Chapter 04.09, AS 04.16.010.

Section 2. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _______ day of _______________, 2024.

Chair

ATTEST:

Municipal Clerk