

# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 12-27-2017

License #/Type: Beverage Dispensary 253

Licensee: Pioneer Beverages, Inc.

Address: 195 E. Pioneer Ave, Homer, AK

DBA: Alice's Champagne Palace

AMCO Case #: AB17-0763

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 12-13-2017 an inspection was conducted at your establishment. On-duty manager Joshua Tobin was asked to provide proof of alcohol server education. Tobin stated he doesn't have one and was unaware he needed one.

Your attention is directed to AS04.21.025: Server education, AS04.21.030: Responsibility of licensees, agents, and employees, and AS04.16.150: Licensee responsible for violations.

As part of your response, please send a copy of Tobin's server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THE NEXT REGULARLY SCHEDULED BOARD MEETING.

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**  
**ATTN: Enforcement**  
**550 W. 7<sup>th</sup> Ave, Suite 1600**  
**Anchorage, Alaska 99501**  
**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:



Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7<sup>th</sup> Ave, Suite 1600

Anchorage, AK 99501

RE: Notice of Violation case #AB17-0763

Liquor License #253

Joshua Tobin's role at the restaurant is largely administrative, he does not serve alcohol, and because of this we did not believe that he needed to have a TAPs card. Joshua Tobin attended the first available server education course on 1/9/2018 and now has a card, please find a copy of that card enclosed. We will make certain that management has alcohol server education training going forward. Please let us know if you need anything else.

Thank you

Joshua Tobin

General Manager

Alice's Champagne Palace (Pioneer Beverages, Inc)

203 W Pioneer Ave

Homer, AK 99603





CERTIFICATE # 157499

Name Joshua Tobin

Birthdate [REDACTED]



Signature [Signature]

800-478-2427 or  
907-274-8133  
www.alaskacham.com

EXPIRES ON

Instructor

09 Jan /2021



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-9-18

License #/Type: #5045 / Package Store

Licensee: NW Alaska Properties LLC

Address: 751 E. 36th Ave #113, Anchorage, AK

DBA: Unwined

AMCO Case #: AB18-0031

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note:** This is not an accusation or a criminal complaint.

On 12-16-17, you had a wine tasting event for your "club members" in a suite located next to your establishment. Soliciting the general public to become club members and inviting members from the club to a wine tasting does not meet the requirement of AS04.11.020(b). Your club members are not a gathering of a bona fide group of co-workers or of a professional, social, or fraternal organization. In effect, you are serving alcohol without a license to promote your retail establishment.

Your attention is directed to AS04.11.020: Exceptions: License or permit not required and AS04.11.010: License or permit required.

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**ATTN: Enforcement**  
**550 W. 7<sup>th</sup> Ave, Suite 1600**  
**Anchorage, Alaska 99501**  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:



Date: 1-10-2018  
License #/Type: #5045 / Package Store  
Licensee: NW Alaska Properties LLC  
751 E. 36th Ave #113, Anchorage, AK  
DBA: UnWINEd  
AMCO Case #: AB18-0031

Response to Notice of Violation dated 1-9-2018

This is in response to the alleged violation that took place in the suite next door to our establishment.

Occasionally we, (NW Alaska Properties LLC, dba UnWINEd) do gratis appreciation wine tastings for our wine club members.

We contacted Mr. Bob Beasley prior to doing these tastings and asked him if and how we could do them. Wine Styles was doing tastings and we wanted to understand how we could also provide these tastings to our club members. Mr. Beasley shared the following information:

1. You can never do a tasting on your licensed premises whether you are open or not. Tastings must always be done at a non licensed location.
2. You can never sell any alcohol in the location of the tasting.
3. It has to be by invitation only, a private event, not open to the general public.

He also stated that you should serve substantial food not just cheese and crackers. I am not sure why that is important but we have always complied with all that we were told.

Based on Wikipedia,

"A social organization is a pattern of relationships between and among individuals and social groups"

"A social group has been defined as two or more people who interact with one another, share similar characteristics, and collectively have a sense of unity."

Based on these definitions our wine club would certainly qualify as a social club or organization.

We will no longer solicit non members of our wine club to join the club when announcing an upcoming member appreciation tasting on social media. If approved by the ABC Board, we will only invite current club members via phone or email to the private event.

We will not have a wine tasting until we gain approval from the ABC Board.

I respectfully request a meeting, phone or in person, a conversation with the Director on this matter.

My Cell # is 907-229-3246

Package Store License # 5045

Sincerely Jack Nims



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-4-18

License #/Type: Beverage Dispensary / 1252

Licensee: APS Investments, LLC

Address: 120 W. Bunnell Ave., Homer, AK

DBA: AJ's Oldtown Steakhouse & Tavern

AMCO Case #: AB18-0015

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note: This is not an accusation or a criminal complaint.**

On 12-7-17, Investigator Hamilton contacted Licensee Adrienne Sweeney and discussed the proper use of a caterers permit. This verbal conversation was followed by an e-mail to Sweeney reiterating what they discussed. On 12-20-17, Hamilton contacted Sweeney and asked how she did the alcohol at the events held at the Homer Elks Lodge on December 10, 14, and 15, 2017. Sweeney advised Hamilton that she had sold her alcohol during the catered event. After talking with Officials at the Elks Lodge, it was learned that she had appointed an Elks employee as her representative and she sold the Elks Lodge alcohol. This is a violation of Title IV.

