



# Municipality of Anchorage

Ethan Berkowitz, Mayor

**MUNICIPALITY OF ANCHORAGE  
PROCLAMATION OF ADDITIONAL EMERGENCY ORDER EO-12  
TEMPORARY EXPANSION OF LICENSED PREMISES  
FOR ONSITE CONSUMPTION OF ALCOHOLIC BEVERAGES**

ISSUED BY THE MAYOR OF THE MUNICIPALITY OF ANCHORAGE PURSUANT TO ANCHORAGE MUNICIPAL CODE SECTIONS 3.80.060F, .060H.

The Municipality issues this emergency order to align the Municipality's regulation of restaurants, breweries, distilleries, wineries, and other establishments with recent State action suspending certain regulations and statutes within the Alaska Department of Commerce, Community, and Economic Development. This emergency order will allow licensed establishments within Municipality of Anchorage, when approved by the Director of the Alcohol & Marijuana Control Office (AMCO), to temporarily alter their functional floor plan or reduce or expand the area of the establishment's existing licensed premises for onsite consumption of alcoholic beverages. This temporary alteration to existing licensed premises for onsite consumption of alcoholic beverages is intended to facilitate physically-distant outdoor seating for restaurants, breweries, distilleries, wineries, and other licensees in response to the Governor's Public Health Disaster Emergency Declaration for COVID-19 and the Mayor's Proclamation of Emergency (COVID-19) issued March 12, 2020.

I HEREBY ORDER THE FOLLOWING EMERGENCY REGULATIONS TO BE EFFECTIVE AS OF 12:01 A.M. ON JUNE 17, 2020. THE FOLLOWING EMERGENCY REGULATIONS HAVE THE POWER OF LAW, SHALL REMAIN IN EFFECT UNTIL THE EXPIRATION OF THE EMERGENCY DECLARATION UNLESS REVOKED SOONER, AND SHALL SUPERSEDE ALL CONFLICTING LAWS DURING THE EXISTENCE OF THIS EMERGENCY.

1. Following written approval from the Director of AMCO, pursuant to state regulation 3 AAC 304.185(d), holders of State of Alaska liquor licenses within the Municipality may temporarily expand their licensed premises to include outdoor areas:
  - a. within the same legal property as an existing licensed premises; or
  - b. contiguous to or directly adjacent to the existing licensed premises when the temporary licensed premises include public rights-of-way, subject to obtaining a corresponding right-of-way permit from the Municipality.

2. Businesses with a special land use permit for alcohol or conditional use permit for retail sale of alcoholic beverages that receive approval from AMCO to temporarily modify their licensed premises during the COVID-19 public health emergency may, in compliance with state regulations and the Mayor's emergency orders, apply for a municipal Temporary Use of Outdoor Areas (COVID-19 Mitigation) permit and:
  - a. Shall not be considered to have made any material change in the operation of their business and will not be considered substantially different than as approved in the permit as contemplated by AMC 21.03.040C.7.c; and
  - b. Shall be exempt from the requirements for modification of final approval contained in AMC 21.15.030.G (Old Code).
3. Businesses applying for a municipal Temporary Use of Outdoor Areas (COVID-19 Mitigation) permit shall be exempt from off-street parking requirements contained in AMC 21.45.080 (Old Code) and 21.07.090E if the temporary use includes portions of the parking lot for the subject business.
4. All remedies and penalties available to the municipal Planning Director shall remain in effect, including civil remedies and enforcement powers under AMC 21.13.040.
5. Upon expiration of the Mayor's Proclamation of Emergency (COVID-19) issued March 12, 2020:
  - a. All temporary modifications to the licensed premises must return to their original configuration; and
  - b. All temporary exemptions from off-street parking shall terminate.

DATED this 16th day of June, 2020.



Ethan Berkowitz, Mayor  
Municipality of Anchorage, Alaska