

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Blaine Gilman, Assembly President
Brent Johnson, Vice President

MEMORANDUM

TO: Blaine Gilman, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Dale Bagley, Assembly Member DLB

DATE: October 29, 2015

RE: Ordinance 2015-27, An Ordinance Amending KPB 7.10.20 to Reduce the Minimum Distance Between a Liquor Licensed Premise and an Established School, Church or Playground from 500 Feet to 300 Feet, and Changing the Method of Measuring the Distance to Match State Statute

During a recent assembly consideration of a liquor license relocation application, it became apparent that the borough's code section requiring a protest when a proposed location is less than 500 feet from a church, school, or playground was creating serious division in an unincorporated community of the borough. In most small communities in the borough, businesses are concentrated in a very small area that also includes religious and educational uses. State law only prohibits liquor premises from being within 200 feet of churches and schools. Almost all of the other communities in the state that allow the sale of liquor use this same 200 foot distance requirement. The only known exceptions are Valdez which also used 500 feet, and Bethel at 300 feet.

This ordinance would decrease the 500 feet distance to 300 feet to reduce the borough's role in causing such conflicts while still imposing a greater distance requirement than state law. It also changes the way the distance is measured to be consistent with the state's method of measuring this distance. This change would also simplify the application process as the distance would only have to be measured one way.

Your support would be appreciated.