Your attention is directed to AS04.16.172: Restrictions on purchase and sale of alcoholic beverages, AS04.11.230: Caterer's permit, AS04.16.150: Licensee responsible for violations and AS04.21.030: Responsibility of licensees, agents, and employee's

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

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**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 6597



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-4-18

Licensee: BPO Elks Lodge #2127

DBA: BPO Elks Lodge #3237

License #/Type: Club / #367

Address: 215 W. Jenny Way, Homer, AK 99603

AMCO Case #: AB18-0008

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 12-7-17, Investigator Hamilton contacted Events Coordinator Christine and discussed the proper use of a caterers permit. Christine stated that was not the way they have been doing it for years. This conversation prompted Jan Jonkers, Elks Official, to e-mail Director McConnell to clarify the procedures, to which McConnell e-mailed him back with instructions. It also prompted Tom Stroozas to have a phone conversation with Chairman of the ABC Board Bob Klein followed by an e-mail thanking him for looking into the matter. In short, the advice of Inv. Hamilton and Director McConnell was ignored and the establishment sold their alcohol to the general public on December 10, 14 and 15, 2017, while also having a caterers permit that AJ's Oldtown Steakhouse and Tavern had obtained.

Your attention is directed to AS04.11.110: Club license, AS04.11.230: Caterer's permit, AS04.16.150: Licensee responsible for violations and AS04.21.030: Responsibility of licensees, agents, and employee's

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**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

*AJ's*  
**OLDTOWN STEAKHOUSE**  
&  
**TAVERN**  
HOMER, ALASKA

January 12, 2018

Alcohol & Marijuana Control Office  
Attn: Enforcement & Licensing Board  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

License: 1252

I just arrived back to Homer last night from training out of state and found the Notice of Violation that was delivered on 1/08/18 regarding the Rotary, United States Coast Guard, and City of Homer Christmas parties that we catered at the Elks on December 10, 14, and 15<sup>th</sup>.

It is now my understanding from reviewing AS 04.16.172, AS 04.11.160, AS 04.11.150, AS 04.11.130, 04.11.140 and 04.11.170 that I may not purchase and then sell alcohol from a Club License; I may only do this with a Wholesale, Package Store, Brewery, Winery or Distillery License. It appears that I misunderstood an email between the Chairman Bob Klein and the Elks President Tom Stroozas (attached here) after I spoke with Mr. Hamilton; in that I believed I could purchase and sell the alcohol. I didn't realize that Mr. Klein had a different type of license. It was my understanding from this email that we could "go ahead".

**ACTION TAKEN TO PREVENT REOCCURRENCE:**

In the future, I will purchase alcohol from a wholesaler and transport to the Elks for events.

I do have two questions:

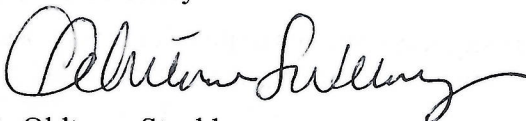
May I purchase the alcohol from a wholesaler and store in a secure locked storage at the Elks designated for catered events at the Elks by AJ's?

May I continue to designate an Elks employee as my Agent in the event that I cannot be present? (I could not find clarification on this) It was my understanding that I could designate anyone as my Agent (as long as they are over 21 and have TAPS training). Is that correct?

If the Board is willing and could identify a streamlined process that would enable Elks Lodges all over the state and Licensees like me to hold special events in order to support our communities; I think we would all greatly appreciate it. In these three instances; I donated all the proceeds back to the Elks. They do amazing things for Homer in their dedication to community service and I believe that communities all over Alaska would like to see them survive in this economic climate.

My apologies for the misunderstanding,  
Humbly,

Adrienne Sweeney



AJ's Oldtown Steakhouse  
135 W. Bunnell Ave  
Homer, AK 99603





# Fwd: Homer Elks Pending Catering Events

Tom Stroozas

Wed 12/13/2017 9:08 PM

To: Adrienne Sweeney <adriennewalli@hotmail.com>;

Tom Stroozas  
704-488-3779  
[Tstroozas@americascuisine.com](mailto:Tstroozas@americascuisine.com)

Begin forwarded message:

From: "Robert Klein" <[bobkleinak@gmail.com](mailto:bobkleinak@gmail.com)>  
Date: December 8, 2017 at 10:45:48 AM AKST  
To: "Tom Stroozas" <[tstroozas@americascuisine.com](mailto:tstroozas@americascuisine.com)>  
Cc: "Dale Fox" <[dfox@alaskacharr.com](mailto:dfox@alaskacharr.com)>  
Subject: RE: Homer Elks Pending Catering Events

Tom,

The ABC folks are tied up with marijuana issues today and couldn't talk to me.

I'd go ahead with the Sunday event as best you can.

If it helps, when I do a catered event using a local BDL at our Distillery, I sell the alcohol used during the event, to the catering license holder.

