

# 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: 4816 / Beverage Dispensary

Licensee: Taco Azteca, Incorporated

Address: 3401 Airport Way, Fairbanks, AK

DBA: Mayan Palace

AMCO Case #: AB18-0618

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 heard a radio advertisement on local Fairbanks radio station 94.3 advertising drink specials at the Mayan Palace on Cinco de Mayo. The advertisement stated "Cinco! The party is on at the Mayan Palace more fun, more food and a live DJ. Amazing drink specials. Jimador shots just 4 bucks, Herradura 5 bucks, buckets of Corona or Modelo only \$15....."

I checked the Mayan Palace Facebook page and saw a video posted on 05/03/2018. The video showed still shots of various signs and graphics and included the same audio as I heard on the radio advertisement including the language about drink specials on Cinco de Mayo. In the same post as the video were the words: "Come an celebrate with us May 5th -Live DJ -Drink specials Join us for cash and prizes Only at Mayan Palace on 3401 Airport Way!! Ready.Set.Cinco"

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

**Anchorage, Alaska 99501**

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

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

Article # 7017 0530 0000 9551 3183



**Mayan Palace Taco Azteca Mexican Restaurant** is at **Mayan Palace Taco Azteca Mexican Restaurant.**

May 3 at 3:48pm · Fairbanks, AK ·

Come an celebrate with us

May 5th

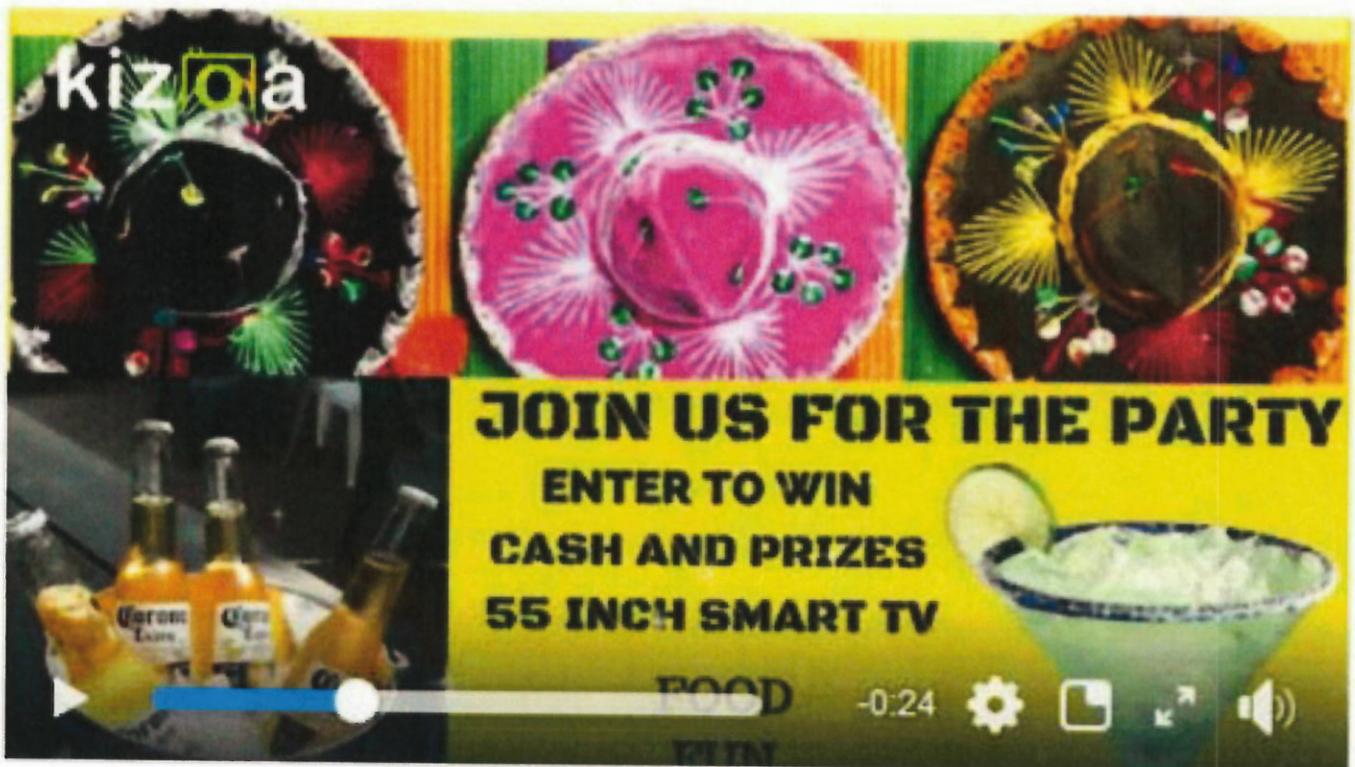
-Live DJ

-Drink specials

Join us for cash and prizes

Only at Mayan Palace on 3401 Airport Way!!

