



MEMORANDUM

TO: Bob Klein, Chair, and Members of the
Alcoholic Beverage Control Board

DATE: August 14, 2018

FROM: Erika McConnell, Director

RE: 5183 Black Bear Coffee House

**Requested
Action:** License reinstatement and renewal

**Statutory
and
Regulatory
Authority:** AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

AS 04.11.040(a): "A license issued under this title may not be transferred to another person except with the written consent of the board."

3 AAC 304.160(e): "For the purposes of AS 04.11.540, if a license has expired for failure to file a complete application for renewal by February 28 or for failure to pay the required fees and penalty fees by that date, the board will consider a written request to reinstate the license if the request is accompanied by

- (1) a complete application;
- (2) all required fees and penalty fees; and
- (3) proof of good cause for the failure to file and pay by February 28."

3 AAC 304.160(f): "The board will deny a request for reinstatement submitted under (e) of this section if the board finds that the failure to timely file or pay was caused by

- (1) the licensee's failure to notify the board of a change of the licensee's mailing address;
- (2) a transfer of ownership of the business for which the license was issued without written approval of the board in violation of AS 04.11.040;
- (3) a lease of the licensed business to another person in violation of AS 04.11.450(c); or
- (4) any other action of the licensee whether active or tacit that the board finds constitutes a failure to lawfully operate the business for which the license was issued."

Staff Rec.: Reinstatement and renewal the license

Background: The licensee states that they did not receive either the renewal application nor the expiration warning sent to their mailing address, due to issues with having mail forwarded out of state during the winter. The licensee has committed to changing their mailing address with AMCO for the winter months, to prevent this situation from being repeated.

A complete renewal application and a request for reinstatement and renewal have been received; the Denali Borough does not protest the renewal.

Attachment: Request for reinstatement and renewal
Renewal application



Rebecca Klaus
Black Bear Coffee House
P.O. Box 237
Denali National Park, Alaska 99755

Alcohol & Marijuana Control Office
Alaska Alcoholic Control Board
550 W. 7th AVE, STE 1600
Anchorage, AK 99501

June 10, 2018

Dear Sir or Madam,

My name is Rebecca Klaus. I am the co-owner of the Black Bear Coffee House. We have held a beer and wine license in good standing for nearly all of our 21 years of business in Denali Park.

Last winter we received *neither* our bill for renewal of our beer and wine license, *nor* the certified letter dated March 15, until April 26. Therefore, our license lapsed and it was revoked.

I am writing to you now in hopes that you will reinstate our license. Being that we are a seasonal restaurant, our opportunity to generate income is short and the total loss of our license this summer would be detrimental. I sincerely hope you consider our reinstatement. Thank you very much for your time and consideration.

Kind Regards,

Rebecca Klaus

co-owner
Black Bear Coffee House
Denali National Park, Alaska





May 23, 2018

Black Bear Coffee House
P.O. Box 237
Denali National Park, Alaska 99755
907-683-1656

Alaska Alcohol Beverage Control Board
Alcohol and Marijuana Control Office
550 W 7th Ave., Suite 1600
Anchorage, Alaska 99501

Dear Sir or Madam,

My name is Becki Klauss. I am co-owner of the Black Bear Coffee House. The Black Bear has been a seasonal restaurant in Denali Park for over 20 years. For nearly all of those 20 years, we have held a beer and wine license, in good standing.

We do not reside in Alaska year round, and have difficulty receiving forwarded mail throughout the winter months from the rural Denali National Park post office. And very unfortunately, we did not receive the notice to pay our bi-annual fee, or the certified letter dated March 14, until we returned to Denali on April 26. (Since all of our bills are electronic, we have never had an issue until now.) And therefore, since our payment lapsed due to not receiving the bill, our license was revoked.

I write now to request the reinstatement of our alcohol license. I understand that it is our responsibility to ensure that we can be reached by mail. We will remedy the situation by changing our address to our winter residence with the Alcohol Board at the end of each season so that we can be reached year round. Our sincere apologies for this dilemma. Thank you for considering this reinstatement.

