

CLERK'S OFFICE

APPROVED

Date: 1-20-04

Submitted by: Assemblymember Tesche

Prepared by: Department of Assembly

For reading: January 6, 2004

ANCHORAGE, ALASKA

AO NO. 2004-6

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
2 ANCHORAGE MUNICIPAL CODE SECTION 21.15.030J.2. TO ENLARGE THE SIXTY
3 (60) DAY EXPIRATION PERIOD FOR A LIQUOR LICENSE CONDITIONAL USE PERMIT
4 TO 120 DAYS AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

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6
7 THE ANCHORAGE ASSEMBLY ORDAINS:

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9 **Section 1.** That, notwithstanding the provisions of Anchorage Municipal Code subsection
10 21.10.015A.3., Anchorage Municipal Code subsection 21.15.030J.2. is amended to read as follows:
11 (*Other sections not affected and therefore not set out.*)

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13 **21.15.030 Approval of site plans and conditional uses.**

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17 J. Abandonment of conditional use.

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19 1. Except for conditional use permits granted by the assembly under Section
20 21.50.160, pertaining to uses involving the sale of alcoholic beverages, an otherwise
21 lawful conditional use permit shall expire if:

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23 a. For any reason the conditional use is abandoned in its entirety for a
24 period of one year or longer; or


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26 b. The property owner notifies the planning and zoning commission of
27 the abandonment of the conditional use permit. A conditional use shall not
28 be abandoned under this subsection if the result of the abandonment is the
29 creation of a nonconforming land use.

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31 2. A conditional use granted by the assembly under Section 21.50.160,
32 pertaining to uses involving the sale of alcoholic beverages, shall expire 120 [60]
33 days after the removal of the license to sell alcoholic beverages from the premises,
34 unless there is an application on file with the alcoholic beverage control board to
35 transfer or install a new license on the premises.
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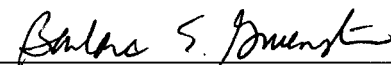
(GAAB 21.05.060, 21.05.080; AO No. 77-355; AO No. 78-231; AO No. 79-34; AO No. 79-214; AO No. 82-22(S); AO No. 82-49; AO No. 84-70; AO No. 85-21; AO No. 85-72; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-155; AO No. 87-121, 11-27-87; AO No. 88-5(S); AO No. 94-62, § 1, 4-12-94; AO No. 95-129, § 5, 3-12-96)

Section 2. This ordinance shall become effective upon passage and approval and shall be retroactive to October 1, 2003.

PASSED AND APPROVED by the Anchorage Assembly this 20th day of January, 2004.


Chair

ATTEST:


Municipal Clerk



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
AM NO. 39-2004

Meeting Date: January 20, 2004

From: Assemblymember Allan Tesche
Subject: **Enlargement of Expiration Period for Liquor License Conditional Use Permit**

AO 2004-6 amends AMC 21.15.030, approval of site plans and conditional uses, to enlarge the time period from 60 to 120 days within which a business currently operating with an approved conditional use permit may apply to the ABC Board for a transfer or a new liquor license before the permit is considered expired. The ordinance is retroactive to October 1, 2003, to establish a window for individuals and entities who have inadvertently missed the 60-day deadline to file with the ABC Board without undergoing a lengthy and expensive process.

Respectfully submitted,

Allan Tesche
Assemblymember, Section 1