

Submitted by: Assemblymember Begich  
Prepared by: Department of Law  
For reading: April 14, 1998

ANCHORAGE, ALASKA  
AO NO. 98- 73

AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE AMENDING ANCHORAGE  
MUNICIPAL CODE TITLE 8 TO ADD A NEW CHAPTER 8.75, CIVIL PENALTIES FOR  
PERSONS UNDER 21 YEARS OF AGE ILLEGALLY ENTERING LICENSED PREMISES.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1 That the Anchorage Municipal Code is hereby amended by adding a new chapter, to  
be numbered 8.75, which chapter reads as follows:

CHAPTER 8.75

CIVIL PENALTIES FOR PERSONS UNDER 21 YEARS OF AGE

ILLEGALLY ENTERING LICENSED PREMISES

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|----------|---|
| 8.75.010 | Civil actions allowed to be filed by licensees against minors |
| 8.75.020 | Sign required for warning minors                              |
| 8.75.030 | Conditions precedent to actions filed by licensees            |

8.75.010 Civil actions allowed to be filed by licensees against minors

If a person under the age of 21 years has not been allowed to enter and remain within licensed premises in violation of AS 04.16.052(2), such person who, with criminal negligence, enters premises licensed under AS Title 4 in violation of AS 04.16.049 through a door marked by a sign described in this chapter is, in addition to any other penalty provided by law, liable in a civil action to the licensee for both a penalty of \$1,000 and an award of reasonable attorney's fees that may be made to the prevailing party in a civil action under Rule 82 of the Alaska Rules of Civil Procedure.

8.75.020 Sign required for warning minors

No action may be maintained under this chapter unless the person alleged to be liable under this chapter has entered the licensed premises through a door posted with a sign stating "Warning: It is a violation of AS 04.16.049 for persons under 21 to enter these premises without a parent, adult, or court-appointed legal guardian. Violators will be sued and prosecuted." The lettering on the sign shall be at least 1 3/4 inches in height and the sign is to be posted so as to be clearly visible to a person approaching the door.

1  
2 8.75.030      Condition precedent to actions filed by licensees  
3

4 It is a condition precedent to filing an action under this chapter that the licensee or an agent of the  
5 licensee send a notice demanding the relief authorized by this chapter to the person to be sued by first  
6 class mail at such person's last known address 15 days or more before the action is commenced. It  
7 is not a condition precedent to filing an action under this chapter that the person under the age of 21  
8 years alleged to have entered licensed premises was charged or convicted under any statute or  
9 ordinance.  
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11 Section 2:      That this ordinance shall take effect 60 days after passage and approval by the  
12 Assembly.  
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16 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_ day of \_\_\_\_\_, 1998.  
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19  
20 \_\_\_\_\_  
21 Chair of the Assembly  
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23 ATTEST:  
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26  
27 \_\_\_\_\_  
28 Municipal Clerk  
29  
30  
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