Kind Regards,

Becki Klauss
Co-owner
Black Bear Coffee House





Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant or eating place liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Black Bear Coffee House, LLC	License #:	5183
License Type:	Restaurant/Eating Place - Seasonal	Statute:	AS 04.11.100
Doing Business As:	Black Bear Coffee House		
Premises Address:	Mile 238.5 Parks Highway		
Local Governing Body:	Denali Borough		
Community Council:	None		

Mailing Address:	PO Box 237				
City:	Denali Nat'l Park	State:	AK	ZIP:	99755

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	Becki Klaus or Adam Stout		
Contact Phone:	580 399 9082 Becki 580 399 9060 Adam	Business Phone:	907 683 1656
Contact Email:	blackbearcoffeehouse@gmail.com		

Seasonal License? Yes No

If "Yes", write your six-month operating period: May 15 - Sept 15





Alaska Alcoholic Beverage Control Board
 Restaurant or Eating Place License
Form AB-17a: 2018/2019 Renewal License Application

Section 2 – Authorization

Communication with AMCO staff: _____ Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff? Yes No

If "Yes", disclose the name of the individual and the reason for this authorization:

Adam Stout

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietorship who is applying for license renewal. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:	Becki Klaus (+ Adam Stout)			
Mailing Address:	PO Box 237			
City:	Denali National Park	State:	AK	ZIP: 99755
Email:	blackbearcoffeehouse@gmail.com			
Contact Phone:	580 399 9682 Becki (580 399 9060 Adam)			

This individual is an: applicant affiliate

Name:	Adam Stout			
Mailing Address:	PO Box 237			
City:	DNP	State:	AK	ZIP: 99755
Email:	blackbearcoffeehouse@gmail.com			
Contact Phone:	580 399 9060			





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Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License


Form AB-17a: 2018/2019 Renewal License Application

Section 4 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>
 Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	135120
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You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL. 

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official Name:	Black Bear Coffee House LLC				
Title(s):	Becki Klaus	Phone:	580 399 9060	% Owned:	50
Mailing Address:	PO Box 237				
City:	DNP	State:	AK	ZIP:	99755

Entity Official Name:	Black Bear Coffee House LLC				
Title(s):	Adam Stout	Phone:	580 399 9060	% Owned:	50
Mailing Address:	PO Box 237				
City:	DNP	State:	AK	ZIP:	99755

Entity Official Name:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board
Restaurant or Eating Place License
Form AB-17a: 2018/2019 Renewal License Application

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

	2016	2017
The license was regularly operated continuously throughout each year, for 8 or more hours each day.	<input type="checkbox"/>	<input type="checkbox"/>
The license was regularly operated during a specific season each year, for 8 or more hours each day.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	<input type="checkbox"/>	<input type="checkbox"/>
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. <i>If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.</i>	<input type="checkbox"/>	<input type="checkbox"/>

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2016 and 2017:

	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 – Alcohol Server Education

Read the line below, and then sign your initials in the box to the right of the statement:

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as required under AS 04.21.025 and 3 AAC 304.465.

Initials AS





Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-31: Credit Card Payment Form

What is this form?

This form allows you to pay for liquor license or permit fees by credit card. For security purposes, please **do not email** credit card information. Mail or hand-deliver this form to the Alcohol & Marijuana Control Office (AMCO) headquarters. Completion of this form is not proof of payment until AMCO processes the information. If any information on this form is illegible, the form will be rejected. **Credit card payments cannot be accepted for marijuana fees.**

Licensee/Applicant:	Black Bear Coffee House		
License/Permit Type:	Restaurant / Eating Place	License Number:	# 5183
	Seasonal		

Credit Card Type: VISA MasterCard Discover

Name on Card:	Rebecca Klaus	Contact Phone:	580 399 9682		
Mailing Address:	Po Box 237				
City:	DNP	State:	AK	ZIP:	99755
Credit Card Number:	4147 2023 1423 2347	Expiration:	07/20	CVV:	382

Billing Address: Po Box 1444, Ada, OK 74820

I wish to make payment by credit card for my application.

I understand that this form will be destroyed upon processing of the payment.

Rebecca Klaus
 Signature of credit card holder

5/23/18
 Date





Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2018/2019 Renewal License Application

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Section 8 - Gross Receipts

Enter the dollar amounts of the food and gross (food + alcohol) receipts on the licensed premises, and calculate the percentage of gross receipts that are from food sales on the licensed premises for each calendar year. (Food Receipts ÷ Gross Receipts x 100 = %)

Table with 4 columns: Year, Food Receipts, Gross Receipts, % From Food. Data for 2016 and 2017.

Section 9 - Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

Initials box with signature initials

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

Initials box with signature initials

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.

Initials box with signature initials

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

Initials box with signature initials

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Signature of licensee: Rebecca L Klaus
Printed name of licensee: Rebecca L Klaus



Signature of Notary Public
Notary Public in and for the State of Alaska
My commission expires: 2-14-22

Subscribed and sworn to before me this 24th day of May, 2018.

Fee schedule table with columns: License Fee (\$300.00), Application Fee (\$200.00), TOTAL (\$500.00), Late Fee (\$500.00), Miscellaneous Fees, GRAND TOTAL.

