

Presented by:
Councilman Doug Johnson

Action Taken:
Yes 5
No 0
Abstain 0

CITY OF NOME, ALASKA

ORDINANCE NO. O-18-10-01

AN ORDINANCE AMENDING CHAPTER 3.05 TO MANDATE ID TO PURCHASE ALCOHOL

WHEREAS, it is in the public's best interest to minimize the sale of alcoholic beverages to underage persons and those made legally ineligible by previous misconduct involving consumption of alcohol; and

WHEREAS, sale and serving of alcoholic beverages to such persons can be significantly reduced by mandatory identification check;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Nome City Council as follows:

SECTION 1 Classification.

This is a code ordinance.

SECTION 2 Amendment of Chapter 3.05. Chapter 3.05 of the Nome Code of Ordinances is hereby amended by the addition of a new Section 3.05.045 to read as follows

3.05.045 Mandatory Identification check.

A. A Licensee shall require any purchaser or on-site consumer of alcoholic beverages to produce a valid identification card for identification check prior to any sale or serving of alcoholic beverages. The purpose of the identification check is to verify age and eligibility to purchase alcoholic beverages.

B. The holder of the license of any licensed premises that sells or serves alcohol in violation of this section is guilty of a minor offense and upon conviction shall be fined \$500.

SECTION 3 Amendment of Section 3.05.080. Section 3.05.080 of the Nome Code of Ordinances is hereby amended to read as follows: (deletions are ~~struck through~~ and new language is underlined):

3.05.080 Definitions.

As used in this chapter:

"Intoxicating liquor" means whiskey, brandy, rum, gin, wine, ale, porter, beer and all other spirituous, venous, malt or other fermented or distilled liquors intended for human

consumption and containing more than one percent alcohol by volume.

"Licensed premises" means premises licensed under AS 04.11.080.

"Licensee" means the holder of any type of license classified by AS 04.11.080, any person responsible for the lawful conduct of the business licensed and all persons acting as agents or employees on the licensed premises.

"Minor" means any person under twenty-one years of age.

"Open container" means any original container or package without the internal revenue strip stamp intact upon the container or package; any original container or package that has been opened at least once since retaining purchase; and any container or package other than the original container or package.

"Valid identification card" means an unexpired, unaltered passport or an unexpired, unaltered driver's license or identification card issued by a federal, state, or tribal agency authorized to issue driver's licenses or identification cards that meet the requirements under AS 04.21.050(b).

SECTION 4 **Amendment of Section 1.20.040.** Section 1.20.040 of the Nome Code of Ordinances is hereby amended to read as follows: [new language is underlined]:

NCO Section	Offense	Penalty/Fine
<u>3.05.040(a)</u>	<u>Failure to ID Alcohol Purchaser</u>	<u>500</u>

SECTION 5 **Effective Date.** This ordinance shall be effective upon adoption.

APPROVED and SIGNED this 29th day of October 2018.



RICHARD BENEVILLE
Mayor

ATTEST:



CHRISTINE PISCOYA
Deputy Clerk