



LAWS OF ALASKA

1974

Source

Chapter No.

CSHB 429 am

58

AN ACT

Requiring toilet accommodations in facilities serving the public.

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

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

ARTICLE 2. RESTAURANTS AND TAVERNS.

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

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

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

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

ARTICLE 3. FACILITIES AND SPECIAL EVENTS OPEN TO GENERAL PUBLIC.

Sec. 18.35.200. TOILET FACILITIES REQUIRED. An owner

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

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

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

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

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

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

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

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

(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.