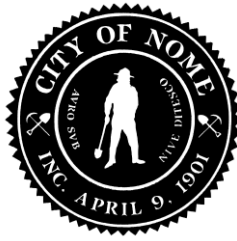


Mayor
John K. Handeland
Manager
Glenn Steckman
Clerk
Bryant Hammond



Nome City Council
Jerald Brown
Scot Henderson
Doug Johnson
Mark Johnson
Adam Martinson
Meghan Sigvanna Topkok

**NOME COMMON COUNCIL
WORK SESSION AGENDA**
WEDNESDAY, FEBRUARY 02, 2022 at 5:30 PM
COUNCIL CHAMBERS IN CITY HALL

102 Division St. ▪ P.O. Box 281 ▪ Nome, Alaska 99762 ▪ Phone (907) 443-6663 ▪ Fax (907) 443-5345

WORK SESSION – 5:30 PM

- A.** City of Kotzebue City-owned Liquor Store Information & Applications,
PAGE 2
- B.** Ordinance to Include Prohibitions on the Sale of Alcohol and to Require Security at Package Stores,
PAGE 8
- C.** Email of January 27, 2022 from Wade Harrison to City of Nome re: 2-2-22 Meeting Comments,
PAGE 10

CITY OF KOTZEBUE Alaska

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City-Owned Liquor Store



Sample Selection

The Delivery Site/Package Store opened 8-25-10

Normal Business Hours:

3-9pm Monday - Saturdays

Holiday hours vary according to the day



Kotzebue Package Store

Telephone 907 442-4000

Fax. 907 442-3742

Miles Nanouk - Manager

Permits available at the Package Store

Kotzebue Residents \$50

Temporary Permits are available for visitors to Kotzebue at different prices by length of stay.

 [Guide to Legally Obtain Alcohol in Kotzebue.pdf](#)

[Resident Alcohol Permit Application](#)

[Non-resident Alcohol Permit Application](#)

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HOW TO OBTAIN ALCOHOL, LEGALLY, IN KOTZEBUE

Who May Purchase Alcohol at the Package Store?

- Residents of Kotzebue who have, at the time of sale, a current, valid Resident Permit and who are not subject to any court-ordered restrictions regarding alcohol
- Non-Residents who have, at the time of sale, a current, valid Non-Resident Permit and who are not subject to any court-ordered restrictions regarding alcohol

Who May Have Alcohol Shipped to the Delivery Site?

- ONLY Residents of Kotzebue with a current, valid Resident Permit at the time the alcohol is shipped to Kotzebue (in care of the Delivery Site)

How is Alcohol Legally Shipped to the City's Delivery Site?

- by written order from stores approved by the ABC Board to fill such written orders
- such orders must be received from Kotzebue Residents ONLY who possess a current, valid Permit at the time the alcohol is shipped to Kotzebue (in care of the Delivery Site)
- by a Kotzebue Resident ONLY who possesses a current, valid Permit at the time the alcohol is purchased and who places an in-person order for shipment to the Delivery Site at the store, which must be a retailer approved by the ABC Board to fill written orders

What are the Daily Importation Limits for a Person Traveling to Kotzebue?

- 1 liter of Liquor
- 2 liters of Wine
- 1 gallon of Beer [10 12-ounce cans/bottles]

How Much Alcohol May an Individual Kotzebue Resident with a Current, Valid Permit Ship to the Delivery Site Each Month?

- 4.5 liters of Liquor
[6 bottles @ 750 ml each]
- 24 liters of Wine
[16 bottles @ 1.5 liters each]
- 12 gallons of Beer
[128 12-ounce cans/bottles]

What Does an Individual Kotzebue Resident with a Current, Valid Permit Have to Do with Alcohol that Exceeds the Daily Importation Limits When Traveling to Kotzebue?

- package the alcohol separately
- attach a receipt for the purchase to the outside of the package
- label the package with 2-inch-high letters, "ALCHOLIC BEVERAGES" and address the package to: [Permittee's Name], c/o Kotzebue Alcohol Beverage Delivery Site
- check the package of alcohol separate from other items of checked baggage

May a Friend, Family Member or Other Person Ship Alcohol to a Person in Kotzebue?

