

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: 05/30/2018

License #/Type: 4507 / Beverage Dispensary

Licensee: Miguel's LLC

Address: 1235 Airport Way Ste #1, Fairbanks, AK

DBA: Miguel's Restaurant

AMCO Case #: AB18-0617

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 05/04/2018 AMCO Enforcement saw advertisement banners posted on the outside of Miguel's Restaurant licensed premises at 1235 Airport Way, Suite 1. The banners advertised a Lunazul Tequila shot and a 7 oz. Coronita for \$5.00 on Cinco de Mayo. I checked Miguel's Facebook page and saw two posts advertising drink specials on Saturday, May 5. One post dated 05/04/2018 read: "Who's ready for Cinco De Mayo? We are!!! Join us this Saturday for amazing deals and awesome giveaways! \$5 for a pint of Modelo & a Jell-O shot! \$5 for a Coronita & a shot of Lunazul Tequila! \$7 Margaritas with Lunazul or Herradura!"

The second post dated 05/05/2018 read: "Join us today from 11am - 10pm for awesome deals and fun giveaways! \$7 Margaritas with Lunazul or Herradura! \$5 for a Modelo & Jell-O shot! \$5 for a Coronita & shot of Lunazul! \$5 Chile Verde Burrito!"

Your attention is directed to:

AS 04.16.015. Pricing and marketing of alcoholic beverages

AS 04.16.150: Licensee responsible for violations

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. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Article # 7017 0530 0000 9551 3190





Miguel's Authentic Mexican Cuisine

May 4 at 12:17am · 🌐

Who's ready for Cinco De Mayo? We are!!!

Join us this Saturday for amazing deals and awesome giveaways!

\$5 for a pint of Modelo & a Jell-O shot!

\$5 for a Coronita & a shot of Lunazul Tequila!

\$7 Margaritas with Lunazul or Herradura!



Like



Comment



Share



6

6 Shares



Miguel's Authentic Mexican Cuisine

May 5 at 9:25am · 🌐

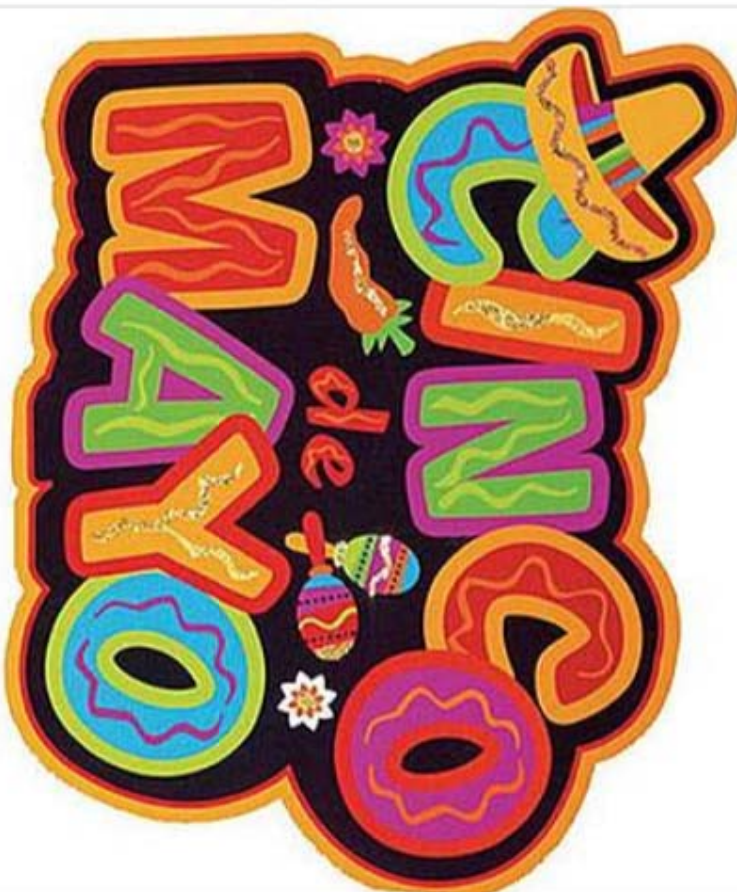
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\$7 Margaritas with Lunazul or Herradura!

\$5 for a Modelo & Jell-O shot!

\$5 for a Coronita & shot of Lunazul!

\$5 Chile Verde Burrito!



Like



Comment



Share





Miguel's LLC 907-328-8965 Fax 907-374-8377

1235 Airport Way Ste. 1

Fairbanks, Alaska 99701

June 8, 2018

Alcohol & Marijuana Control Office

Attn: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

AMCO Case #: AB18-0617

This letter is in response to NOV received June 1, 2018 regarding signage for Cinco de Mayo.

I believe the misunderstanding is in the wording of the green lettering about the "Chile Verde burrito \$5.00" and under that also in green is (on Cinco de Mayo only). That was meant as ONLY the burrito was that price on that day. Also, the sign was meant to invite the public to join Miguel's for Cinco de Mayo. Having the liquor specials on the same sign could probably be confusing, but the liquor specials were run for a calendar week from Sunday to Sunday.

I wish that the investigator would have come in and asked the right questions to see if we were in violation and advised us about how the wording was misleading so that we could all learn and do business to benefit our community.

Please contact me with any other questions you may have, Lottie Ward 907-328-8965 or Miguel Montes De Oca 907-699-8226.

