

Original sponsor: Chance

Offered: 3/12/74  
Referred: Judiciary

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 429

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring toilet accommodations in facilities  
7 serving the public."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.35 is amended by adding new sections to read:

10 ARTICLE 2. RESTAURANTS AND TAVERNS.

11 Sec. 18.35.100. TOILET FACILITIES REQUIRED. An owner of a  
12 restaurant or tavern shall provide and maintain on the premises sani-  
13 tary toilet accommodations for public use. An owner of a restaurant  
14 or tavern in operation on the effective date of this Act has one year  
15 from the effective date of this Act to comply with the requirement  
16 of this section.

17 Sec. 18.35.110. PENALTY. (a) A person who fails to comply with  
18 sec. 100 of this chapter is guilty of a misdemeanor and upon conviction  
19 is punishable by a fine of not more than \$500. Each operating restau-  
20 rant or tavern in violation constitutes a separate offense.

21 (b) In addition to the penalty provided in (a) of this section,  
22 the court shall require the person to comply with sec. 100 of this  
23 chapter within a reasonable period of time.

24 Sec. 18.35.120. ENFORCEMENT. The department shall promulgate  
25 regulations to implement and enforce sec. 100 of this chapter by  
26 appropriate means, including but not limited to periodic inspections.

27 ARTICLE 3. FACILITIES AND SPECIAL EVENTS

28 OPEN TO GENERAL PUBLIC.

29 Sec. 18.35.200. TOILET FACILITIES REQUIRED. An owner of public

1 facilities or sponsor of special events open to the general public  
2 shall provide and maintain at the facilities or events sanitary toilet  
3 accommodations for public use whether the facilities or events are  
4 permanent or temporary. An owner of a permanent facility in operation  
5 on the effective date of this Act has one year from the effective date  
6 of this Act to comply with the requirement of this section.

7 Sec. 18.35.210. PENALTY. A person who fails to comply with  
8 sec. 200 of this chapter is guilty of a misdemeanor and upon conviction  
9 is punishable by a fine of not more than \$500. Each day of operation  
10 shall be considered a separate offense.

11 Sec. 18.35.220. ENFORCEMENT. The department shall promulgate  
12 regulations to implement and enforce sec. 200 of this chapter by  
13 appropriate means, including but not limited to periodic inspections.

14 Sec. 18.35.230. DEFINITIONS. In secs. 100 - 230 of this chapter,

15 (1) "department" means the Department of Health and Social  
16 Services;

17 (2) "public facilities" means recreation camps, picnic areas,  
18 theaters, places of entertainment, churches, fair buildings, and places  
19 with permanent facilities for public use;

20 (3) "restaurant" means a place maintained or held out to the  
21 public for purposes of sale and on-premise consumption of food or  
22 beverages;

23 (4) "special events" means events involving public gathering  
24 and shall include athletic and sporting events where the public congre-  
25 gate, which shall include but not be limited to dog sled racing, horse  
26 racing, snowmobile races, skiing events, salmon derbys, and other  
27 activities;

28 (5) "tavern" means a place maintained or held out to the  
29 public for purposes of sale and on-premise consumption of alcoholic

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beverages;

(6) "toilet accommodations" means a facility available to the public consisting of an approved flush-type commode, urinal, privy, self-contained privy or any other device approved by the department for containment and disposal of human wastes and may include lavatory facilities.