

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

Prepared by: Municipal Clerk

For reading: _____, 2013

ANCHORAGE, ALASKA
AR NO. 2013-

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR LICENSE
#5234 AND RESTAURANT DESIGNATION PERMIT FOR THE MIDNIGHT MOON
COMPANY, INC. DBA RUSTIC GOAT LOCATED AT 2802 W. NORTHERN LIGHTS BLVD
AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, The Midnight Moon Company Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for New Restaurant/Eating Place Liquor License # 5234 and Restaurant Designation Permit to be used for Rustic Goat, located at 2802 W. Northern Lights Blvd, 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 May 9, 2013 and has determined that the last day for the Assembly to file a protest is July 8, 2013; and

WHEREAS, the Assembly Meeting on June 18, 2013 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. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Administrative site plan review, required by AMC 21.50.500, **has not been completed**;
4. Approvals from the Anchorage Fire and Building Safety Departments **have not been received**; and
5. Approval from the Municipal Health & Human Services Department **has been received**; and

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2 WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation
3 that outstanding items required for this location have been completed;
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5 NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:
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7 Section 1. The Anchorage Assembly hereby enters its **PROTEST** for New
8 Restaurant/Eating Place Liquor License # 5234 and Restaurant
9 Designation Permit until these conditions are met:
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- 11 • Administrative site plan review, required by AMC 21.50.500 has
12 been approved by the Planning Department and confirmed by the
13 Municipal Clerk.
- 14 • Approvals from the Anchorage Fire and Building Safety
15 Departments **have been received** and confirmed by the Municipal
16 Clerk.
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19 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic
20 Beverage Control Board as proof that the Anchorage Assembly, as the
21 local governing body, has stated its protest in order to allow the Director
22 of the Alcoholic Beverage Control Board to hold processing New
23 Restaurant/Eating Place Liquor License # 5234 and Restaurant
24 Designation Permit under local protest, until receipt by the Director of
25 confirmation from the Municipal Clerk that the conditions in Section 1
26 have been met, and this protest is lifted as authorized by this Assembly
27 Resolution.
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29 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon
30 Municipal Clerk confirmation that all conditions in Section 1 have been
31 met, to provide written notification to the Alcoholic Beverage Control
32 Board that this protest by the Anchorage Assembly is lifted, without
33 further action by the Assembly.
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36 PASSED AND APPROVED by the Anchorage Assembly this _____ day of, 2013.
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Chair

ATTEST:

Municipal Clerk