

If this item is pulled from the consent agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE TO approve liquor license renewal applications for American Legion Post #13, Sea Mountain Restaurant & 19th Hole, Nugget Restaurant, House of Liquor, Ludvig's Bistro, Agave Mexican Restaurant, Larkspur Café, and Dove Island Lodge and forward these to the Alcoholic Beverage Control Board without objection.

OFFICE OF THE MUNICIPAL CLERK

January 7, 2016

TO: Mayor and Assembly Members

FROM: Sara Peterson, Municipal Clerk

SUBJECT: Liquor license Renewals

This office is in receipt of the following liquor license renewal applications. A memo was circulated to various departments who may have had reason to protest and no protests were received.

DBA	Lic Type	Lic #	Licensee	Premise Address
American Legion Post #13	Club	56	American Legion Post #13	205 Lincoln St
Sea Mountain Restaurant & 19th Hole	Beverage Dispensary	606	Sitka Golf Association Inc	301 Granite Creek Road
Nugget Restaurant	Beverage Dispensary	790	JD & PR Colton and JP & TE Colton	600 Airport Rd
Larkspur Café	Restaurant/Eating Place	4971	GraCED, Inc.	2 Lincoln Street Ste 1A
House of Liquor	Package Store	1366	House of Liquors Inc	705 Halibut Point Rd
Ludvig's Bistro	Restaurant/Eating Place	4246	Ludvig's Bistro Inc.	256 Katlian St.
Agave Mexican Restaurant	Restaurant/Eating Place	4854	Juan Carlos Macias	236 Lincoln St
Dove Island Lodge	Outdoor Recreation Lodge	5126	Dove Island Lodge & Sitka Sportfishing Charters, LLC	Dove Island



City & Borough of Sitka
Municipal Clerk's Office

100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Assessing – Ruth
Collections - Mary
Municipal Billings – Mike
Sales Tax/Property Tax - Hannah
Utility Billing Clerk – Diana

Fire Department
Police Department
Building Official(s)

From: Sara Peterson, Municipal Clerk *SP*

Date: December 11, 2015

Subject: Liquor License Renewal Applications

Attached is a list of liquor license renewal applications within Sitka's jurisdiction.

Please notify **no later than noon on December 24th** of any reason to protest these renewal requests.

Thank you.

Attachment



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
Phone: 907.269.0350
alcohol.licensing@alaska.gov

December 10, 2015

City and Borough of Sitka
Attn: Colleen Ingman, Municipal Clerk
VIA Email: colleen@cityofsitka.com
sara@cityofsitka.com

Re: Notice of 2016/2017 Liquor License Renewal Applications

Dear Ms. Ingman,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic. #	Doing Business As	License Type	Licensee	Premises Address
56	American Legion Post #13	Club	American Legion Post #13	205 Lincoln St
606	Sea Mountain Restaurant & 19 th Hole	Beverage Dispensary	Sitka Golf Association, Inc.	301 Granite Creek Road
790	Nugget Restaurant	Beverage Dispensary	JD & PR Colton and JP & TE Colton	600 Airport Road
1366	House of Liquor	Package Store	House of Liquors, Inc.	705 Halibut Point Road
4246	Ludvig's Bistro	Restaurant/Eating Place	Ludvig's Bistro, Inc.	256 Katlian Street
4854	Agave Mexican Restaurant	Restaurant/Eating Place	Juan Carlos Macias	236 Lincoln Street
4971	Larkspur Café	Restaurant/Eating Place	GraCED, Inc.	2 Lincoln Street Ste 1A
5126	Dove Island Lodge	Outdoor Recreation Lodge	Dove Island Lodge & Sitak Sportfishing	Dove Island

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing 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 our office 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 when 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(s) 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 regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact our licensing unit at alcohol.licensing@alaska.gov.

Sincerely,



Sarah Daulton Oates

Records & Licensing Supervisor
sarah.oates@alaska.gov