

CITY OF BETHEL, ALASKA

ORDINANCE 151

An Ordinance related to intoxicating liquors, establishing rules, regulating closing hours, and prohibiting sales during certain hours and enumerated holidays.

Be it ordained by the City Council of Bethel, Alaska:

- Sec. 1. For the purpose of this ordinance "Intoxicating Liquors" and/or Alcoholic Beverages shall mean all spiritous, vinous, malt and other fermented and or distilled liquors intended, or used, for human consumption and containing more than one percent (1%) alcohol by volume.
- Sec. 2. No person shall consume, sell, offer for sale, give, furnish, or deliver from, an authorized licensee, any intoxicating liquor by the drink on any licensed premises between the hours of 12 o'clock, Midnight and 12 o'clock Noon each day, except on those days when the licensed establishment is required to be closed for the entire day by this ordinance or any other law. The package liquor store shall close at 6:30 pm.
- Sec. 3. A) No person shall have in his immediate possession, on a licensed premise, any container which contains any alcoholic beverage which was not furnished to him by the licensee, or his agent or employee, of that premise.
- B) No person shall exit from a licensed premise, or a licensed building or enclosure, if there is one, with any open, or partially empty, container which contains any alcoholic beverage which was furnished to him by the licensee, or his agent or employee.
- Sec. 4. A) No person in the employment of any retail liquor outlet in the City of Bethel dispensing liquor to the public shall remain in that employment or handle intoxicating liquors unless such person is in possession of a liquor handlers permit. Such permit shall be immediately available to the permittee during all working hours for the licensee, and shall be displayed to any peace officer upon demand of said officer.
- B) Each licensed premise except private clubs shall employ at least one person, licensed as required in sub-section (a) of this section who shall be on duty between 8 pm and the closing hour of the licensed premise. This person shall not be the bartender on duty, manager, owner, co-owner, of the establishment and shall be on duty for the express purpose of maintaining order within the establishment and assuring compliance, by the clientel, with the provisions of this ordinance.

c) All liquor handler permits shall be prepared and issued by the City Clerk of the City of Bethel. Those permits issued under subsection (b) of this section shall be marked with the word "Security" in addition to all other present wording and shall be issued only after approval of the Chief of Police. All permits issued under this section may be cancelled, suspended, or revoked, for cause, at any time by the Chief of Police. All such cancelled, suspended, or revoked permittees shall have the right to appeal to Council within 21 days of the decision by the Chief of Police.

Margaret Cooke
Mayor

Pam Latta
City Clerk

d) The cost of each permit issued under this section shall be \$25.00 except that those permits issued to waitresses shall be \$10.00.

Sec. 5 No person may consume, sell, offer for sale, give, furnish or deliver from, an authorized licensee, any intoxicating liquor on any licensed premise on any Sunday, or on the following holidays.

- a) New Years Day (January 1st)
- b) Lincoln's Birthday
- c) Washington's Birthday
- d) Memorial Day
- e) Independence Day (July 4th)
- f) Labor Day (First Monday in September)
- g) Thanksgiving Day (Fourth Thursday in Nov.)
- h) Christmas Day (December 25th)

For the purpose of this ordinance, the aforementioned holidays shall be observed according to the Federal Designation for their observation. For the purpose of determining Sundays and holidays as prescribed herein, they shall commence at the closing hour of the business hours for the preceding day and shall terminate at the opening hour of the day following the Sunday or holiday.

Sec. 6 It is unlawful to give, barter, sell, or in any licensed premises to dispose of, any intoxicating liquor upon a day upon which a general, special or primary election is held in the State at large, until the polls have closed, or to so dispose of liquor in the City of Bethel when an election is being held therein until the polls are closed.

Sec. 7 No person shall give, barter, sell, furnish or deliver any intoxicating liquor to any intoxicated person, or to any minor.

Sec. 8 It shall be unlawful for the owner of any licensed premise, or any other person, to direct, request, cause, or permit any violation of this ordinance.

sec. 9 The premises of licensees authorized to sell or distribute intoxicating liquor shall be easily accessible for inspection by peace officers during all regular hours of the transaction of business upon the premises, and at any other time with reasonable notice by said officer.

Sec. 10. A) No person shall drink any alcoholic beverage in, or upon, any motor vehicle, or boat.

B) No person shall have in his possession, or upon his person, while in, or upon, a motor vehicle, any bottle, can, or other receptacle, containing alcoholic beverage which has been opened or a seal broken, or the contents of which have been partially removed.

Sec. 11. Any person, firm, or corporation convicted of a violation of any provision of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine not to exceed \$500.00 or imprisonment for 30 days, or both.

Sec. 12. Any peace officer making an arrest for any violation of any section of this ordinance shall have the option of issuing a citation and releasing the defendant or placing him under physical arrest.

Sec. 13. This ordinance superceeds and repeals all previous ordinances relating to intoxicating liquor; i.e.,
Ordinance number 22, 25, 27, 30, 38, 45, and 50.

Passed and approved this 13 day of August, 1973
by vote of 6 ayes and 0 nays.

APPROVED:

Pam Peltola
CITY CLERK, CITY OF BETHEL

Margaret Cooke
MAYOR, CITY OF BETHEL