

Introduced by: Sewall &
Glick
Date: Feb. 20, 1990
Hearing: Mar. 20, 1990
Vote:
Action: Not Addressed
See Ord. 90-16

KENAI PENINSULA BOROUGH

ORDINANCE 90-16 (SUBSTITUTE)

PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES BETWEEN THE HOURS OF 2:00 AND 9:00 A.M., IN ALL AREAS OF THE KENAI PENINSULA BOROUGH

WHEREAS, Alaska Statutes permit the Borough to regulate the hours in which alcoholic beverages may be sold; and

WHEREAS, restricting hours of sale so that no sales may be made between 2:00 a.m. and 9:00 a.m., does not interfere with reasonable operation of establishments selling alcoholic beverages; and

WHEREAS, problems associated with late night sales of alcoholic beverages arise from all types of sales, not just sales at bars;

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

Section 1. That new sections 7.10.030 and 7.10.040 to the Borough code is enacted to read:

7.10.030 Hours of Sale. A. Premises licensed under AS 04.11.080 for the service and consumption of alcoholic beverages shall be closed for the sale, service and consumption of alcoholic beverages between the hours of 2:00 a.m. and 9:00 a.m., in all areas of the borough.

B. All other retail premises licensed under AS 04.11.080 shall be closed for the sale of alcoholic beverages between the hours of 2:00 a.m. and 9:00 a.m., in all areas of the borough.

7.10.040 Exceptions. This ordinance shall not apply within the boundaries of a city within the Borough where the city has enacted an ordinance establishing or regulating the hours of operation or sale of alcoholic beverages.

Section 2. That a proposition shall be placed upon the ballot at the next regular municipal election for ratification of this ordinance by the voters. The proposition shall read:

PROPOSITION. Shall Kenai Peninsula Borough Ordinance 90-16 (Substitute) prohibiting the hours for retail sales of alcoholic beverages within the Kenai Peninsula Borough between the hours of 2:00 a.m. and 9:00 a.m. be ratified?

YES _____

NO _____

Section 3. That Section 1 of this ordinance shall be effective at 12:01 a.m., on December 1, 1990, if ratified by the voters at the next regular municipal election. All other sections are effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS _____ DAY OF _____, 1990.

ATTEST:

James W. Skogstad, Assembly President

Borough Clerk