

ORDINANCE NO. 6177

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE
SEC. 14-178(a)(11) REGARDING COUNCIL REVIEW OF
LIQUOR LICENSE ISSUANCE, RENEWAL, OR TRANSFER**

WHEREAS, subsection 14-178(a)(11) currently requires the City Council to protest an application for a new tourism alcohol license if the application is based on construction of a new tourist facility with less than 30 rooms; and

WHEREAS, that subsection also requires protest if the application is for an improvement to an existing tourist facility of at least 30 rooms unless the improvements will result in at least a 50 percent increase in the assessed or appraised valuation; and

WHEREAS, these restrictions unnecessarily limit the prospects for smaller, boutique hotels within the city.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That FGC Section 14-178(a)(11) is hereby amended as follows [next text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 14-178. City council review of license issuance, renewal or transfer.

(a) Upon receipt of notification from the alcoholic beverage control board that it has before it an application for the issuance, renewal or transfer of an alcoholic beverage license, the city council shall determine whether to protest the action and shall consider the following factors it believes are pertinent:

(11) If an application is for a tourism license under AS 04.11.400(d), then:

~~a. The city will protest any application based on construction of a new tourist facility unless the construction will include at least 30 rooms.~~

~~b. The city council will protest any application for a new tourism beverage dispensary license based on an improvement to an existing tourist facility of at least 30 rooms unless the improvements will result in at least a 50 percent increase in the assessed or~~

~~appraised valuation compared to the value of the original tourist facility.~~

- e. ~~The city council, in addition to the requirements of subsection (a)(11)a. and b. of this section as applicable, will require the applicant to show by convincing evidence that the issuance of an additional beverage dispensary license to a tourist facility will, in fact, encourage tourism in the city. The applicant must prove that tourism will constitute a majority of the business of the beverage dispensary license.~~

SECTION 2. That the effective date of this ordinance will be the 14th day of August 2021.



Jim Matherly, Mayor

AYES: Marney, Kun, Clark, Gibson, Rogers, Therrien
NAYS: None
ABSENT: None
ADOPTED: August 9, 2021

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney