

CLERK'S OFFICE  
**APPROVED**

Submitted by: VICE CHAIR FLYNN  
Reviewed by: Assembly Counsel  
Initial reading of AO 2010-68: September 28, 2010  
Reading Date: October 12, 2010

Date: 10-12-10  
**ANCHORAGE, ALASKA**  
**AO NO. 2010-68(S)**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**  
2 **ANCHORAGE MUNICIPAL CODE CHAPTER 10.50 BY ADDING A NEW SECTION**  
3 **ON AREA CONDITIONS FOR LAND USE BY LICENSED PREMISES.**

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4  
5 THE ANCHORAGE ASSEMBLY ORDAINS:

6  
7 **Section 1.** Anchorage Municipal Code chapter 10.50 is hereby amended by adding a  
8 new section to read as follows:

9  
10 **10.50.045 Area conditions for land use by licensed premises.**

11  
12 These area conditions apply to uses involving the sale of alcoholic beverages  
13 and shall supplement all other conditions and restrictions authorized by the  
14 Assembly for the use within boundaries of the area specified. A copy of the  
15 conditions imposed by the Assembly in connection with the alcohol use approval  
16 shall be maintained on the premises in a location visible to the public.

17  
18 A. *Downtown Community Council District:* Use permit conditions for a  
19 package store authorized under state license to sell alcoholic beverages  
20 within the boundaries of the Downtown Community Council District are as  
21 follows:

22  
23 1. RESTRICTIONS ON PRODUCTS SOLD:

- 24  
25 a. No cheap wines, such as White Port, in any size. No fortified  
26 wines less than \$10.00 a bottle.  
27  
28 b. No six-packs of beer less than \$6.00.  
29  
30 c. No liquor products less than 750 milliliters. Any products  
31 where the 750 milliliter size has a shelf price of \$10.00 or  
32 less shall not be stocked.  
33  
34 d. Licensee shall place a sticker or other identifying mark on all  
35 products sold as individual containers.

1                   2.    TRAINING & PERSONNEL:

- 2
- 3                   a.    "Techniques in Alcohol Management" (T.A.M.) or equivalent
- 4                   training shall be provided to all store personnel before hiring.
- 5                   b.    Immediate dismissal of any employee convicted of sale to a
- 6                   minor or intoxicated person.
- 7

8                   3.    ADVERTISING RESTRICTIONS:

- 9
- 10                  a.    No price or beer signs in the windows. No low price
- 11                  newspaper advertising.

12                  4.    COMMUNITY REVIEW REQUIREMENTS:

- 13
- 14                  a.    Semi-annual review of operations by the Downtown
- 15                  Community Council, if desired by the Downtown Community
- 16                  Council.
- 17
- 18                  b.    Video tapes of customers viewable on request by the
- 19                  Downtown Community Council held for a period of five days.

20 **Section 2.** This ordinance shall become effective immediately upon passage and

21 approval by the Assembly.

22

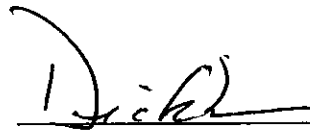
23                   PASSED AND APPROVED by the Anchorage Assembly this 12<sup>th</sup> day of

24 October, 2010.

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30 Chair

31 ATTEST:

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36 Municipal Clerk



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY MEMORANDUM**  
**NO. AM 517-2010**

**Meeting Date: September 28, 2010**

1 **From:** ASSEMBLY VICE CHAIR FLYNN

2 **Subject:** AO 2010-68 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL  
3 **ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER**  
4 **10.50 BY ADDING A NEW SECTION ON AREA CONDITIONS FOR LAND**  
5 **USE BY LICENSED PREMISES.**  
6

7 Years ago, there were quite a few package (liquor) stores in the downtown area. Over  
8 time, partly due to economics and partly due to neighborhood pressure, every package  
9 store in downtown and in South Addition (the neighborhood south of the Park Strip)  
10 closed except for a small shop in the lobby of the Captain Cook Hotel.  
11

12 When that shop lost its lease and wanted to re-open in a storefront across Fifth Avenue,  
13 one of my Assembly predecessors, Charles Wohlforth, oversaw a community  
14 discussion that resulted in a series of conditions necessary for approval and issuance of  
15 the new conditional use permit (CUP). These conditions have worked well for about 15  
16 years, and more recently, three other package stores sought CUPs. In each case the  
17 Assembly adopted the same standards, which are enumerated in this proposed  
18 ordinance.  
19

20 The difficulty with continuing in this ad hoc approach is that it requires the Assembly to  
21 identify each package store license application for the downtown area, and then take  
22 formal action to append the requirements to each CUP application. This means there is  
23 risk that a downtown application could be missed and create an unfair business  
24 environment.  
25

26 Given that the standards have worked well for each of these establishments (operators  
27 of the Fifth Avenue store previously testified these conditions helped them prove alcohol  
28 found in possession of homeless inebriates did not come from their store), it makes  
29 sense to codify these conditions so they will be automatically and efficiently applied to  
30 all package stores operating within the Downtown Community Council boundaries, thus  
31 ensuring all stores are treated equally. Further, this gives other potential downtown  
32 package store owners a clear understanding of expected business practices prior to  
33 their investing capital in such an endeavor.  
34

35 Respectfully submitted:  
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38 Patrick Flynn, Assembly Member, Section 1