

HAINES BOROUGH, ALASKA  
ORDINANCE No. 19-06-543

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE 3.80 TO ADD SECTION 3.80.031 A TWO PERCENT SALES TAX FOR THE SALE OF ALCOHOLIC BEVERAGES AND MARIJUANA IN HAINES BOROUGH SUBJECT TO VOTER RATIFICATION.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of this ordinance is of a general and permanent nature and if adopted, and approved by Borough voters, shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective 01/01/2020 but only if a majority of the voters of the Borough voting in the October 1, 2019 general municipal election approve a proposition to ratify this ordinance.

Section 4. Addition of Section 3.80.031. Haines Borough Code 3.80 is hereby amended to add Section 3.80.031, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

**3.80.031 Levy of Alcohol and Marijuana Sales Tax.**

A. In addition to the tax levied under section 3.80.030 above, there is hereby levied a tax equal to two percent of the selling price of all of the following sales made within the Haines Borough, except sales specifically exempted by this chapter.

1. retail sale of alcoholic beverages
2. retail sales of marijuana and marijuana products

B. All taxes imposed by this chapter are due and payable by the buyer at the time of sale and are delinquent if not paid at the time of sale.

C. The obligation for the payment of the tax is upon the buyer. Every seller shall collect the taxes imposed by this chapter from the buyer at the time of sale and shall deliver the same to the Haines Borough in accordance with the requirements in this chapter.

D. The purpose and intent of the tax imposed under this chapter is to raise revenues and diversify the borough's tax base. The scope of the tax levied shall be broadly interpreted and exemptions shall be allowed only when the sales clearly fall within an exemption defined in this chapter. Any and all revenues resulting from the imposition and collection of the tax shall be allocated to the general fund.

E. Except as otherwise provided in this section, the reporting, collection and penalties for failure to comply with this section shall be governed by the provisions of this code applicable to other sales taxes.

Section 5. Clerk to Prepare Ballot Proposition for Sales Tax on Alcoholic Beverages. The Borough Clerk is hereby directed to place the following proposition on the ballot for the regular municipal election on October 1, 2019:

**Proposition No. \_\_\_\_**  
**TAX ON SALE OF ALCOHOLIC BEVERAGES**

**Shall the Haines Borough levy and collect an additional borough-wide sales tax equal to two percent of the selling price on retail sales of alcoholic beverages?**

- Yes**
- No**

Section 6. Clerk to Prepare Ballot Proposition for Marijuana and Marijuana Products. The Borough Clerk is hereby directed to place the following proposition on the ballot for the regular municipal election on October 1, 2019:

**Proposition No. \_\_\_\_**  
**TAX ON SALE OF MARIJUANA AND MARIJUANA PRODUCTS**

**Shall the Haines Borough levy and collect an additional borough-wide sales tax equal to two percent of the selling price on retail sales of marijuana and marijuana products?**

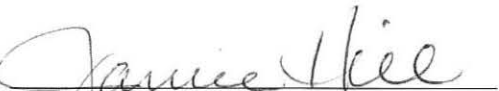
- Yes**
- No**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 1st DAY OF AUGUST, 2019.

ATTEST:

  
Alekka Fullerton, CMC, Borough Clerk



  
Janice Hill, Mayor

Date Introduced: 06/27/19  
Date of First Public Hearing: 07/18/19  
Date of Second Public Hearing: 08/01/19