

CITY OF PALMER, ALASKA
ORDINANCE NO. 101

AN ORDINANCE PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES TO MINORS, INTOXICATED PERSONS, AND ON ELECTION DAYS AND PROHIBITING MINORS AND OTHER PERSONS FROM SOLICITING ALCOHOLIC BEVERAGES BY USE OF FALSEHOOD.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Definitions.

(a) For the purposes of this ordinance, the following terms and definitions apply:

(1) "Intoxicating liquors" -- all spirituous, vinous, malt and other fermented or distilled liquors intended for human consumption and containing more than one per cent (1%) alcohol by volume.

(2) "Licensed premises" -- those premises on which intoxicating liquors are sold or stored pursuant to a license issued by the director of the Alcoholic Beverage Control Board of the State of Alaska.

(3) "Minor" -- any person who has not attained the age of twenty-one (21) years.

(4) "Licensee" -- that person to whom a license has been issued by the director of the Alcoholic Beverage Control Board for the sale or storage of intoxicating liquors.

(5) "Election" -- any national, State, or municipal election of general, special, or primary class, wherein the polls in the City of Palmer are opened for voting.

(6) "Board" -- the Alcoholic Beverage Control Board of the State of Alaska.

Section 2. Prohibited Acts. It shall be unlawful:

(a) To give, barter, or sell any intoxicating liquors to a minor.

(b) To give, barter, or sell any intoxicating liquors to any intoxicated person.

(c) To permit any person to drink hard or distilled liquor on licensed premises not classified for the sale of hard or distilled liquor by the Board.

(d) To give, barter or sell, or otherwise dispose of, intoxicating liquor in any licensed premises on any election day until the polls have closed on such day.

(e) To permit any minor on a licensed premise, unless accompanied by parent, legal guardian, or spouse who has attained the age of twenty-one (21) years.

(f) To prevent easy access to the licensed premises by all peace officers charged with the enforcement of this ordinance during all regular hours of the transaction of business on the licensed premises.

(g) For any minor to solicit the purchase or in any way attempt to purchase or otherwise obtain any intoxicating liquors.

(h) For any person to influence, or attempt to influence, the selling, giving, or serving intoxicating liquors to a minor or misrepresenting the age of said minor, or to order, request, receive, or procure intoxicating liquor from any licensee, or employee or other person, for the purpose of selling, giving or serving the intoxicating liquor to a minor.

(i) For any minor to enter any licensed premises and to offer or present to any licensee or his employee a fraudulent or false certificate of birth or other written evidence of age which does not state the true age of the minor, or to otherwise misrepresent the age of the minor, for the purpose of inducing the licensee or his employee to give, sell, serve, or furnish intoxicating liquor to the minor.

(j) For any licensee or his employee to allow any person that is suspected

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or gives reason to be suspected that the person is a minor and who is not accompanied by a parent, spouse, or legal guardian who has attained the age of twenty-one (21) years, to give, sell, or serve such a suspected minor any intoxicating liquor without first having obtained in good faith the signature of said suspected minor or a statement that the suspected person has attained the age of twenty-one (21) years. Said statement shall be made on a form prepared and furnished to the licensee by the Board.

PROVIDED, that if a licensee or his employee obtains in good faith such a signed statement, he shall not be in violation of this subsection or subsection (a) or (e) above.

(k) For a minor to possess intoxicating liquor.

Section 3. Validity. It is hereby declared that should any section, paragraph, sentence, or word of this ordinance be declared for any reason to be invalid, it is intended that all of the other portions of this ordinance would have been passed independent of the elimination of any such portion as may be declared invalid.

Section 4. Penalty. Any person or corporation who shall violate any of the provisions of this ordinance, or fail to comply therewith, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not more than Three Hundred Dollars (\$300.00), or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue.

Section 5. Effective Date. This ordinance shall be effective upon its passage, approval and publication. Publication of this ordinance shall be by posting a copy hereof on the City Hall bulletin board for a period of ten days following its passage and approval.

First Reading: May 23, 1961

Second Reading: June 13, 1961

Passed and approved by the City Council of the City of Palmer, Alaska, this 27th day of June, 1961.

Chas. W. Wilson, Acting Mayor

ATTEST:

Emilie St. Pierre
Emilie St. Pierre, City Clerk

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