

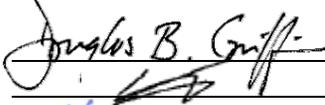
CITY OF PALMER ACTION MEMORANDUM NO. 11-059

SUBJECT: City Council Statement of Non-objection to the Renewal of Liquor License #4366, for Fred Meyer Located at 1136 S. Cobb Street, Palmer

Agenda of: December 13, 2011

Council Action: No Objection _____

Approved for presentation by:

City Manager	
City Attorney	
City Clerk	

Certification of Funds:

Total amount of funds listed in legislation: \$ 0 _____

This legislation (√):

Has no fiscal impact

Funds are budgeted from this (these) line item(s): ➤

Funds are not budgeted. Budget modification is required. Affected line item(s):

Unrestricted/undesignated fund balance (after budget modification) \$ _____

Director of Finance signature certifying funds: _____

Attachment(s):

- Renewal Notice
- Liquor License Renewal Form

Summary statement: Fred Meyer has applied for renewal of their liquor license. State law requires local governing bodies to review requests pertaining to liquor licenses within their municipalities. The City may voice a non-objection or may file a protest to a request.

Administration recommendation: Approve action memorandum 11-059.



State of Alaska

Department of Public Safety

Alcoholic Beverage Control Board

Sean Parnell, Governor
Joseph A. Masters, Commissioner

November 15, 2011

Renewal Application Notice

City of Palmer
Attn: City Clerk
VIA EMAIL: jbower@palmerak.org

DBA	Lic Type	Lic #	Owner	Premise Address
Fred Meyer	Package Store	4366	Fred Meyer Stores Inc.	650 Cobb 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 have been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Alcoholic Beverage Control Board
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

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. GIFFORD
Director

/s/Christine C. Lambert
Christine C. Lambert
Licensing & Records Supervisor
269-0359
Christine.lambert@alaska.gov

City of Palmer • Liquor License Review Form

BUSINESS NAME: Fred Meyer **OWNER:** Fred Meyer Stores, Inc.
LICENSE TYPE: Package Store
LOCATION: 650 Cobb St., Palmer
MAILING ADDRESS: PO Box 42121 Portland, OR 97242

Route to: Department of Finance

Sales Tax Current: <input checked="" type="checkbox"/>			If no, explain:
Yes	X	No	

Utilities Current: <input checked="" type="checkbox"/>			If no, explain:
Yes	X	No	

Property Taxes Current: <input checked="" type="checkbox"/>			If no, explain:
Yes	X	No	

Special Assessments Current: <input checked="" type="checkbox"/>			If no, explain:
Yes	X	No	

Other Comments:


11/14/2011

Department of Administration Director Date

Route to: Department of Community Development

Code Compliant: <input checked="" type="checkbox"/>			If no, explain:
Yes	X	No	

Other Comments:


11/14/11

Department of Community Development Director Date

Route to: Department of Public Safety

Code Compliant: <input checked="" type="checkbox"/>			If no, explain:
Yes	<input checked="" type="checkbox"/>	No	

Other Comments:



Department of Public Safety Director

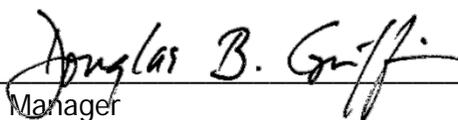
11/14/2011
Date

Other Comments:

Route to: City Manager's Office

OTHER COMMENTS:

FORWARD TO COUNCIL FOR AGENDA OF: December 13, 2011



City Manager

Date

Route to: CLERK'S OFFICE