

CITY OF PALMER, ALASKA
ORDINANCE NO. 130

Liquor
HANDLERS
License

AN ORDINANCE REPEALING ORDINANCE NO. 17, AND PROVIDING FOR THE LICENSING OF LIQUOR HANDLERS, AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Ordinance No. 17 is hereby repealed.

Section 2. Permit Required; Qualifications Required of Applicant; Waiver of Qualifications.

(a) No employee of any individual, firm, partnership or corporation licensed under the laws of the State of Alaska governing the manufacture, barter, sale and possession of intoxicating liquor shall, without first securing a non-transferable liquor handler's permit, sell or dispense at retail any intoxicating liquor for consumption on the premises for or on behalf of said individual, firm, partnership or corporation.

(b) To be entitled to the issuance or renewal of a liquor handler's permit the applicant shall possess the following qualifications:

- (1) Be 21 years of age or over.
- (2) Be able to read or speak the English language.
- (3) Not be addicted to the use of intoxicants or narcotics.
- (4) Be of good moral character and repute.
- (5) Have no conviction for a felony for ten years previous to the date of application; no conviction at any time of a felony or misdemeanor involving moral turpitude or assault with a deadly weapon, or use of or traffic in narcotic drugs, or traffic in women for immoral purposes.

(c) The Chief of Police or the State Trooper in charge of furnishing law enforcement service for the City of Palmer, shall be the issuing authority for all temporary and permanent liquor handler's permits. If the application for a liquor handler permit indicates that the applicant meets the qualifications for a permit, the Chief of Police or the local officer in charge of the State Troopers shall issue a temporary permit pending completion of the investigation of the applicant's background and qualifications. This temporary permit shall expire by its own terms at the end of 45 days from the date of issuance. If, upon completion of the necessary investigation, the applicant meets all of the requirements and qualifications as established in this ordinance, the permanent liquor handler's permit, renewable annually on or before January 1st of each year, shall be issued.

Section 3. Application; Photographs; and Fees.

All applicants for liquor handler's permit under provision of this ordinance shall make application on blanks furnished by the City and shall submit, together with their application, the necessary fees, the photograph of the applicant and a full set of fingerprints to be taken by the Police Department. The fee for liquor handler's permit shall be \$5.00 for an original permit, and \$1.00 annually thereafter for renewal.

Section 4. Liquor Handler's Permit to be Kept on the Person or Permittee. All liquor handlers while working on the premises licensed under this ordinance shall have on their person their liquor handler's permit.

Section 5. Suspension or Revocation of Liquor Handler's Permits.

In addition to any provisions of the laws of the State of Alaska, or rules or regulations adopted by the State agencies, a liquor handler's permit may be revoked or suspended for the following reasons:

- (a) A false statement in his application.
- (b) The Chief of Police, or the State Trooper in charge, shall have the power to issue liquor handler's permits and, after notice and hearing as provided herein, to suspend and revoke any liquor handler's permit issued hereunder. The violation of any provision of the ordinances of the City of

Palmer, or the laws of the State of Alaska, shall, in the sound discretion of the Chief of Police or Trooper in charge, be deemed sufficient evidence of the fact that said liquor handler is not a competent person to sell, dispense, give, barter or handle intoxicating liquor and the liquor handler's permit may be revoked by the Chief of Police or Trooper in charge. In the event of such revocation of a liquor handler's permit, such permit shall be forthwith surrendered to the Chief of Police, or Trooper in charge. The permittee may appeal the suspension by the Chief of Police or Trooper in charge to the Council.

Section 6. Denial of Liquor Handler's Permit, Generally.

If, in the opinion of the Chief of Police or Trooper in charge, the applicant does not meet the requirements and qualifications established by this ordinance, he may deny the issuance of either a temporary or permanent liquor handler's permit. When the Chief of Police or Trooper in charge shall refuse to issue either a temporary or permanent liquor handler's permit, he shall do so in writing, stating briefly and concisely the reasons for such decision. In the event of such denial, the applicant may appear to the Council as herein provided.

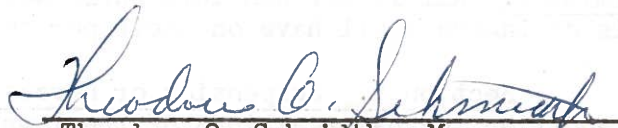
Section 7. Appeals. Any applicant desiring to appeal from the decision of the Chief of Police or State Trooper in charge denying either the issuance or renewal of a temporary or permanent liquor handler's permit shall, within ten days from receipt of the written decision of the Chief of Police or State Trooper in charge, file with the City Clerk a written notice of appeal, stating the order or decision from which the appeal is taken. The City Clerk shall, upon receiving a timely notice of appeal, put the appeal on the agenda for a public hearing at the next regular Council meeting. The notice of appeal shall state the grounds for appeal and no other issues than those stated in the notice shall be considered by the Council on appeal. The Council at the close of the hearing may modify, revoke, rescind, or affirm the decision of the Chief of Police or State Trooper in charge.

Section 8. Notice and Hearing. The notice and hearing required by Section 5(b) above shall be as follows: The Chief of Police or Trooper in charge shall notify the permittee of the time and place for the hearing and of the charges against him and the time of the hearing shall be not less than three days nor more than ten days after the written notice is mailed or delivered to the permittee. The permittee shall be entitled to be represented by counsel and call witnesses in his own behalf.

Section 9. Penalty for Violation. Every person convicted of a violation of any provision of this ordinance shall be punished 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.

Section 10. Declaration of Emergency. The Council finds that an emergency exists and that to preserve and further the public health, welfare and safety, this ordinance shall be in full force and effect from and after its first passage and approval. The Council specifically finds in connection with such emergency that although Ordinance No. 17 has been in full force and effect since the 7th day of November, 1951, it has not been fully implemented, and that in order to effectuate and spell out the policies of the Council under Ordinance No. 17, it is necessary that this ordinance be given immediate effect.

Passed and approved by the City Council of the City of Palmer, Alaska, the 28th day of June, 1966.


Theodore O. Schmidtke, Mayor


Emilie St. Pierre, City Clerk