



City & Borough of Sitka

Municipal Clerks Office

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



MEMORANDUM

July 7, 2011

TO: Mayor and Assemblymembers

FR: Colleen Ingman, Municipal Clerk

RE: Bayview Restaurant Liquor License Transfer of Ownership

Our office is in receipt of a request for transfer of ownership of the following liquor license:

License # 4771

Type: Restaurant Eating Place

DBA: The Bayview Restaurant and Pub

Location: 407 Lincoln Street

Agents/Officers: James and David Jenks

A memo was circulated to the various departments who may have had an objection and no objections were received.

All municipal accounts are current and there are no liens against any of the proposed license holders.

If this item is pulled from the Consent Agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE to approve forwarding the Bayview Restaurant transfer of ownership and name change to the Alcoholic Beverage Control Board without objection.



City & Borough of Sitka

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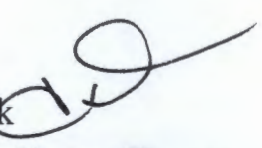
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Memorandum

June 24, 2011

To: Property Clerk – Ruth Joens
Collections – Mary Martin
Municipal Billings, Tideland Lease – Retha Winger
Sales Tax – Brenda Calkins
Utility Billing Clerk – Bev Brill
Fire Department
Police Department
Building Official

From: Colleen Ingman, Municipal Clerk 

Subject: **Liquor License – Ownership & Name Change**

This office has received the following request for a liquor license transfer:

Type: Restaurant Eating Place
Owner: The Bayview Restaurant
DBA: Bayview Restaurant
Location: 407 Lincoln St

To: The Bayview Restaurant LLC
Owner: James & David Jenks, 301 Charteris St
DBA: The Bayview Restaurant and Pub
Location: 407 Lincoln St
Telephone: 907-747-5300

Please advise by **July 6, 2011** of any outstanding balances, or of any reason to object to this transfer application.

Thank you for your assistance.

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: June 22, 2011

Application Type: **NEW** _____

 X **TRANSFER**
 X Ownership
____ Location
 X Name Change

Governing Body: **City & Borough of Juneau**
Community Councils: None

License #: **4771**
License Type: **Restaurant Eating Place**
D.B.A.*: **The Bayview Restaurant and Pub**
Licensee/Applicant: **The Bayview Restaurant LLC**
Physical Location: **407 Lincoln St**

Mail Address: **PO Box 6248 Sitka AK 99835**
Telephone #: **907-747-5300 907-747-0660 Fax**
EIN: **Pending**

Corp/LLC Agent:	Address	Phone	Date and State of Limited Partnership/Corporation	Good standing?
James Jenks	301 Charteris St Unit A Sitka AK 99835	907-747- 5300	August 24, 2009 Alaska	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
James Arthur Jenks	11/19/76	301 Charteris St Unit A Sitka AK 99835	907-727-480- 7749	Member 50%
David T Jenks	1/22/85	237 Lincoln St #306 Sitka AK 99835	907-747-5300	Member 50%

If **transfer** application, current license information:

License #: **4771**
Current D.B.A.: **Bayview Restaurant**
Current Licensee: **Bayview Restaurant LLC**
Current Location: **Same**

Additional comments: **None.**

****Date of Birth**

*** Doing Business As**

Cc:

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 15 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

/s/ Reeda Jaramillo
Reeda Jaramillo
Business Registration Examiner