

Presented by:

City Manager

Action Taken:

Yes_____

No_____

Abstain_____

**CITY OF NOME, ALASKA
ORDINANCE NO. O-20-12-01**

**AN EMERGENCY ORDINANCE PROHIBITING THE SALE OF ALCOHOL IN NOME
FOR ON SITE CONSUMPTION UNTIL JANUARY 4, 2021 IN ORDER TO REDUCE THE
IMPACT AND SPREAD OF COVID-19 THROUGHOUT THE CITY OF NOME**

WHEREAS, on March 17, 2020 the Nome Common Council adopted Emergency Ordinance O-20-07, authorizing the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and,

WHEREAS, on May 15, 2020 the Nome Common Council adopted Emergency Ordinance O-20-05-03, extending the previous authorization of the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and

WHEREAS, on July 13, 2020 the Nome Common Council adopted Emergency Ordinance O-21-07-01, extending the previous authorization of the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and

WHEREAS, on July 29, 2020 the Nome Common Council adopted Ordinance No. O-21-07-02 extending the previous authorization of the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and

WHEREAS, on November 9, 2020 the Nome Common Council adopted Ordinance No. O-20-10-01 extending the previous authorization of the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome

WHEREAS, the City of Nome Emergency Operations Plan (“EOP”), approved by Resolution No. R-11-09-05, recognizes that for emergency management organization in disaster emergencies may require the City to operate in a manner different from normal, day-to-day routines; and,

WHEREAS, Nome is experiencing community spread of COVID-19 with 4 cases of community spread reported in a single day on November 23, 2020; and

WHEREAS, between the mid-November 2020 outbreak and December 9, 2020 there have been 93 positive COVID-19 cases in Nome; and,

WHEREAS, as of December 9, 2020 there are still 13 active cases of COVID-19 in Nome; and,

WHEREAS, the Nome Common Council finds the extent of community spread of COVID-19 currently being experienced in Nome is a further exacerbation of what is already a public health emergency;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Nome Common Council as follows:

SECTION 1. Classification. This is a non-Code emergency ordinance.

SECTION 2. Legislative Findings and Declaration of Emergency. The council adopts by reference the Whereas clauses contained in Emergency Ordinances O-20-07, O-20-05-03, O-21-07-01, Ordinance O-21-07-02 and Ordinance O-20-10-01 and declares that the coronavirus threat and impact are and remain a public health emergency.

SECTION 3. Sales of Alcohol Prohibited.

1. No person may consume, sell, offer for sale, give, or furnish from an authorized licensee of any type of license provided in AS 04.11.080(1) through (6) and (8) through (20), any intoxicating liquor for on-site consumption on any such licensed premises.

2. This prohibition does not prohibit any person from selling, offering for sale, giving, furnishing or delivering any intoxicating liquor for consumption off-site from any licensed premises to the extent allowed by state law.

3. This ordinance supersedes any conflicting provision in NCO Chapter 3.05.

SECTION 4. Enforcement. Violation of this ordinance shall be a minor offense subject to a penalty of five hundred dollars per offense plus the state surcharge required by AS 12.55.039 and 29.25.074. Each sale shall be considered a separate offense.

SECTION 5. Effective Date. This ordinance is effective at 12:00 A.M. on December 14, 2020 and expires on midnight January 4, 2021 unless otherwise rescinded or extended by the Nome Common Council.

APPROVED and **SIGNED** the 14th day of December, 2020.

John Handeland
Mayor

ATTEST:

Bryant Hammond
City Clerk