

Introduced by: Nash/Hodgins
Date: February 6, 1990
Hearing: March 6, 1990
Action: Enacted
Vote: Unanimous

KENAI PENINSULA BOROUGH

ORDINANCE 90-6

AMENDING THE BOROUGH CODE PROVISIONS REGARDING THE MEASUREMENT OF THE DISTANCE ALLOWED BETWEEN AN ESTABLISHMENT SELLING LIQUOR AND A CHURCH, SCHOOL OR PLAYGROUND

WHEREAS, it is the policy of the Kenai Peninsula Borough to separate the public access of premises dispensing alcoholic beverages from the physical location of certain people and activities such as children in school or on playgrounds and people attending religious worship services in the areas outside of the cities to a greater degree than required by state law unless the effected community establishes the lack of support for such increased separation; and

WHEREAS, it is the physical separation of the premises and people, not the legal description or ownership of the property to which the policy is directed; and

WHEREAS, the current borough ordinances make such separation on the basis of legal description of the associated real property;

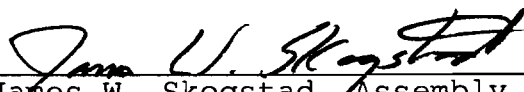
NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That KPB 7.10.020(c) is amended to read as follows:


c. [WHERE THE] The [PROPERTY LINE] public entrance of the licensed premises would be within 500 feet by straight line measurement from the property line of [A PREMISES UTILIZED AS AN ALREADY] an established school or church or the outer boundaries of a [,] playground [OR CHURCH]; or

Section 2. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 6th DAY OF March, 1990.


James W. Skogstad, Assembly President

ATTEST:


Borough Clerk