Bob

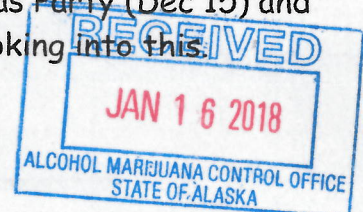
---

From: Tom Stroozas [<mailto:tstroozas@americascuisine.com>]  
Sent: Thursday, December 7, 2017 3:49 PM  
To: Bob Klein <[bobkleinak@gmail.com](mailto:bobkleinak@gmail.com)>  
Cc: Dale Fox <[dfox@alaskacharr.com](mailto:dfox@alaskacharr.com)>  
Subject: Homer Elks Pending Catering Events

Bob:

Thanks for taking my call to discuss an issue that centers around Homer Elks catering permits for non-member alcohol related activities. Adrienne Sweeney (AJ's Steakhouse) is a member of Homer Elks and has been our source for obtaining catering permits throughout the year as we very often rent out our lodge for various non member events that often include the sale and consumption of alcoholic beverages. Over the next week, we have three events that will be using our lodge and we have applied for a catering permit for all, to wit: Kachemak Bay Rotary Club (Dec. 10), US Coast Guard Christmas Dinner (Dec 14), City of Homer Christmas Party (Dec 15) and several others through the month of December. Thanks for looking into this.

-Tom



**HOMER ELKS #2127, 215 W. JENNY WAY, HOMER, ALASKA 99603**

January 16, 2018

Alcohol & Marijuana Control Office  
Attn: Erika McConnell, Director  
550 w. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

Dear Director McConnell:

RE: AMCO Case AB18-0015

You are aware that Homer Elks lodge often rents out our facility for various events throughout the year and obtains the necessary catering permits via APS Investments, LLC, for the purpose of selling alcoholic beverages at these “catered” events. These type activities are very important to our lodge to generate funds that are given back to our community in the form of youth scholarships, military/veteran appreciations and to other local non-profits that solicit us for support throughout the year. Without our ability to rent out our facility and sell alcohol many, if not most, of our charitable contributions would go away.

In an effort to assist with the mitigation process of this “violation” by APS Investments, LLC, we solicit your support to allow us to make the necessary corrections with our catering permit provider to better understand the somewhat confusing statutes. We want to “do it right” and the statutes are somewhat fuzzy on the details.

If there is anything else that you need from Homer Elks at this time, please let me know. We look forward working with AMCO and our catering permit holder in the future to conform to the regulations in a clear and concise manner.

Cordially,



Tom Stroozas - President

C: Don Cotogno – Board of Directors, Chair  
Jesse Walton – Leading Knight  
Jan Jonker – Homer Elks, Secretary



## Hamilton, Joe (CED)

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**From:** Hamilton, Joe (CED)  
**Sent:** Friday, January 26, 2018 2:28 PM  
**To:** Hoelscher, James C (CED)  
**Subject:** FW: Catering permits for Elks

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**From:** Hamilton, Joe (CED)  
**Sent:** Thursday, December 07, 2017 8:56 AM  
**To:** 'Adrienne Sweeney' <adriennewalli@hotmail.com>  
**Cc:** McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Hoelscher, James C (CED) <james.hoelscher@alaska.gov>  
**Subject:** RE: Catering permits for Elks

When you apply for a caterer permit as a business arrangement for places with club licenses, distillery's, brewery's etc., you should be the one filling out the application, getting it signed and paying for it. It should be recouped in your fee for your service.

In your case it is the club license you are catering for. The club has to shut down their operation, meaning they can no longer serve alcoholic beverages from their stock or taps or bottles. The caterer then brings their own product, along with a representative from your organization and you start serving and collecting money from the product your selling.

In this case, the club wants non-club members to attend so they have reached out to you so you can run your business at their location for a determined amount of time. They may still provide food and music but you as the caterer do all the alcoholic beverage service from your product. Their employees can help with the service.

I hope this clears up how to properly cater at a club, brewery, or distillery.

---

**From:** Adrienne Sweeney [<mailto:adriennewalli@hotmail.com>]  
**Sent:** Wednesday, December 06, 2017 6:11 PM  
**To:** Hamilton, Joe (CED) <[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)>  
**Subject:** Catering permits for Elks

Hello,

Just following up on our conversation this evening. If you could please email the details I would greatly appreciate it.

Thank you,  
Adrienne

Sent from my iPhone  
Adrienne Sweeney  
AJ's Oldtown Steakhouse  
Driftwood Inn, Innkeeper



|          |                               |               |               |        |
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for the Shocking Results! [checkpeople.com](#)

## 2 [#1] Enter Any Name

[#2] View Background Records [tracking.truthfinder.com](#)

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Desktop In/Out  
Board

### [Alaska Statutes.](#)

#### [Title 4.](#) Alcoholic Beverages

#### [Chapter 16.](#) Regulation of Sales and Distribution

#### Section 172. Restrictions On Purchase and Sale of Alcoholic Beverages.

previous: [Section 170.](#) Source of Alcoholic Beverages.

next: [Section 175.](#) Furnishing Alcoholic Beverages in Aid of Gambling Enterprise.

