

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 where practical provide and maintain at the facilities or events
3 sanitary toilet accommodations for public use whether the facilities or
4 events are permanent or temporary. An owner of a permanent facility in
5 operation on the effective date of this Act has two years from the
6 effective date of this Act to comply with the requirement of this section.
7 No charge may be required for use of a toilet facility in any public
8 place.

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

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

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

17 (1) "department" means the Department of Health and Social
18 Services;

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

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

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

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(5) "tavern" means a place maintained or held out to the public for purposes of sale and on-premise consumption of alcoholic 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 shall include lavatory facilities where practical.