- No -- such a shipment is illegal and will be confiscated
- the Permit of the person receiving the alcohol may be revoked/suspended and a fine may be imposed
- names of persons receiving and persons shipping alcohol in this manner must be reported to the Alaska State Troopers and/or the Kotzebue Police Department

CITY OF KOTZEBUE

Resident Package Store/Delivery Site Alcohol Permit Application

___\$50.00 Application Fee ___\$25.00 Annual Renewal Fee ___\$25.00 Lost Permit Replacement Fee
ALL FEES ARE NON-FUNDABLE

Name: _____
Last First M.I.

Physical Address: _____

Mailing Address: _____

Date of Birth _____ SSN: _____
MM DD YYYY

Work Telephone: _____ Home Telephone: _____

Cell Telephone: _____ Other Number: _____

Identification Number: _____

Alaska Driver's License or Identification Card or Other State DL or Identification Card

*** * * READ CAREFULLY BEFORE YOU SIGN * * ***

I swear under penalty of perjury* that ALL of the information pertaining to this Application is true and correct to the best of my knowledge. I further swear under penalty of perjury* that I meet all of the following qualifications listed below:

1. I am at least 21-years of age.
2. I am a resident of the City of Kotzebue.
3. I am NOT currently under a court order, conditions of release, or probation/parole conditions that prohibit me from consuming or possessing alcoholic beverages, controlled substances or inhalants.
4. I have NOT within the previous two years been convicted of, plead guilty, or no contest, to a violation of:
 - a. Any provision of the Kotzebue Municipal Code, Alaska Statute or federal law involving the illegal use, sale, manufacture, transportation, or possession of Alcoholic Beverages, including Underage Possession of Alcohol.
 - b. A DUI/DWI, or Refusal to Submit to Chemical Testing, including those alcohol crimes that only involve a commercial vehicle.
5. I have NOT been issued a Resident Permit that has been previously suspended or revoked. (However, if any previously-issued Resident Permit was suspended or revoked, I state that the period of suspension or revocation has expired, I have paid all fines due and I have met all conditions imposed at the time of the suspension or revocation.)

X _____
Signature of Applicant

Date _____

* Applicants who falsify *any* information, verbally or in writing, with the intent to mislead a public servant in the performance of a duty commit the crime of *Unsworn Falsification in the Second Degree*, [A.S. 11.56.210]

RESIDENT APPLICATION

Page 1 of 2

I understand that the City of Kotzebue will complete a criminal background check on me and if I am found to have falsified *any* information on this form I can be charged with *Unsworn Falsification in the Second Degree, under AS 11.56.210(a)(2)*.

I acknowledge and agree that I am bound by all of the provisions, terms and conditions of KMC Chapters 4.02 and 4.03 and the Regulations adopted thereunder. Further, I specifically acknowledge that I will not allow another person to use or possess my Resident Permit in accordance with KMC 4.02.140 and 4.03.110.

I understand that the **ALL** Resident Permit fees paid with this Application are **non-refundable**.

I understand that violations of any local, state or federal alcohol laws and regulations will be immediately reported to the Kotzebue Police Department and/or the Alaska State Troopers as required by Alaska Statutes.

X _____
Signature of Applicant _____ Date _____
* Applicants who falsify *any* information, verbally or in writing, with the intent to mislead a public servant in the performance of a duty commit the crime of *Unsworn Falsification in the Second Degree, [A.S. 11.56.210]*

FOR OFFICIAL USE ONLY

CLERK: _____

I have checked the Applicant's identification and entered the Identification Number on Page 1.

I have asked the Applicant if he/she has fully read the form and understands all of the provisions, including the disqualifications to receiving the permit.

Applicant Response: YES _____ NO _____

I have asked the Applicant if he/she has any questions about the paperwork:

Applicant Response: YES _____ NO _____

I have verbally asked the Applicant if he/she has been convicted of any alcohol violations and whether he or she is currently, or within the previous two-years, has been on probation or parole for any crime.

Applicant Response: YES _____ NO _____

X _____
Signature of Clerk _____ Date _____

Criminal Background Check Completed: ____/____/____ Initials: _____

CITY OF KOTZEBUE RESIDENT PERMIT NO.: _____

CITY OF KOTZEBUE RECEIPT NO.: _____

CITY OF KOTZEBUE

Non-Resident Package Store Alcohol Permit Application

[Non-Residents May NOT Use the Delivery Site]____ 10-Day Permit
(\$10.00)____ 30-Day Permit
(\$20.00)____ 90-Day Permit
(\$30.00)____ 180-Day Permit
(\$40.00)**ALL FEES ARE NON-REFUNDABLE**

Name: _____

Last

First

M.I.