### **AS 04.16.172. Restrictions On Purchase and Sale of Alcoholic Beverages.**

A person licensed under AS [04.11.090](#) , [04.11.100](#) , [04.11.110](#) , or [04.11.150](#) may not purchase, sell, or offer for sale an alcoholic beverage unless the alcoholic beverage being purchased, sold, or offered for sale was obtained from a person licensed under

(1) AS [04.11.160](#) as a primary source of supply for the alcoholic beverage being purchased, sold, or offered for sale;

(2) AS [04.11.150](#) and the alcoholic beverage being purchased, sold, or offered for sale was obtained from a person licensed under AS [04.11.160](#) as a primary source of supply; or

(3) AS [04.11.130](#) , [04.11.140](#) , or [04.11.170](#) .

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#### **Note to HTML Version:**

This version of the Alaska Statutes is current through December, 2007. The Alaska Statutes were automatically converted to HTML from a plain text format. Every effort has been made to ensure their accuracy, but this can not be guaranteed. *If it is critical that the precise terms of the Alaska Statutes be known, it is recommended that more formal sources be consulted.* For statutes adopted after the effective date of these statutes, see, [Alaska State Legislature](#) If any errors are found, please e-mail Touch N' Go systems at [E-mail](#). We hope you find this information useful.

This page has been updated: 04/23/2015 12:22:59





SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

APS Investments, LLC  
dba AJ's Oldtown Steakhouse & Tavern  
135 W. Bunnell Avenue  
Homer, AK 99603

COMPLETE THIS SECTION ON DELIVERY

A. Signature

- ☒ Agent
- ☐ Addressee

B. Received by (Printed Name)

Marie E. Wain

C. Date of Delivery

11/8/18

Address different from item 1?  
delivery address below: ☐ Yes ☐ No

Service type

- ☐ Certified Mail®
- ☐ Registered
- ☐ Insured Mail
- ☐ Priority Mail Express™
- ☐ Return Receipt for Merchandise
- ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article Number

(Transfer from service label)

7659 2796 0000 2222 E102

PS Form 3811, July 2013

Domestic Return Receipt

UNITED STATES POSTAL SERVICE

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

AMCO  
550 W. 7th Avenue, Suite 1600  
Anchorage, AK 99501

# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 10/25/17

Licensee: Daryl Pelkey

DBA: Akutan Roadhouse

License #/Type: 5411/Beverage Dispensary

Address: West Marine Dr, Akutan, AK 99553

AMCO Case #: AB17-464

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

The Akutan Roadhouse recieved a complaint from VPSO Monte Chitty that patrons were leaving the back door of the Akutan Roadhouse with open and closed containers of alcohol. Chitty also stated that three bartenders have been working for more than 30 days without attending an alcohol servers education course. These are violations of:

04.21.025(c) Alcohol server education course.

04.11.090 Beverage Dispensary license.

04.16.120 Removal or introduction of alcoholic beverages.

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPREARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

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**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Rukes

SIGNATURE:

Delivered VIA: Mail

Received by:

SIGNATURE:

Date:



From ; Akutan Roadhouse

12-22-2017

TO; Alcohol & Marijuana Control Office

Attn; Enforcement Jeff Rykes

We have the 3 bartenders we are currently using with new Alcohol server education course cards.

Also we have tightened up on security during busy times to prevent people walking out with opened beers.

As far as the closed cans this happened during times when the bar was busy and part time employee's working and walking away from serving area leaving it unattended.

I let this person go because of doing the job poorly. I would also like to mention the smoke room which is the back door to the Akutan Roadhouse is also a fire escape door and not to be locked during business

hours. we had it posted not to be used as an exit door and it was torn off the door, I will replace that exit warning today that this is a fire escape only.

Respectfully; Darryl Pelkey Manager, Akutan Roadhouse.

Licensee: Darryl Pelkey

License #/Type 5411/ Beverage Dispensary

AMCO Case # AB17-464



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 12-27-2017

Licensee: Ramon Gonzalez

DBA: Playa Azul

License #/Type: Restaurant / Eating Place

Address: 12498 Kenai Spur Hwy, #1, Kenai, AK

AMCO Case #: AB17-0784

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note:** This is not an accusation or a criminal complaint.

On 12-12-2017 an inspection was conducted at your establishment. Licensee Ramon Gonzalez was asked to provide proof of alcohol server education. Gonzalez stated did not have one.

Your attention is directed to AS04.21.025: Server education, AS04.21.030: Responsibility of licensees, agents, and employees, and AS04.16.150: Licensee responsible for violations.

As part of your response, please send a copy of your server education card.

