

Submitted by: ASSEMBLY CHAIR HALL,  
VICE CHAIR JOHNSTON, AND ASSEMBLY  
PUBLIC SAFETY  
COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk  
For reading: May 8, 2012

CLERK'S OFFICE

APPROVED

Date: 5-8-12 ANCHORAGE, ALASKA  
AR NO. 2012-123

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A RESTAURANT/EATING PLACE LIQUOR LICENSE #4576 FOR NIRO RESTAURANTS, INC. dba NINO'S ITALIAN EATERY, LOCATED AT 831 EAST 36<sup>TH</sup> AVENUE, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, NIRO Restaurants Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a Renewal of a Restaurant/Eating Place Liquor License #4576, to be used for Nino's Italian Eatery, located at 831 East 36<sup>th</sup> Avenue, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on March 15, 2012 and has determined that the last day for the Assembly to file a protest is May 8, 2012; and

WHEREAS, the Assembly Meeting on May 8, 2012 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. Any ABC Board violations and/or incidents are on file that would lead to an ABC Board violation are attached;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$20,514.60.**

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for a Renewal of Restaurant/Eating Place Liquor License #4576 until this condition is met:

- Taxes owing to the Municipality of Anchorage in the amount of **\$20,514.60.** are paid in full.

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Section 2. 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 Restaurant/Eating Place Liquor License #4576 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 8<sup>th</sup> day of May, 2012.

Ernie Boell  
Chair

ATTEST:

Brian S. Green  
Municipal Clerk

M.O.A.

2012/2013 Liquor License Renewal

2012 MAR 15 AM 10:20

|                |                         |                       |
|----------------|-------------------------|-----------------------|
| License Number | License Type            | Establishment Name    |
| 4576           | Restaurant/Eating Place | Nino's Italian Eatery |
| Mo/Year        | Seasonal Date From:     | Seasonal Date To:     |

|                         |                    |
|-------------------------|--------------------|
| Mailing Address         | Premise Address    |
| NIRO Restaurants Inc    | 831 E 36th Ave     |
| 831 E 36th Ave          | Anchorage, Mun. of |
| Anchorage, AK 99503     |                    |
| Phone: 907 336 6466     | Fax: 907 336 6467  |
| Email: NINO@ALASKA.NET. |                    |

Midtown, Rogers Park, & Tudor Area

Please mark the correct box to answer:

- 1. Was your business open at least 30 days for 8 hours each day in 2010?  Yes  No
- 2. Was your business open at least 30 days for 8 hours each day in 2011?  Yes  No
- 3. Has the licensed premise changed from the last diagram submitted?  Yes  No
- 4. Has any person named in this application been convicted of a felony?  Yes  No
- 5. Gross receipts from sale of food were at least 50% of total gross receipts for 2010 and 2011?  Yes  No

List all corporation members, managers and shareholders below:

| Name & Mailing Address                                 | Title     | Share % | Phone        |
|--|-----------|---------|--------------|
| ENNIO RECINE<br>10058 MARMOT CIR AB ANCHORAGE AK 99503 | PRESIDENT | 51%     | 907-929-4576 |
| ROBERTO RECINE<br>PO BOX 512 AV PA 17437               | VICE PRES | 49      | 907 250-3087 |
|  |           |         |              |

If not a corporation - List all individuals, spouses, or partners that own business below:

| Name & Mailing Address | Title | Phone |
|------------------------|-------|-------|
|                        |       |       |
|                        |       |       |

| License Fee | Application Fee | Late Fee | Fingerprint Fee | TOTAL              |
|-------------|-----------------|----------|-----------------|--------------------|
| \$600.00    | \$200.00        | \$500.00 |                 | 1300 <sup>00</sup> |

By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

As a Corporate/LLC licensee, I certify that all agents and employees, who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are *not directly or indirectly responsible* for the service/sale/storage of alcoholic beverages are not alcohol server training certified, and will not be required to be certified.

As a licensee (a sole proprietor, partner or officer, director, shareholder, member, of the entity to which license is issued), I certify that I have received alcohol server training and my certification is currently valid.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.



Licensee Signature

ENNIO RECINE PRESIDENT

Printed Name & Title



Notary Signature

Notary Public in and for the State of AK

My commission expires: 5/16/13

Subscribed and sworn to before me this

28th day of February 2012

ABC Board - 5848 E. Tudor Rd - Anchorage, AK 99507  
 Phone: 907-269-0350 Fax: 907-269-9412

