

ORDINANCE No. 2013-03

AN ORDINANCE OF THE CITY OF ANGOON

AN ORDINANCE OF THE CITY OF ANGOON, ALASKA AMENDING THE ANGOON MUNICIPAL CODE TO PROHIBIT THE SALE OF ALCOHOL.

1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ANGOON, ALASKA THAT TITLE 9 of the City of Angoon Municipal Code is hereby amended to add the following chapter:
Amendment of Code 9.24.010

Section 9.24.010 of the Angoon Municipal Code shall be amended to read as follows with the language ~~Struck through~~ being repealed and the language under lined adopted:

9.24.010- ~~Possession of Alcoholic Beverages Prohibited.~~
Sale of Alcoholic Beverages Prohibited.

~~Possession of alcohol is prohibited in the city as provided in AS 4.11.498. (Ord. 88-11, 1988)~~

Chapter 9.24.010: PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES

Sections:

1. Classifications
2. Prohibitions
3. Violations
4. Penalty
5. Definitions

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become part of the city code.

Section 2. Prohibitions. As a result of the alcohol local option election authorized by Alaska State Statute Title 4 and held on January 8, 2013, at which 86 voters voted "yes" and 82 voted "no to prohibit the sale of alcoholic beverages. The

sale of alcoholic beverages is prohibited in and within five miles of the limits of the City of Angoon.

Section 3. Violations.

- A. A person found violating Section 2 of this ordinance shall be issued a citation by a peace officer.
- B. The citation shall bear witness to and identify the specific violation as found in Section 2. Each violation is a separate offense.

Section 4. Penalty.

An unlicensed person selling hard liquor or wine or beer commits a Class C Felony, and can be sentenced up to five years in jail and/or fined up to \$50,000.00

Sale of alcoholic beverages in any amount to a minor is a Class C Felony

Section 5. Definitions

The following definitions apply to this chapter:

“Alcoholic beverages” means spirituous, vinous, malt or other fermented or distilled liquids, whatever the origin, that are intended for human consumption as a beverage (or any beverage containing alcohol that the person possessing intends to consume, whether meant for human consumption or not) and that contain alcohol, whether produced commercially or privately.

“Sale” means alcoholic beverages sold, offered for sale or possessed for sale, bartered, or exchanged for goods and services in the city. Sale does not mean alcoholic beverages purchased by one person for another or a group when there is no profit involved, but merely a reimbursement of cost, as long as all persons involved are 21 years of age or older.

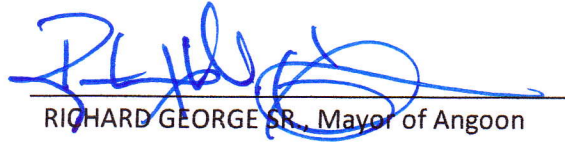
Effective Date. This act is effective on the 6th day of MARCH , 2013.

The result of the election held January 8, 2013, to adopt an option to prohibit the sale of alcoholic beverages were certified on February 19, 2013.

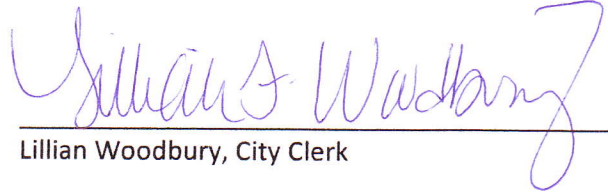
Introduction February 19, 2013 ,

Public Hearing March 6, 2013 .

ADOPTED THIS 6th DAY OF MARCH, 2013.


RICHARD GEORGE SR., Mayor of Angoon

ATTEST:


Lillian Woodbury, City Clerk



VOTING:

Jesse Daniels Sr	Yes <u>x</u> . No ____.
Kevin Frank Sr.	ABSENT
Randy Gamble	Yes <u>x</u> . No ____.
Richard George Sr.	Yes <u>x</u> . No ____.
Harriet Silva	ABSENT
Edward Jack Sr.	Yes <u>x</u> . No ____.
Matthew Kookesh Jr.	ABSENT