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

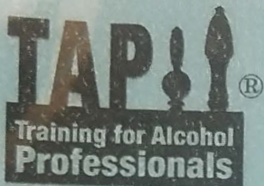
SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 6429





(not valid for use as identification)



800-478-2427 or  
907-274-8133  
[www.alaskacharr.com](http://www.alaskacharr.com)

Instructor

CERTIFICATE #

1605

Name

Romish, Leonide Z

Birthdate

Romish, Leonide Z

Signature

*[Handwritten Signature]*

EXPIRES ON

17 JAN /20 21

# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-23-18

License #/Type: #2895 / Beverage Dispensary

Licensee: Eagle River Bowl, LLC

Address: 12130 Regency Drive, Eagle River, AK

DBA: Homestead Lounge/Sourdough Bowl

AMCO Case #: AB18-0079

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note:** This is not an accusation or a criminal complaint.

On 1-23-18, AMCO Investigator Hamilton was reviewing your "Facebook" page and discovered over a dozen ad's advertising Beer Pong at your establishment. All three ads have similar wording which is basically the day and hour the game starts and that cash prizes are given out. Attached are three samples of the advertisements.

Your attention is referred to AS04.16.015(a)(6) & (b): Pricing and marketing

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**  
**ATTN: Enforcement**  
**550 W. 7<sup>th</sup> Ave, Suite 1600**  
**Anchorage, Alaska 99501**  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

SIGNATURE: *FRH*

Delivered VIA: Mail

Received by:

SIGNATURE:

Date:





**February 9, 2018**

**Dear Mr. Hamilton,**

**In reference to your Notice on 1/23/18 concerning our Beer Pong tournament. We haven't run the tournament since before Christmas and I have pulled all the ads. We do however have the game available to the customers if they want to play on weekends. At no time did we ever discount any prices of any product or offer any incentives other than the prize money for the tournament. The cups used were filled with water not beer and the game is for amusement only. I am not sure what violation we broke but the tournament has been terminated per your request.**

**If you have any questions, please feel free to contact at any time.  
Thank you for your time.**

**Respectfully,**



**Dan Graeber**

**General Manager**

**Eagle River Bowl**

**Cell 980-0400**





**Homestead Lounge**

Like This Page · March 23, 2017 · ✨

...

Beer Pong tonight at 9pm! Sign ups start at 8:30 and there is a cash prize for the winning team! Also the top TWO teams get entries into our Las Vegas giveaway! Juba is on the decks all night long and we still have the \$10 Dew and Brew Special for the rest of the month!



Write a comment...

Press Enter to post



Like



Comment



Share







**Homestead Lounge**

Like This Page · July 5, 2017 · Edited ·

Homestead Lounge has Beer Pong every Thursday night at 9! Pick your team and get ready to shoot! Cash prizes for the top teams every week based on how many teams are playing. After the games stick around for DJ Juba on the decks all night!

Like

Comment

Share

5



Write a comment...

Press Enter to post



18-0079

Homestead Lounge

January 18 at 5:45pm · 🌐

Homestead lounge has beer pong every Thursday night! Cash prize for the best team depending on how many people enter, so bring your friends and test your skills! Party starts at nine!



The poster is rectangular with a blue border. It features a stylized illustration of a person in a red bikini on a red background. The text 'BEER PONG' is written in large, white, bold, sans-serif capital letters. Above it, 'AT THE HOMESTEAD LOUNGE' is written in smaller white capital letters. At the bottom left, 'with DJ Juba' is written in small white text. At the bottom right, 'THURSDAYS 9PM' is written in white capital letters.

Like Comment Share

Write a comment...

2



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 12-27-2017

Licensee: KELT, LLC

DBA: Fat Olives

License #/Type: Restaurant / Eating Place - PC

Address: 276 Ohlson Lane, Homer, AK

AMCO Case #: AB17-0755

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note:** This is not an accusation or a criminal complaint.

On 12-12-2017 an inspection was conducted at your establishment. On-duty manager Jacob R. Bailey was asked to provide proof of alcohol server education. Bailey stated did not have one and was unaware that he needed one.

Your attention is directed to AS04.21.025: Server education, AS04.21.030: Responsibility of licensees, agents, and employees, and AS04.16.150: Licensee responsible for violations.

As part of your response, please send a copy of Bailey's server education card.

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *J. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 6436

## Davies, Jason M (CED)

---

**From:** Hoelscher, James C (CED)  
**Sent:** Tuesday, January 16, 2018 8:53 AM  
**To:** Davies, Jason M (CED)  
**Subject:** FW: Notice of Violation

### NOV response for Fats Olive

**From:** Hamilton, Joe (CED)  
**Sent:** Tuesday, January 16, 2018 8:15 AM  
**To:** Fat Olives Homer <fatoliveshomer@gmail.com>  
**Cc:** McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Hoelscher, James C (CED) <james.hoelscher@alaska.gov>  
**Subject:** Re: Notice of Violation

This will be fine. Thank you

Sent from my iPhone

On Jan 16, 2018, at 6:03 AM, Fat Olives Homer <[fatoliveshomer@gmail.com](mailto:fatoliveshomer@gmail.com)> wrote:

Good morning, Mr. Hamilton

Thank you for clarifying the need for MODs to have TAMS card. We will make arrangements for our kitchen manager, Jacob Bailey to attend the next scheduled TAMS course in Homer, February 13th. As to the missing signage, we will pick them up from HPD and post as required.

