

1st Reading: February 28, 2022
2nd Reading: March 28, 2022

Presented By: Mayor Handeland

Action Taken:
Yes ___
No ___
Abstain ___

CITY OF NOME

ORDINANCE NO. O-22-02-08

AN ORDINANCE AMENDING CHAPTER 3.05 LIMITING HOURS OF SALE AT PACKAGE STORES

WHEREAS, the City of Nome ("City") has experienced a growing issue of intoxicated individuals and individuals consuming alcohol in its public places; and,

WHEREAS, the City has considered the impact on local businesses, first responders and local healthcare facilities; and,

WHEREAS, the City recognizes that those who are abusing alcohol congregate near package liquor stores, creating disturbances to local businesses, residents, and visitors; and,

WHEREAS, in an effort to reduce the harm caused by alcohol consumption and abuse, the Council amends the hours during which alcohol may be sold which is expected to reduce access to alcohol and curb excess consumption; and,

WHEREAS, state law permits cities to restrict alcohol sales as long as the restrictions do not conflict with Title 4 of the Alaska State Statutes; and,

WHEREAS, state law allows cities discretion to regulate hours of sales of alcohol;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE NOME COMMON COUNCIL:

Section 1. Classification. This is a Code ordinance.

Section 2. Amendment of NCO §3.05.040. Section 3.05.040 of the Code of Ordinances of Nome, Alaska is hereby amended to read as follows (deletions are ~~overstruck~~ and new language is underlined):

3.05.040 Hours of Sale.

(a) No person may consume, sell, offer for sale, give, furnish or deliver from an authorized licensee of a package store license any intoxicating liquor on any such licensed package store premises except between the hours of one ten p.m. and seven p.m. ~~eleven a.m. on Mondays through Saturdays, and between the hours of ten p.m. and one p.m. on Sundays.~~

(b) No person may consume, sell, offer for sale, give, furnish or deliver 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 on any such licensed premises between the hours of two a.m. and ten a.m. on Mondays through Fridays, three a.m. and ten a.m. on Saturdays, and three a.m. and one p.m. on Sundays.

(c) The exception to subsections ~~(a) and~~ (b) of this section shall be from the day the first dog team arrives in the city from the Iditarod Dog Sled Race until the day of the Iditarod Banquet, from the first day of the Iditarod Basketball Tournament until the day of the Iditarod Basketball Banquet, from the first day of the Iditarod Dart Tournament and Iditarod Pool Tournament until the day of the Iditarod Dart and Iditarod Pool Tournament Championship Game, and on New Year's Eve, when liquor establishments except package store license holders are authorized to remain open until five a.m. on the following day; provided, however, that no exception period described above shall exceed five days in total. On the Sunday of the Bering Sea Open Golf Tournament and on the Sunday known as "Super Bowl Sunday," liquor establishments described in subsection (b) of this section are authorized to open at ten a.m.

(d) The council may provide by resolution for other exceptions to subsection (b) of this section; provided, however, that no exception period under this section shall exceed five days in total. Exceptions authorized under this provision expire upon completion of any exception period. Permanent exceptions must be adopted by ordinance.

Section 3. Effective Date. This ordinance is effective thirty (30) days from passage and sunsets two hundred and ten (210) days from passage.

APPROVED and SIGNED the 28th day of March, 2022.

JOHN K. HANDELAND, Mayor

ATTEST:

BRYANT HAMMOND, City Clerk