



	Approved	Denied
Action taken	11/24/03	
Other:		
Verified by:	L. Smith	

WASILLA CITY COUNCIL MEMORANDUM

CM No. 03-61

TITLE: Liquor License Transfer Of Ownership From Lacie's Pizza To Sammy's.

COUNCIL MEETING DATE: November 24, 2003

ADMINISTRATION INITIAL: *ome*

REQUESTED BY: City Clerk

PREPARED BY: Deputy Clerk *JN*

Date Prepared: November 5, 2003

FISCAL IMPACT: N/A

If yes, amount requested: \$ Account No.:

SUMMARY STATEMENT: Lacie's Pizza has filed an application with the Alcoholic Beverage Control Board to transfer ownership of their liquor license to Sammy's. Staff has verified that Lacie's Pizza and Sammy's are in compliance with WMC 5.16, Sales tax.

Pursuant to AS 04.11.480 the city council may protest the application.

STAFF RECOMMENDED ACTION: Approve the liquor license transfer of ownership from Lacie's Pizza to Sammy's.

Attachments: Liquor License Transfer Application; Sammy's

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: November 5, 2003

Application Type: **NEW** _____

TRANSFER
 Ownership
 Location
 Name Change

Governing Body: **City of Wasilla**
 Community Councils: None

License #: 2739
 License Type: Restaurant/Eating Place
 D.B.A.*: Sammy's
 Licensee/Applicant: Samuel Lee Richardson
 Physical Location: 1801 Parks Hwy #D-0

Mail Address: P O Box 875741 Wasilla AK 99687
 Telephone #: (907) 357-2565 (907) 357-2562 Fax
 EIN: 20-0143862

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Samuel Lee Richardson	P O Box 875741 Wasilla AK 99687	907-357-2565	N/A	N/A

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 (%)
Samuel Lee Richardson	6/28/76	P O Box 875741 Wasilla AK 99687	907-357-2565	Owner 100%

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

License #: 2739
 Current D.B.A.: Lacie's Pizza
 Current Licensee: William D & Patricia A Gillen
 Current Location: 453 E Pioneer Avenue

Additional comments: **Restaurant Designation Application will be sent via mail.**
ORIGINAL APPLICATION MUST BE RETURNED.

**Date of Birth
 * Doing Business As

Cc: Matanuska-Susitna Borough

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/ Dawn Holland-Williams

Dawn Holland-Williams
Records & Licensing Supervisor

ALCOHOLIC BEVERAGE CONTROL BOARD

APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 15 AAC 104.715-794

23/3 FEE: \$50.00 JN

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (15 AAC 104.745).

This application is for designation of premises where: (please mark appropriate items).

- 1 Under AS 04.16.010(c) Bona fide restaurant/eating place.
- 2 Persons between 16 & 21 may dine unaccompanied.
- 3 Persons under 16 may dine accompanied by a person 21 years or older.
- 4 Persons between 16 and 19 years may be employed. (See note below).

LICENSEE: Samuel Lee Richardson

D/B/A: Sammy's Pizzeria

ADDRESS: 1801 Parks Hwy. Spaco. D.O Wasilla, AK 99687

1. Hours of Operation: 11 a.m. to 11 p.m. Telephone # (907) 357-2565

2. Have police ever been called to your premises by you or anyone else for any reason: [] Yes No
If yes, date(s) and explanation(s).

3. Duties of employment: Wait Tables, Make & cook Pizzas

4. Are video games available to the public on your premises? Video games to be added at a later date

5. Do you provide entertainment: [] Yes No If yes, describe.

6. How is food served? Table Service Buffet Service _____ Counter Service _____ Other*

7. Is the owner, manager, or assistant manager always present during business hours? Yes [] No

*** A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

This permit remains in effect until the liquor license is transferred OR at the discretion of the Alcoholic Beverage Control Board. (15 AAC 104.795)

I certify that I have read AS 04.16.049, AS 04.16.060, 15 AAC 104.715-795 and have instructed my employees about provisions contained therein.

[Signature]
Applicant(s) signature

Subscribed and sworn to before me this 14 day of August

[Signature]
Notary Public in and for Alaska

[Signature]
Application approved (15 AAC 104.725(e))
Governing Body Official

Date: 12/2/03

My Commission expires 8/24/03

Director, ABC Board

Date: _____

NOTE: AS 04.16.049(c) requires that written parental consent and an exemption by the Department of Labor must be provided to the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have the consent or exemption.

* Describe how food is served on back of form.