Physical Address: _____

Mailing Address: _____

Date of Birth _____

MM

DD

YYYY

SSN: _____

Work Telephone: _____

Home Telephone: _____

Cell Telephone: _____

Other Number: _____

Identification Number: _____

Alaska Driver's License or Identification Card or Other State DL or Identification Card

***** READ CAREFULLY BEFORE YOU SIGN *****

I swear under penalty of perjury* that ALL of the information pertaining to this Application is true and correct to the best of my knowledge. I further swear under penalty of perjury* that I meet all of the following qualifications listed below:

1. I am at least 21-years of age.
2. I am NOT a resident of the City of Kotzebue.
3. I am NOT currently under a court order, conditions of release, or probation/parole conditions that prohibit me from consuming or possessing alcoholic beverages, controlled substances or inhalants.
4. I have NOT within the previous two years been convicted of, plead guilty, or no contest, to a violation of:
 - a. Any provision of the Kotzebue Municipal Code, Alaska Statute or federal law involving the illegal use, sale, manufacture, transportation, or possession of Alcoholic Beverages, including Underage Possession of Alcohol.
 - b. A DUI/DWI, or Refusal to Submit to Chemical Testing, including those alcohol crimes that only involve a commercial vehicle.
5. I have NOT been issued a Non-Resident Permit that has been previously suspended or revoked. (However, if any previously-issued Non-Resident Permit was suspended or revoked, I state that the period of suspension or revocation has expired, I have paid all fines due and I have met all conditions imposed at the time of the suspension or revocation.)

X

Signature of Applicant _____

Date _____

*** Applicants who falsify any information, verbally or in writing, with the intent to mislead a public servant in the performance of a duty commit the crime of *Unsworn Falsification in the Second Degree*, [A.S. 11.56.210]**

NON-RESIDENT APPLICATION**Page 1 of 2**

I understand that the City of Kotzebue will complete a criminal background check on me and if I am found to have falsified *any* information on this form I can be charged with *Unsworn Falsification in the Second Degree, under AS 11.56.210(a)(2)*.

I acknowledge and agree that I am bound by all of the provisions, terms and conditions of KMC Chapter 4.03 and the Regulations adopted thereunder. Further, I specifically acknowledge that I will not allow another person to use or possess my Non-Resident Permit in accordance with KMC 4.03.110.

I understand that **ALL** Non-Resident Permit fees paid with this Application are **non-refundable**.

I understand that violations of any local, state or federal alcohol laws and regulations will be immediately reported to the Kotzebue Police Department and/or the Alaska State Troopers as required by Alaska Statutes.

X _____
Signature of Applicant Date

** Applicants who falsify any information, verbally or in writing, with the intent to mislead a public servant in the performance of a duty commit the crime of Unsworn Falsification in the Second Degree, [A.S. 11.56.210]*

FOR OFFICIAL USE ONLY

CLERK: _____

I have checked the Applicant's identification and entered the Identification Number on Page 1.

I have asked the Applicant if he/she has fully read the form and understands all of the provisions, including the disqualifications to receiving the permit.

Applicant Response: YES _____ NO _____

I have asked the Applicant if he/she has any questions about the paperwork:

Applicant Response: YES _____ NO _____

I have verbally asked the Applicant if he/she has been convicted of any alcohol violations and whether he or she is currently, or within the previous two-years, has been on probation or parole for any crime.

Applicant Response: YES _____ NO _____

X _____
Signature of Clerk Date

Criminal Background Check Completed: ____/____/____ **Initials:** _____

CITY OF KOTZEBUE RESIDENT PERMIT NO.: _____

CITY OF KOTZEBUE RECEIPT NO.: _____

NON-RESIDENT APPLICATION

Page 2 of 2

For Discussion purposes:

1st Reading: _____
2nd Reading: _____

Presented By: _____

Action Taken: _____

Yes _____

No _____

Abstain _____

**CITY OF NOME
ORDINANCE NO. 0-22- -**

**AN ORDINANCE AMENDING CHAPTER 3.05 TO INCLUDE PROHIBITIONS
ON THE SALE OF ALCOHOL AND TO REQUIRE SECURITY AT PACKAGE
STORES**

WHEREAS, ; and,

WHEREAS, ; and,

WHEREAS, ; and,

WHEREAS, ;

IT IS HEREBY ORDAINED BY THE NOME CITY COUNCIL:

Section 1. Classification. This is a Code ordinance.