Will this email serve as our written response or does the board require a written letter ?

Please advise.

Regards,

Lisa

Lisa Nolan / owner  
Fat Olives Restaurant  
276 Ohlson Lane  
POB 297 Homer, Alaska 99603

On Jan 11, 2018, at 4:36 PM, Hamilton, Joe (CED) <[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)> wrote:

<CED-PR-AMC-ANC-hplaserjetm680\_Scanned-Doc (002).pdf>





CERTIFICATE # 160531

Name Jacob Bailey

[Redacted Birthdate]

Birthdate

[Redacted Signature]

Signature

800-478-2427 or  
907-274-8133  
www.alaskacharr.com

EXPIRES ON

13 FEB 12021

Instructor



CERTIFICATE # 160530

Name Tatiana Bailey

[Redacted Birthdate]

Birthdate

[Redacted Signature]

Signature

800-478-2427 or  
907-274-8133  
www.alaskacharr.com

EXPIRES ON 2021

13 FEB 12021

Instructor



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**KELT, LLC  
dba Fat Olives  
PO Box 297  
Homer, AK 99603**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *Steve Nola* ☒ Agent ☐ Addressee  
B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

3. Service Type ☐ Certified Mail® ☐ Priority Mail Express™  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

9E49 2T96 0000 0522 ETD2

PS Form 3811, July 2013

Domestic Return Receipt

UNITED STATES POSTAL SERVICE

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

**AMCO  
550 W. 7th Avenue, Suite 1600  
Anchorage, AK 99501**

*Fat*

*1-8755*



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 12-27-2017

License #/Type: Package Store

Licensee: Happy Valley Bar & Cafe, Inc.

Address: 24175 Sterling Hwy, Ninilchik, AK

DBA: Happy Valley Bar & Cafe

AMCO Case #: AB17-0795

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note:** This is not an accusation or a criminal complaint.

On 12-13-2017 an inspection was conducted at your establishment. Robin Glessing was asked to provide proof of alcohol server education. Glessing stated she had left her card at home. A check with State CHARR revealed her card had expired October 18, 2015.

Your attention is directed to AS04.21.025: Server education, AS04.21.030: Responsibility of licensees, agents, and employees, and AS04.16.150: Licensee responsible for violations.

As part of your response, please send a copy of Glessing's new server education card.

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**  
**ATTN: Enforcement**  
**550 W. 7<sup>th</sup> Ave, Suite 1600**  
**Anchorage, Alaska 99501**  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 6405

# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-30-18

License #/Type: #4684 / Package Store

Licensee: Happy Valley Bar & Cafe, Inc.

Address: 24175 Sterling Hwy, Ninilchik, AK

DBA: Happy Valley Bar & Cafe

AMCO Case #: AB18-0108

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 1-5-18 you received a Notice of Violation which you have not responded to. Your attention is directed to 3AAC304525(a)(1)(B): Communication with licensees

Listed below is the original offense.

On 12-13-2017 an inspection was conducted at your establishment. Robin Glessing was asked to provide proof of alcohol server education. Glessing stated she had left her card at home. A check with State CHARR revealed her card had expired October 18, 2015.

Your attention is directed to AS04.21.025: Server education, AS04.21.030: Responsibility of licensees, agents, and employees, and AS04.16.150: Licensee responsible for violations.

As part of your response, please send a copy of Glessing's new server education card.

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

**Davies, Jason M (CED)**

---

**From:** Lucas Stuart <lucasstuart2000@yahoo.com>  
**Sent:** Tuesday, February 13, 2018 4:12 PM  
**To:** CED AMCO Enforcement (CED sponsored)  
**Subject:** Happy Valley Bar & Cafe

To whom it may concern:

My apologies for the tardiness of this response. I actually misplaced the letter. Upon finding it, I am now giving you an immediate response. The employee Robin Glessing has renewed her TAP card. Enclosed is a pic of the photocopy. If you require a photo of the original, please let me know and I will get back to you.

This is for the violation that occurred on 12-13-2017 at Happy Valley Store (aka Happy Valley Bar & Cafe) license # 4684. Case # AB18-0108

If there is anything further I can do, feel free to let me know.



Lucas Stuart  
Manager  
lucasstuart2000@yahoo.com  
(907)398-2675

Sent from my iPhone

**From:** Lucas Stuart  
**To:** [CED AMCO Enforcement \(CED sponsored\)](#)  
**Subject:** Happy Valley Store  
**Date:** Monday, March 05, 2018 3:26:24 PM

---

To whom it may concern:

I received a call from someone a few days ago asking me to send an e-mail explaining the tardiness of my first response. Here is my best explanation: I only check my mail once a week. When I got the first notification, it was the first I had heard of the offence. My employee Robin Glessing did not inform me that she was asked to produce her TAP card and it was expired. When I got the notification from your office, I immediately had Mrs Glessing attend the next available local class. Honestly, after that, I had forgotten about responding to your office's notice. When I had received the second notice, Mrs Glessing had already passed her class and gotten a new TAP card and given me a photocopy of it. Of course I had lost track of time yet again and when I realized I just missed the window to respond yet again, I did so immediately. Now you are caught up. If there is anything I can do further, please let me know.

