CITY OF PALMER
ACTION MEMORANDUM NO. 12-011

Subject: City Council Statement of Non-objection to the Renewal of Liquor License #5010, for Alaska Avalanche Hockey Club Located at 1317 Kerry Weiland Court, Palmer

Agenda of: February 14, 2012

Council Action: No Objection to the Renewal

Approved for presentation by:

City Manager Douglas B. Griffin
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: Alaska Avalanche Hockey Club 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 12-011.

State of Alaska
Department of Public Safety
Alcoholic Beverage Control Board

Sean Parnell, Governor
Joseph A. Masters, Commissioner

February 6, 2012

Renewal Application Notice

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

DBA	Lic Type	Lic #	Owner	Premise Address
Caboose Lounge	Beverage Dispensary	1194	Michelle & David's Caboose Lounge Inc	606 S Alaska St
Iron Horse Liquor	Package Store	1195	Iron Horse Liquor Inc	606 S Alaska St
Moosehead Saloon, The	Beverage Dispensary	3058	Any Day Now, Inc.	810 S Colony Way
Rusty's at Dahlia Street	Restaurant/Eating Place-Public Convenience	4994	Downtown Dining, Inc.	320 E Dahlia Street Ave.
Alaska Avalanche Hockey Club	Restaurant/Eating Place-Public Convenience	5010	Alaska Avalanche Hockey Club LLC	MTA Palmer Arena - 1317 Kerry Weiland Court

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.**

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

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.

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: Alaska Avalanche Hockey Club **OWNER:** Alaska Avalanche Hockey Club LLC

LICENSE TYPE: Restaurant/Eating Place – Public Convenience

LOCATION: 1317 Kerry Weiland Court

MAILING ADDRESS: P.O. Box 877001
Wasilla, AK 99687

Route to: Department of Finance

Sales Tax Current: √				If no, explain:
Yes	X	No		

Utilities Current: √				If no, explain:
Yes	X	No		

Property Taxes Current: √				If no, explain:
Yes	X	No		

Special Assessments Current: √				If no, explain:
Yes	X	No		

Other Comments:

_____ 12/29/2011 _____
Department of Finance Director Date

Route to: Department of Community Development

Code Compliant: √				If no, explain:
Yes	X	No		

Other Comments:

David Meneses Acting For Sandra Garley
_____ 1/10/2012 _____
Department of Community Development Director Date

Route to: Department of Public Safety

Code Compliant: √				If no, explain:
Yes	X	No		

Other Comments:

_____

_____

_____

_____ 01/12/2012

Department of Public Safety Director Date

Other Comments:

_____

_____

_____

Route to: City Manager's Office

OTHER COMMENTS:

FORWARD TO COUNCIL FOR AGENDA OF: *January 24, 2012*

_____

City Manager Date

Route to: CLERK'S OFFICE