

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2010-03

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL CODE AT SECTION 10.44.070 ENTITLED "OFFERS OF SALE AND PRESENCE ON LICENSED PREMISES (STANDARD CLOSING HOURS)" TO AMEND THE TITLE AND AMEND THE SUNDAY HOURS

1. **CLASSIFICATION.** This Ordinance is of a permanent nature and is intended to become a part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this Ordinance or any application to any person or circumstance is held invalid, the remainder of this Ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** This Ordinance amends SGC 10.44.070 title and Sunday beginning operating hours of licensed premises (i.e., bars, liquor stores) for selling, serving, delivering and consuming alcohol beverages. SGC 10.44.070 is currently entitled, "Offers of sale and presence on licensed premises (standard closing hours)." The title is amended for clerical reasons to read, "Offers of sale and presence on licensed premises (standard operating hours)." SGC 10.44.070A-C is amended to allow for earlier operating hours on Sunday for licensed premises regarding opening, and for selling, serving, delivering, and consuming alcohol beverages, to be consistent with the rest of the week, at 8:00 a.m. instead of noon.

4. **NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC 10.44.070 is amended regarding the title and subsections A-C as follows (new language underlined; deleted language stricken):

Chapter 10.44 LIQUOR REGULATIONS

Sections:

- 10.44.010 Definitions.
- 10.44.020 Scope of provisions.
- 10.44.030 License required.
- 10.44.040 Application for license.
- 10.44.050 Limitation of number of licenses.
- 10.44.055 Review of application for outdoor recreation lodge liquor licenses.
- 10.44.060 Persons forbidden to have liquor.

- 10.44.070 Offers of sale and presence on licensed premises (standard operating ~~closing~~ hours).
- 10.44.080 Drinking in public.
- 10.44.085 Open containers.
- 10.44.090 Possession of alcoholic beverages for delivery.
- 10.44.110 Transport of alcoholic beverages during closed hours.

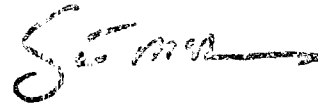
* * *

10.44.070 Offers of sale and presence on licensed premises (standard operating ~~closing~~ hours).

- A. A person may not sell, offer for sale, give, furnish, deliver, or consume any alcoholic beverage on premises licensed under Title 4 of the Alaska Statutes, between the hours of two a.m. and eight a.m. each day, ~~and between two a.m. and twelve noon on Sundays.~~
- B. A licensee, his agent, or employee may not permit a person to consume alcoholic beverages on the licensed premises between the hours of two a.m. and eight a.m. of each day, ~~and between two a.m. and twelve noon on Sundays.~~
- C. A licensee, his agent, or employee may not permit a person to enter, and a person may not enter premises licensed under Title 4 of the Alaska Statutes between the hours of two a.m. and eight a.m. of each day, ~~and between two a.m. and twelve noon on Sundays.~~ This subsection shall not apply to common carriers as defined in Alaska Statute 42.10.420, subsection (2) or to an employee of the licensee who is on the premises to prepare for the next day's business. A person may enter or remain on the premises of a bona fide restaurant or eating place licensed under this title to consume food or nonalcoholic beverages.
- D. The assembly may allow additional hours of opening for catered events, as long as those hours do not conflict with the provisions of Alaska Statute 4.16.010.
- E. The provisions of Alaska Statute 4.16.070(a) do not apply within the city and borough of Sitka.

5. **EFFECTIVE DATE.** This Ordinance shall become effective 30 days after the Assembly of the City and Borough of Sitka passes, approves, and adopts this Ordinance.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 24th day of July, 2010.



Scott McAdams, Mayor

ATTEST:



Colleen Ingman, MMC
Municipal Clerk