



MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: January 31, 2016

RE: Hoarfrost Distilling #5436

This is an application for a new Distillery License in the City of Fairbanks. The City of Fairbanks has protested the issuance of the above license per AS 04.11.480(a). Details are as follows:

Date of Notice to Fairbanks: December 7, 2015

Date Protest received: January 26, 2016

Basis for Protest: Pending issuance of a certificate of occupancy by the City of Fairbanks

Recommendation: The board should ascertain that the licensee has satisfied all obligations for the issuance of a certificate of occupancy by the City of Fairbanks. The board should instruct the applicant that failure to complete its obligations may result in a denial of the application at the April, 2016 meeting.



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6702
Fax (907)459-6710

January 26, 2016

Maxine Andrews, Business Registration Examiner
Alaska Alcohol and Marijuana Control Office
550 W. 7th Avenue, Ste. 1600
Anchorage, Alaska 99501-3567

Please be advised that at the regularly-scheduled meeting of January 25, 2016, the Fairbanks City Council voted to **PROTEST** the application for the following new distillery license until a Certificate of Occupancy is issued by the City of Fairbanks:

Type: Distillery, License #5436
Licensee/Applicant: Hoarfrost Distilling / Hoarfrost Distilling, LLC
Physical Location: 3501 Lathrop Street, Unit F, Fairbanks, Alaska

The Fairbanks Building and Fire Departments informed the Council that a Certificate of Occupancy has not yet been issued for the building. The Council voted to protest the license until a Certificate of Occupancy is issued and allow for the protest to be lifted upon issuance.

Alaska Statutes section 04.11.480(a) provides that "A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license... If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, or unreasonable."

Should you need further information do not hesitate to call me.

Sincerely,

D. Danyielle Snider, CMC
City Clerk

cc: File(s)
Toivo Luick
Fire Department
Building Department