Section 2. Amendment of NCO §3.05.030. Section 3.05.030 of the Code of Ordinances of Nome, Alaska is hereby amended to read as follows (new language is underlined):

3.05.030 Prohibitions

(a) All laws and regulations of the state of Alaska regarding licensed alcoholic beverage sales, service, distribution, and consumption apply within the city of Nome unless otherwise stated, except that the city of Nome has not adopted the local option pursuant to AS 04.11.491.

(b) It is unlawful to carry or transport an open container of intoxicating liquor on the public streets, alleys, parks or other public places, except that an open container of intoxicating liquor may be carried in a vehicle in a locked trunk or other secured location inaccessible to drivers and passengers of the vehicle.

(c) It is unlawful to consume intoxicating liquor on the public streets, alleys, parks or other public places, except as otherwise provided in NCO Section 3.05.070.

(d) A package store licensee, an agent, or employee may not permit a person to purchase more than one container or bottle of distilled spirits in one day. A package store shall maintain a list of customers purchasing distilled spirits and shall furnish it to the city for inspection.

(e) A package store licensee, an agent, or employee may not sell distilled spirits in a container larger than 750 milliliters.

Section 3. Amendment of NCO Chapter 3.05. Chapter 3.05 of the Code of Ordinances of Nome, Alaska is hereby amended with the addition of a new Section 3.05.055 to read as follows:

3.05.055 Security personnel required.

Every package store licensed under AS 4.11.150 shall employ at least one person whose primary purpose is to ensure order and compliance with the provisions of this chapter. The person shall be on duty from _____.

The person may perform limited functions in addition to security but may not be an employee whose primary purpose is store operation or serving customers.

Section 4. Amendment of Section 3.05.080. Section 3.05.080 of the Code of Ordinances of Nome, Alaska is hereby amended to add a new definition of Adistilled spirits@ to read as follows (new language is underlined):

“Distilled spirits” means all intoxicating liquors containing more than twenty-one percent of alcohol by volume.

Section 5. Amendment of Section 1.20.040. Section 1.20.040 of the Code of Ordinances of Nome, Alaska is hereby amended to include the following addition to the fine schedule:

NCO Section	<u>Offense</u>	<u>Penalty/Fine</u>
3.03.050(d)	Sale in excess of one bottle of distilled spirits	\$
3.03.050(e)	Sale of distilled spirits in excess of 750 milliliters	\$
3.05.055	Failure to utilize security	\$

Section 6. Effective Date. This ordinance is effective _____.

APPROVED and **SIGNED** the _____ day of _____, 2022.

JOHN K. HANDELAND, Mayor

ATTEST:

BRYANT HAMMOND, City Clerk

From: [Wade Harrison](#)
To: [Bryant Hammond](#)
Subject: 2-2-22 meeting comment
Date: Thursday, January 27, 2022 6:21:38 PM

Hi Bryant (comment for the council as a citizen)

Since the first attempt didn't pass against Nome Quick Stop to take a chance and statistically take a moment to pause and "see" what would happen....

I recommend the council taking a hard look at the city implementing some type of permit process for individuals to purchase alcohol and show proof before purchase, this will help curb the general sale to those abusing the system and causing public safety issues. Also not a bad idea for the city to make some extra cash if they are concerned about a sales tax loss.

I can tell you this "86" list doesn't really work.

I'd also implore the council to take a look again at the local option possibility and support that during election time.

I also would go as far as Ken Mortons idea and limit hard liquor sales to very specific times and only allow beer and wine sales majority of the time.

Limited store hours has shown not really to stop the problem, only change it. So curbing hard liquor would be an interesting start.

Lastly, I'd ask the council to ask AMCO to make more visits to Nome. Quarterly if possible and un-announced to keep the businesses on their toes.

I do support the police ensuring TAPS/TAMS cards are on file and readily available, lots of times people don't have them. However the bars do a good job ensuring their staff has them.

Just my thoughts.

Wade Harrison
P.O. Box 1191
Nome AK 99762

Sent from my iPhone