



City & Borough of Sitka

Municipal Clerks Office

100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1808 Fax: 907-747-4004



MEMORANDUM

February 6, 2013

TO: Mayor and Assemblymembers

FR: Colleen Ingman, Municipal Clerk

RE: Liquor License Renewals

We have received the following liquor license renewal applications:

DBA: **Channel Club**
Lic Type: Beverage Dispensary
Lic #: 212
Owner: Channel LLC, The
Service Location: 2906 Halibut Point Road

DBA: **Pioneer Bar**
Lic Type: Beverage Dispensary
Lic #: 865
Owner: Pioneer Liquor Inc
Service Location: 212 Katlian Street

DBA: **Pioneer Liquor Store**
Lic Type: Package Store
Lic #: 872
Owner: Pioneer Liquor Inc
Service Location: 212 Katlian Street

DBA: **Dock Shack Café**
Lic Type: Beverage Dispensary – Tourism AS 04.11.400(d)
Lic #: 5046
Owner: Shee Atika' Management LLC
Service Location: 201 Katlian Street

A memo was circulated to the various departments who may have a reason to protest. To date, no protests have been received.

I MOVE TO forward these liquor license renewals to the Alcoholic Beverage Control Board without protest.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of Commerce, Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD

5848 E. Tudor Road
Anchorage, Alaska 99507
Main: 907.269.0350
Chris Lambert: 907.269.0359
TDD: 907.465.5437
Fax: 907.272.9412

January 22, 2013

Renewal Application Notice

City & Borough of Sitka
Attn: City Clerk
VIA EMAIL: colleen@cityofsitka.com

DBA	Lic Type	Lic #	Owner	Service Location
Channel Club	Beverage Dispensary	212	Channel LLC, The	2906 Halibut Point Rd
Pioneer Bar	Beverage Dispensary	865	Pioneer Liquor Inc	212 Katlian Street
Pioneer Liquor Store	Package Store	872	Pioneer Liquor Inc	212 Katlian Street
Dock Shack Cafe	Beverage Dispensary- Tourism AS 04.11.400(d)	5046	Shee Atika' Management LLC	201 Katlian St

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning

regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/Christina C. Lambert
Christine C. Lambert
Licensing & Records Supervisor
Christine.lambert@alaska.gov