

TITLE 06

ALCOHOLIC BEVERAGES

Chapters:

6.04 ALCOHOLIC BEVERAGES

Chapter 6.04

ALCOHOLIC BEVERAGES

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6.04.010 Definitions:

The following words and phrases used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them as follows;

(A) "Alcoholic beverage" shall be construed identically with "intoxicating liquor" to include whiskey, brandy, rum, gin, wine, ale, porter, beer, and all other spiritous, vinous, malt and other fermented or distilled liquors intended for human consumption and containing more than three percent alcohol by volume.

(B) "Beer parlor" means any room or place which is operated under or by virtue of a beverage dispensary license in force, regardless of what other kinds or classes of licenses the owner thereof may possess or what other kinds of business may be conducted therein.

(C) "Beverage dispensary" means a State of Alaska beverage dispensary licensee empowered to sell for cash or serve on the premises beer, wine and hard liquors for consumption on the premises only.

(D) "Club bar" shall be construed identically with "beer parlor" and/or "beverage dispensary." "Cocktail bar" shall be construed identically with "club bar."

(E) "Common drunkard" means any person who, in any twelve-month period, has been convicted three or more times of drunkenness or disorderly conduct arising from the use of intoxicating liquor, in any court of the State of Alaska including, without limitation, any municipal magistrate.

(F) "Consumption" means an act or process by which a person introduces or consumes an intoxicating liquor into his or her body.

(G) "Intoxicating liquor" shall have the same meaning as "alcoholic beverage" in subsection (A).

(H) "License" means every class and type of license issued for the sale of intoxicating liquor as defined in Section 35-4-21 ACLA 1949, as amended.

(I) "Licensed premises" means any building, structure or other premises in respect to which a State of Alaska license for the sale of intoxicating liquor has been issued.

(J) "Licensee" means every person, firm or corporation to whom a valid and subsisting State of Alaska license for the sale of intoxicating liquor has been issued.

(K) "Open container" means any drinking glass, jar, bottle, can, receptacle or other object capable of holding or retaining an intoxicating liquor and possessing an opening within the container through which a person having possession could obtain access to the intoxicating liquor therein.

(L) "Public place" means any street, sidewalk, dock, float or any other location, including any store, establishment or business where the public is permitted to assemble, enter or pass through, whether publicly or privately maintained, including but not limited to places of accommodation, transportation, business and entertainment, or any other place which is not a private place.

(M) "Retail liquor store" shall be construed identically with "retail licensee," and it shall mean any place where intoxicating liquors in the original packages, and when in bulk, are sold for cash or other consideration.

(N) "Sale" includes, without limitation, selling, trafficking in, bartering or exchanging for goods in the City any intoxicating liquors.

(O) "Unlicensed establishment" means any building, business, store, structure or other premises in respect to which a State of Alaska license for the sale of intoxicating liquor has not been issued.

6.04.020 License required:

It is unlawful for any person, firm or corporation to sell any intoxicating liquors within the City, unless such person, firm or corporation is the owner or holder of a valid and subsisting license issued by the State of Alaska, and complies with all laws and regulations of the State of Alaska relating to the sale of alcoholic beverages.

6.04.030 Minors prohibited on licensed premises:

It is unlawful for any licensee to permit any person under the age established as the drinking age by the State Legislature to enter any licensed premises within the City unless such person is accompanied by his or her parents, guardian or by a spouse who is over the age established by the State Legislature.

6.04.040 Employment of minors:

A person under the age established by the State Legislature may enter and remain upon the licensed premises of a hotel or restaurant in the course of his or her employment if the employment does not require or involve the serving, mixing, delivering or dispensing of alcoholic beverages, and if the person has the written consent of a parent or guardian and an exemption from the appropriate agency of the State of Alaska for the employment.

6.04.050 Hours of sale:

(A) It is unlawful for any licensee to sell, give, barter or exchange upon licensed premises any intoxicating liquors, or to permit the consumption or removal of any intoxicating liquors upon or from a licensed premises in any manner whatsoever during closed hours. Retail liquor stores shall be closed from two a.m. until eight a.m. on weekdays, and from three a.m. to two p.m. on Sundays. Cocktail bars and club bars shall be closed from two a.m. until ten a.m. on weekdays, closing on Sundays from three a.m. until two p.m. Licensed restaurants may serve intoxicating liquors with meals beginning at eleven a.m. on Sundays.

(B) A licensee shall be permitted to sell, give, barter or exchange upon licensed premises any intoxicating liquor, or to permit the consumption or removal of any intoxicating liquors upon or from a licensed premises, during the normal hours listed in subsection (A), on days when an election is being held, including elections where a candidate for office appears on the ballot.

6.04.060 Serving intoxicated persons or common drunkards prohibited:

It is unlawful for any licensee knowingly to permit any intoxicated person or any common drunkard to enter licensed premises, or to sell to any such intoxicated person or common drunkard any intoxicating liquors or alcoholic beverages.

6.04.070 Transfer to, possession and misrepresentation by minors prohibited:

(A) It is unlawful to sell, give, barter or exchange intoxicating liquors to or with any person under the age established by the State Legislature.

(B) It is unlawful for any person under the age established by the State Legislature to procure or possess, or to attempt to procure or possess, intoxicating liquors for his own or her own use or consumption.

(C) It is unlawful for any person to misrepresent his or her age, or the age of any person, for the purpose of having intoxicating liquor sold, given, bartered, exchanged or furnished to a person under the age established by the State Legislature.

(D) It is unlawful for any person to provide to a minor his own drivers license or other form of identification reflecting a birthdate so as to enable a minor to misrepresent his age and enable the minor to purchase alcoholic beverages as if he had reached majority.

6.04.080 Licensee responsible for acts of employees:

The act of any agent, servant or employee of any licensee which is a violation of any provision of this chapter, or the laws of the State of Alaska, shall be deemed the act of such licensee, and the licensee shall be guilty of any such violation.

6.04.090 Tumultuous conduct prohibited:

It is unlawful for any licensee to permit tumultuous or disorderly conduct upon the premises.