

Postponed Indefinitely 3/23/10

Submitted by: ASSEMBLY MEMBERS GUTIERREZ and Drummond

Prepared by: Assembly Counsel

AO 2009-143 reading: December 15, 2009

AO 2009-143(S): February 2, 2010

**ANCHORAGE, ALASKA
AO NO. 2009-143(S)**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE CODE SECTION 10.50.035 TO REQUIRE IDENTIFICATION CHECK FOR ON-PREMISES SALES BY PACKAGE LIQUOR STORE LICENSEES.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 10.50.035 is hereby amended to read as follows (*language indicating no amendment is included for context only and subsections not affected are not set out*):

10.50.035 Operation of licensed premises.

- A. Except as otherwise provided in this subsection, the operations procedures set forth in subsection B of this section shall apply to all persons seeking the issue, renewal or transfer of any license issued by the state alcoholic beverage control board by virtue of AS Title 4 and other applicable provisions of law allowing the sale or service of alcoholic beverages. Subsections B.1 and B.5 of this section shall not apply to persons seeking the issue, transfer or renewal of licenses issued under AS Title 4 which do not authorize the sale or service of alcoholic beverages for consumption on the premises licensed.
- B. Persons seeking the issue, transfer or renewal of licenses issued by the state alcoholic beverage control board under AS Title 4 and other applicable provisions of law shall comply with the following operations procedures:

**** **** ****

9. Identification check by package store licensee. Current government-issued Valid identification with birth date and photograph shall be required for all on-premise sales of alcoholic beverages by a package store licensee. For purposes of this requirement:

- a. “Current government-issued” means a state, federal or foreign government picture identification in force and effect for a specified period stated within the identification, when presented prior to expiration of the period stated.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

b. If a package store licensee requires identification, the subsequent invalidation of the identification as bona fide government-issued identification does not invalidate a package store licensee's compliance.

c. Non-compliance with AMC 10.50.035B.9 by a package store licensee may be grounds to review conditions of use or revoke a conditional use previously approved by the Assembly. Non-compliance with AMC 10.50.035B.9 shall in no manner shift to a package store licensee the burden of liability for actions or inactions committed by a person after purchase of alcoholic beverages from a package store licensee.

(AO No. 85-128(S); AO No. 86-58; AO No. 89-17; AO No. 95-84(S-1), § 20, 5-27-95; AO No. 95-202, § 1, 11-14-95; AO No. 2001-51, § 1, 2-27-01)

Section 2. This ordinance shall become effective 60 days from passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2010.

Chair

ATTEST:

Municipal Clerk