Miguel's LLC

License #/Type: 4507 / Beverage Dispensary

1235 Airport Way Ste. 1

Fairbanks, Alaska 99701

1134 COPPET STREET
FAIRBANKS, AK 99709

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave., Suite 1600
Anchorage, AK 99501

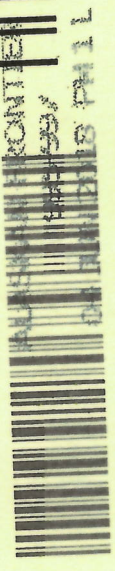
• Sender: Please print your name, address, and ZIP+4® in this box*

United States
Postal Service

22 1840 4602 5852 2046 0656

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

#GNKTRKNG



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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:

Miguel's LLC
1134 Coppet Street
Fairbanks, AK 99709

9590 9402 2985 7094 0481 27



COMPLETE THIS SECTION ON DELIVERY

A. Signature
Richard
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

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☒ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

2 Article Number (Transfer from service label)

7017 0530 0000 9551 3190



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-17: 2019/2020 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 liquor license that will expire on December 31, 2018. 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. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

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:	Miguel's LLC	License #:	4507
License Type:	Beverage Dispensary	Legal Ref.:	AS 04.11.090
Doing Business As:	Miguel's Restaurant		
Premises Address:	1235 Airport Way Ste #1		
Local Governing Body:	City of Fairbanks (Fairbanks North Star Borough)		
Community Council:	None		
Mailing Address:	1134 Coppet St.		
City:	Fairbanks	State:	Alaska
		ZIP:	99709

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.

Contact Licensee:	Lottie Ward	Contact Phone:	907 328-8965
Contact Email:	miguel'sllc@hotmail.com		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			



Form AB-17: 2019/2020 Renewal License Application

Section 2 – Entity or Community Ownership Information

This top 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). This number is neither your EIN/tax ID number, nor your business license number. 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>

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	123220
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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.

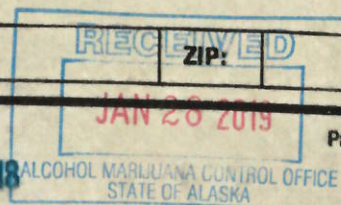
- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more of the stock in the corporation*, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following 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*.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Lottie Ward				
Title(s):	member/manager	Phone:	907.328.8965	% Owned:	49
Mailing Address:	1134 Coppet St.				
City:	Fairbanks	State:	AK	ZIP:	99709

Name of Official:	Miguel MontesDeOca				
Title(s):	member/manager	Phone:	907.699.8226	% Owned:	50
Mailing Address:	1134 Coppet St.				
City:	Fairbanks	State:	Alaska	ZIP:	99709

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



**Form AB-17: 2019/2020 Renewal License Application****Section 3 – Sole Proprietor Ownership Information**

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate (spouse)

Name:				Contact Phone:		
Mailing Address:						
City:		State:		ZIP:		
Email:						

This individual is an: ☐ applicant ☐ affiliate (spouse)

Name:				Contact Phone:		
Mailing Address:						
City:		State:		ZIP:		
Email:						

Section 4 – Alcohol Server Education

This section must be completed only by the holder of a **beverage dispensary, club, or pub** license or **conditional contractor's permit**. The holders of all other license types should skip to Section 5.

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

Initials

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 set forth in AS 04.21.025 and 3 AAC 304.465.

Section 5 – License Operation

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

2017 2018

The license was regularly operated continuously throughout each year.

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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The license was regularly operated during a specific season each year.

<input type="checkbox"/>	<input type="checkbox"/>
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The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

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.

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

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, unless a complete copy of the form (including fees) has already been submitted for that year.



Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?

☒ ☐

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 2017 or 2018?

☐ ☒

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

Section 7 – Certifications

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

Initials

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

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 approved and on file with the Alcoholic Beverage Control Board.

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.

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. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

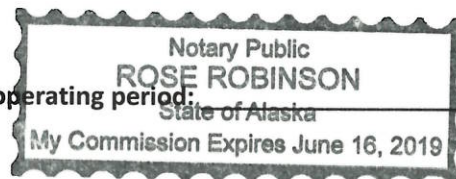
Signature of licensee

Signature of Notary Public

Printed name of licensee

Notary Public in and for the State of AlaskaMy commission expires: June 16, 2019Subscribed and sworn to before me this 10 day of December, 2018.Seasonal License? Yes ☐ No ☒

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



License Fee:	\$ 2500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 2800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



Miguel's LLC 907-328-8965 Fax 907-374-8377

1235 Airport Way Ste. 1

Fairbanks, Alaska 99701

June 8, 2018

Alcohol & Marijuana Control Office

Attn: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

AMCO Case #: AB18-0617

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Miguel's LLC

License #/Type: 4507 / Beverage Dispensary

1235 Airport Way Ste. 1

Fairbanks, Alaska 99701

AMCO

DEC 12 2018

Rec'd Fri
6-1-18

Notice of Violation

(3AAC 304.525)

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Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date: **AMCO**

Article # 7017 0530 0000 9551 3190

DEC 12 2018

original



DEC 12 2018



Miguel's Authentic Mexican Cuisine

May 4 at 12:17am · 🌐

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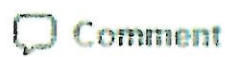
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👍 6

6 Shares



Miguel's Authentic Mexican Cuisine

May 5 at 9:25am · 🌐

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AMCO

DEC 12 2018