

POSTPONED INDEFINITELY 2-15-11

Reconsidered 2-15-11; Motion to lift the protest on Rumrunner's Old Towne Bar & Grill as recommended by the Public Safety Committee passed 2-15-11.

Submitted by: ASSEMBLY MEMBER HONEMAN
ASSEMBLY MEMBER GUTIERREZ

Reviewed by: Assembly Counsel

For reading: January 18, 2011

**ANCHORAGE, ALASKA
AR NO. 2011-28**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
CONDITIONAL PROTEST REGARDING RENEWAL OF BEVERAGE DISPENSARY
LIQUOR LICENSE # 4157, D.B.A. RUMRUNNER'S OLD TOWNE BAR & GRILL,
LOCATED AT 415 E. STREET, ANCHORAGE, ALASKA.**

WHEREAS, the licensee has made an application with the Alcoholic Beverage Control (ABC) Board for renewal of Beverage Dispensary Liquor License **#4157**, to be used for Rumrunner's Old Towne Bar & Grill, located at 415 E. Street Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application and February 11, 2011 is the last day for the Assembly to file a protest; and

WHEREAS, preliminary review of licensee's application for this location indicates items and/or incidents appropriate for review by the Anchorage Assembly's Public Safety Committee and requiring additional notice and opportunity to be heard at public hearing before the Assembly to include the following:

- One or more TAMS card violation(s) for failure to provide proof of server training (See *AMC 2.30.125B.*)
- More than one incident involving service of alcohol to an underage patron, without checking identification prior to service. (See *AMC 2.30.125D.*)

WHEREAS, protest by the Assembly is in order to allow notice and opportunity for review by the Assembly Public Safety Committee, and notice and opportunity for the licensee to be heard before the Assembly at public hearing, prior to the exercise of additional action by the Assembly;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters this PROTEST for a renewal of Beverage Dispensary License **# 4157** to allow the licensee the

opportunity to meet with the Public Safety Committee of the Anchorage Assembly and upon 21-day notice, as required by Anchorage Municipal Code 2.30.120, the opportunity to attend and be heard at public hearing on the exercise or waiver of this protest.

Section 2. Licensee shall provide the Municipal Clerk proof that Licensee shall be in continued and prospective compliance with AMC 2.30.125B, *Training* (T.A.M).

Section 3. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of Beverage Dispensary Liquor License # **4157** under local protest, until receipt by the Director of confirmation from the Municipal Clerk that additional Assembly action has been taken on the exercise or waiver of this protest after Public Safety Committee review and public hearing.

Section 4. Public hearing before the Assembly is hereby set for February 15, 2011 and by copy of this Resolution, the Municipal Clerk shall provide the licensee and the community council at least 21-day notice of public hearing on exercise or waiver of this protest.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2011.

Chair

ATTEST:

Municipal Clerk