

Introduced by: Mayor
Date: June 17, 1986
Hearing: July 22, 1986
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 86-49
(FINANCE COMMITTEE SUBSTITUTE II)

AMENDING THE KENAI PENINSULA BOROUGH CODE OF ORDINANCES RESPECTING LIQUOR LICENSE PROTESTS.

WHEREAS, KP.B 7.10.020 provides for assembly protests of liquor licenses; and

WHEREAS, it is desirable to amend KP.B 7.10.020(A)(1) to provide for assembly protest when an applicant for, or transferor of, a liquor license is in violation of Borough tax ordinances and regulations; and

WHEREAS, the assembly feels that the business purchaser's liability for sales taxes of a business seller should be applied to the purchaser of a liquor license or franchise;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That KP.B 7.10.020(A)(1) is amended to read as follows:

7.10.020 Assembly protest. A. The assembly shall cause a protest to be filed with the State Alcoholic Beverage Control Board on any application submitted for a new license for the sale of alcoholic beverages, or any application requesting approval of a relocation of the licensed premises, or any application requesting approval of a transfer of a license to another person, within the Borough, in the following situations.

1. Where Borough records indicate that the applicant and/or transferor is in violation of the Borough sales and/or personal and real property tax ordinances and regulations; or

Section 2. That a new subsection 7.10.020(C) is added to read as follows:

C. Notwithstanding the provisions of this section, the borough is not required to file a protest if the transferor and/or applicant have made satisfactory arrangements with the borough for the discharge of a tax obligation from the proceeds of the transfer or by payment from the person to whom the license is to be transferred.

Section 3. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON
THIS 14th DAY OF October, 1986.


Betty J. Glick, Assembly President

ATTEST;


Joann Bradley
Borough Clerk