Luke Stuart  
Manager, Happy Valley Store  
lucasstuart2000@yahoo.com  
(907)398-2675



(not valid for use as identification)

CERTIFICATE #

160500

Robin GLESSING

Name



Birthdate

Robin GLESSING

Signature

A handwritten signature in black ink, appearing to be "D. Kelly".

EXPIRES ON

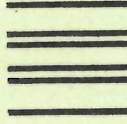
800-478-2427 or  
907-274-8133  
www.alaskacharr.com

Instructor

09 Jan /2021



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



UNITED STATES POSTAL SERVICE

• Sender: Please print your name, address, and ZIP+4® in this box•

Alcohol & Marijuana Control Office  
550 W. 7th Avenue, Suite 1600  
Anchorage, AK 99501

FLAD

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
Print your name and address on the reverse so that we can return the card to you.  
Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Happy Valley Bar & Cafe  
PO Box 39448  
Ninilchik, AK 99639-0448

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent  
☒ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail® ☐ Priority Mail Express™  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number  
(Transfer from service label)

7026 2720 0000 8600 4095

5828 17-11  
FRS

• Sender; Please print your name, address, and ZIP+4® in this box•

AMCO  
550 W. 7th Avenue, Suite 1600  
Anchorage, AK 99501

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



UNITED STATES POSTAL SERVICE

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Happy Valley Bar & Cafe  
PO Box 39448  
Ninilchik, AK 99639-0448

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ X ☐ Agent  
☐ Addressee

B. Received by (Printed Name) LUC SMITH C. Date of Delivery 1-5-18

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

3. Service Type  
☐ Certified Mail® ☐ Priority Mail Express™  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number 7013 2250 0000 9617 6405  
(Transfer from service)



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 2-28-18

License #/Type: #4157 / Beverage Dispensary

Licensee: Hard Rock Cafe International, Inc.

Address: 415 E Street, Anchorage, AK

DBA: Hard Rock Cafe

AMCO Case #: AB18-0205

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

Upon reviewing your social media (Face Book page), it was observed that you are advertising a 2018 Iditarod/Rondy VIP Lounge. The advertisement says that there is an "Open Bar" for 3 hour blocks of time for \$100.00 per person. This is a violation of Title IV.

Your attention is referred to AS 04.16.015: Pricing and marketing of alcoholic beverages. More specifically section (a)(4) which states a licensee or licensee's agent or employee may not "...sell, offer to sell, or deliver an unlimited number of alcoholic beverages to a person or group of persons during a set period of time for a fixed price" and (b) which states "A licensee or a licensee's agent or employee may not advertise or promote in any way, either on or off the premises, a practice prohibited under (a) of this section".

NOTE: This is your second notice of violation for pricing and marketing, reference case #AB17-0086

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: In-Person

Date:





HARD ROCK INTERNATIONAL  
WORLDWIDE HEADQUARTERS  
6100 OLD PARK LANE  
ORLANDO, FL 32835  
(407) 445-ROCK PHONE  
HARDROCK.COM

Alcohol & Marijuana Control Office  
Attn: Enforcement  
550 W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

Re: Hard Rock Café – Anchorage  
Violation Pursuant to Regulation AS 04.16.015  
February 28, 2018

Dear Ladies and Gentlemen:

Reference is hereby made pursuant to a Notice of Violation issued on February 28, 2018 regarding Hard Rock Café's Facebook post of the unlimited service for a fixed price during the Iditarod Run on March 3, 2018. We sincerely apologize for this error in judgment and have dutifully apprised the entire team at the Cafe that all future events/advertisements that involve alcohol service must be reviewed by our Legal Team.

That said, we have retracted the advertisement to read as follows and hope this meets with the Board's approval:

All Day VIP Event Package: \$100.00 per person

Includes:

- Exclusive VIP Floor. Overlooking the race. Best view in town!!
- Entrée of your choice.
- 3 Drink tickets to be used for non-alcoholic drinks (coffee, tea, soda), beer, wine, house cocktails.

At the time the original advertisement went live to the time we received email notification of the violation, no reservations with payments had been made.

Again, our sincere apologies and if you have any questions or concerns regarding the aforementioned, please do not hesitate to contact me.

Sincerely yours,

Jay A. Wolszczak  
Vice President/Secretary  
Hard Rock Café International (STP), Inc.



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 2-28-18

License #/Type: #4157 / Beverage Dispensary

Licensee: Hard Rock Cafe International, Inc.

Address: 415 E Street, Anchorage, AK

DBA: Hard Rock Cafe

AMCO Case #: AB18-0205

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

**Note: This is not an accusation or a criminal complaint.**

Upon reviewing your social media (Face Book page), it was observed that you are advertising a 2018 Iditarod/Rondy VIP Lounge. The advertisement says that there is an "Open Bar" for 3 hour blocks of time for \$100.00 per person. This is a violation of Title IV.

