

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2023-09S

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 6
“BUSINESS LICENSES AND REGULATIONS” OF THE SITKA GENERAL CODE
BY UPDATING CHAPTER 6.16 “SALES ON PUBLIC PROPERTY”**

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code (SGC).

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to expand the scope of the permits issued under SGC 6.16.010 to juveniles entertaining the public, in recognition of the benefits of promoting entrepreneurship and artistic expression in Sitka’s youth.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 6, entitled “Business Licenses and Regulations”, be amended by updating Chapter 6.16, entitled “Sales on Public Property”, to read as follows (deleted language stricken, new language underlined):

**Title 6
BUSINESS LICENSES AND REGULATIONS**

Chapters:

6.16 Sales on Public Property

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**Chapter 6.16
CITY AND BOROUGH ASSEMBLY**

Sections:

6.16.010 Sales – Permit, fees and regulations.

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6.16.010 Sales—Permit, fees and regulations.

Except as allowed in this section, outdoor sales of goods or articles, including solicitation for certain services or activities, are prohibited outdoors on public property in the CBD district, public use zone and public boat harbors. This prohibition includes, but is not limited to, sales on public sidewalks, parking lots and streets, except as allowed below:

A. The following sales will be allowed in areas designated on an annual permit issued by the municipality for a fee of ten dollars:

1. Incidental sales by juveniles of items made by the juveniles, or natural items collected by the juveniles, to tourists in the Crescent Harbor area and under the O'Connell bridge,
 2. Handicrafts, artwork and jewelry made from fur and leather indigenous to southeast Alaska, sold by the artist, including traditional sales by Alaska Natives, as well as books written and sold by local authors which depict the history, sociology or everyday life of southeast Alaska,
 3. Sales of personally made arts and crafts items by senior citizens for charitable purposes,
 4. a. Sales of items by juveniles, the proceeds from which will primarily benefit a recognized charitable organization dedicated to providing programs for youth,
 - b. Sales will be limited to unique items that are not available commercially,
 - c. Such permits shall be limited to no more than three groups at any one given time;
- B. Retail sales of food prepared by vendors in compliance with all applicable state, federal and/or municipal agency requirements, as well as other food items which are prepackaged by the manufacturer and do not require further processing, such as gum, candy, juice, chips and soft drinks, from a mobile, nonmotorized food cart as designated on a two-year permit issued by the municipality for a fee of fifty dollars, under the conditions set out in Section 6.16.015;
- C. Retail sales of seafood to the ultimate consumer by the actual fisherman from their vessels at public boat harbors;
- D. By prior arrangement with the administrator, sales may be authorized for special events such as the Salmon Derby, the Fourth of July and Alaska Day;
- E. Solicitation by musicians, including juveniles, shall be allowed in areas designated on a musician permit issued by the municipality for an annual fee of ten dollars, under the following conditions:
1. Musician may perform and will be issued a musician permit during hours designated by the harbormaster or Harrigan Centennial Hall manager or the designee of the municipal administrator, and
 2. No electrical amplification of any instrument will be allowed;
- F. Solicitation by juveniles entertaining the public, by speaking, acting, dancing, singing, playing a musical instrument, or other performance, shall be allowed in areas designated for an annual fee of ten dollars under the following conditions:
1. Juveniles may perform and will be issued a juvenile entertainer permit during hours designated by the Harrigan Centennial Hall manager or designee of the municipal administrator, and


2. No electrical amplification of any performance will be allowed.

GF. On-site supervision by an adult is required for all juveniles under the age of ten who participate in permitted sales and other activities allowed under this section. The permit may be revoked for misconduct such as fraud or loud, aggressive behavior or slandering other permittees, and is subject to regulations as necessary to protect the health, safety and welfare of visitors and citizens, ~~in accordance with Section 6.19.040;~~

HG. Failure to follow the rules of this chapter may result in the loss of a permit.

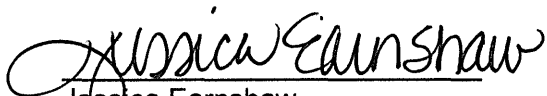
5. EFFECTIVE DATE. This ordinance shall become effective the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, this 27th day of June, 2023.



Steven Eisenbeisz, Mayor

ATTEST:



Jessica Earnshaw
Acting Municipal Clerk

1st reading: 5/23/2023

1st reading – substitute ordinance: 6/13/2023

2nd and final reading: 6/27/2023

Sponsors: Christianson / Mosher