Your attention is referred to AS 04.16.015: Pricing and marketing of alcoholic beverages. More specifically section (a)(4) which states a licensee or licensee's agent or employee may not ... "sell, offer to sell, or deliver an unlimited number of alcoholic beverages to a person or group of persons during a set period of time for a fixed price" and (b) which states "A licensee or a licensee's agent or employee may not advertise or promote in any way, either on or off the premises, a practice prohibited under (a) of this section".

**NOTE:** This is your second notice of violation for pricing and marketing, reference case #AB17-0086

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

SIGNATURE:

Delivered VIA: In-Person

Received by:

SIGNATURE: 

Vice President / Secretary  
Date: Feb marcy 28, 2018



Erica H

## 2 Events

Events

Calendar

Birthdays

Discover

2018 Iditarod/Rondy VIP Lounge

Past

+ Create Event ▾



MAR  
3

### 2018 Iditarod/Rondy VIP Lounge

Public · Hosted by Hard Rock Cafe Anchorage

★ Interested

✓ Going

➔ Share ▾



Saturday, March 3 at 10 AM - 5 PM AKST

Tomorrow · 12-28" Snow Showers



415 E street Anchorage, Ak 99501

Show Map



Tickets Available

[www.hardrock.com](http://www.hardrock.com)

Find Tickets

About

Discussion

17 Going · 135 Interested

Share this event with your friends

➔ Share ▾

#### Details

Watch the 2018 Iditarod and Rondy festivities from our VIP lounge directly above the start of the race.

All Day VIP Event Package: \$100.00

Includes:

- Exclusive VIP Floor. Overlooking the race. Best view in town!!
- Entrée of your choice.
- 3 Drink tickets to be used for non-alcoholic drinks (coffee, tea, soda), beer, wine, house cocktails.



# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-30-18

License #/Type: #5439 / Brewery

Licensee: Bleeding Heart Brewery, LLC

Address: 16013 E. Outer Springer Loop, Palmer

DBA: Bleeding Heart Brewery

AMCO Case #: AB18-0126

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

A compliant was made that your establishment is offering free beer. A review of your Facebook page reveals you are. First one, dated Jan 13, 2018 and reads, "In Honor of AK BeerWeek, we're offering "Buy a Bottle, Get a Beer" through Sunday Jan 21st". Second one, dated 1-30-18 reads, "Show up with one of these beauties on your arm and impress your "Friends" at the big football party this weekend! We've even extended the "Beer Week" Deal while supplies last!!! Buy a Bottle to go and get a Beer to Drink now! This is a violation of Title IV.

"Attn. ABC or Other Inquisitive Minds; rest assured the "Free Beer" is accounted for and paid for in full by a neutral third party investor".

Your attention is referred to AS 04.16.015(a)(1) & (b)

Please direct any questions to [amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

**You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.**

**\*Please send your response to the address below and include your alcohol license number in your response.**

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**Alcohol & Marijuana Control Office**

**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

**From:** Bleeding Heart Brewery  
**To:** [Davies, Jason M. \(CED\)](#)  
**Subject:** Re: Bleeding Heart Brewing, Lic 3804, NOV AB18-0126  
**Date:** Tuesday, March 06, 2018 3:25:46 PM  
**Attachments:** [image001.png](#)

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Thank you for getting a hold of me with this NOV. As always it is our goal to be well within the laws and the guidelines of AMCO and Title 4. I have been in contact with enforcement officers in the past and have always responded respectfully and legally with any question there might have been.

The Facebook post being refereed to in honor of beer week was mentioned to us by AMCO enforcement (investigator Rooks) after posting it. Upon conversation with enforcement and assurance that the beer is not actually free, we were allowed to continue with the post and the offer. After my conversation with Investigator Rooks regarding this topic, we had no idea a NOV went out to our physical address rather than our mailing address and thought we were within regulation.

The line in the post "Attn. ABC or Other Inquisitive Minds; rest assured the "Free Beer" is accounted for and paid for in full by a neutral third party investor" was intentionally included for any other questions that may have arisen by curious consumers, competitors, or others, as a nod to our conversation with Enforcement Agent Rooks.

To be Clear; No Beer was, nor has been, actually given away for free. It is always bought, taxed, and paid for per regulation.

For any further information of clarification please contact me via email or call 760-917-2417, thank you.

Zack Lanphier  
CoFounder/Operations  
Bleeding Heart Brewery  
*"Drink Like You Give a Damn!"*

*(Mailing Address: 1150 S. Colony Way Ste. #3 PMB 618 Palmer, AK 99645)*

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**From:** Davies, Jason M (CED) <jason.davies@alaska.gov>  
**Sent:** Tuesday, March 6, 2018 2:51 PM  
**To:** bleedingheartbrewing@hotmail.com  
**Subject:** Bleeding Heart Brewing, Lic 3804, NOV AB18-0126

Zach,

Reply back to this email for your response.

Regards,



**Jason M. Davies**  
**Criminal Justice Technician I**  
**AMCO Enforcement**  
**Alcohol & Marijuana Control Office**

550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501  
Office (907) 754-3410  
[jason.davies@alaska.gov](mailto:jason.davies@alaska.gov)