Ready.Set.Cinco



1.3K Views

Like

Comment

Share

18

Most Relevant

19 Shares

**Violation**

License #/Type: 4816 / Beverage Dispensary  
Address: 3401 Airport Way, Fairbanks, AK  
AMCO Case #: AB18-0618

If the Alcoholic Beverage Control Board decides to act under AS 04.02.030 (Administrative Procedures Act) you will receive an

advertisement on local Fairbanks radio station 94.3 (Cinco de Mayo). The advertisement stated "Cinco de Mayo food and a live DJ. Amazing drink specials: Buckets of Corona or Modelo only \$15...."

I saw a video posted on 05/03/2018. The video included the same audio as I heard on the radio specials on Cinco de Mayo. In the same post as with us May 5th -Live DJ -Drink specials Join us for Airport Way!! Ready,Set,Cinco"

beverages

you have 10 days of receipt to explain what action you have taken. YOU MUST RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR OFFICE.

Your response must include your alcohol license number in your response. Licensees may request to appear before the Director and be heard regarding the violation. If you do not appear at the time of the Notice and the Director must grant an appearance within ten days after the date of the Notice.



Taco Azteca, Incorporated  
P.O. Box 74708  
Fairbanks, AK 99707



SIGNATURE: *[Signature]*

Delivered Via: Mail  
Article # 7017 0530 0000 9551 3183

Received by: *[Signature]*

SIGNATURE: *[Signature]*

Date: 6/4/18 *[Initials]*

Date: 6/4/18

To: Mr. M. Chiesa

Mr. Chiesa,

We had the Specials/Selling two weeks  
Prior to May 5<sup>th</sup> 2018 (Cinco de Mayo)  
We are currently still having the Special  
available as of June 4<sup>th</sup>, 2018  
(Please see attachment via email)

I apologize for any inconvenience and misunderstanding.  
We will also include our Commercial via email.  
Our Commercial does not state that the Special is  
only on (May 5<sup>th</sup> 2018) and the advertisement is  
still current after a month and half - June 4<sup>th</sup> 2018  
Pos. on window *[Arrow]*

*[Signature]*  
*[Initials]*

6/4/18

Notice of Violation

The form, all information presented and responses are public documents per Alaska Public Records ACT 44 04.35

Date 05/30/2018

Licensee Taco Azteca, incorporated

DBA: Mayan Palace

License #/Type: 4816 / Beverage Dispensary

Address: 3401 Airport Way, Fairbanks, AK

AMCO Case #: AB18-0018

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 heard a radio advertisement on local Fairbanks radio station 94.3 advertising drink specials at the Mayan Palace (on Cinco de Mayo). The advertisement stated "Cinco! The party is on at the Mayan Palace more fun, more food and a live DJ. Amazing drink specials. Jimador shots just 4 bucks, Herradura 5 bucks, buckets of Corona or Modelo only \$15...."

I checked the Mayan Palace Facebook page and saw a video posted on 05/03/2018. The video showed still shots of various signs and graphics and included the same audio as I heard on the radio advertisement including the language about drink specials on Cinco de Mayo. In the same post as the video were the words: "Come and celebrate with us May 5th - Live DJ - Drink specials Join us for cash and prizes (Only at Mayan) Palace on 3401 Airport Way!! Ready, Set, Cinco"

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.

1 AAC 304.025 (3) 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  
560 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
amco.enforcement@alaska.gov

Issuing Investigator: M Chesa

SIGNATURE *[Signature]*

Delivered VIA Mail

Article # 7017 0530 0000 9551 3183

Received by 6/4/18

SIGNATURE *[Signature]*

Date 6/4/18

Date 6/4/18

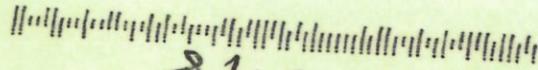
To: Mr. M Chesa

Mr. Chesa,

We had the Specials/Selling two weeks  
Prior to May 5<sup>th</sup> 2018 (Cinco de Mayo)  
We are currently still having the Special  
available as of June 4<sup>th</sup>, 2018.  
(Please see attachment via email)

I apologize for any inconvenience and misunderstanding.  
we will also include our Commercial via email.  
our Commercial does not state that the Special is  
only on (May 5<sup>th</sup>) and the advertisement is  
still current after a month and half - June 4<sup>th</sup> 2018

*[Signature]* Wilfredo Gallo. *[Initials]*  
Thank you for your time.  
6/4/18  
Pos. on window's *[Arrow]*



1-356700

AR.18.0618

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

RECEIVED  
JUN 04 2018  
MARIJUANA CONTROL OFFICE  
STATE OF ALASKA

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

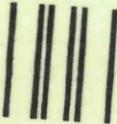
United States  
Postal Service

9590 9402 2985 7094 0481 34



USPS TRACKING#

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



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:

**Taco Azteca, Incorporated**  
**P.O. Box 74708**  
**Fairbanks, AK 99707**



9590 9402 2985 7094 0481 34

2. Article Number (Transfer from service label)

7017 0530 0000 9551 3183

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Zees Gallo

- Agent
- Addressee

B. Received by (Printed Name)

Zeus Gallo

C. Date of Delivery

6/1/18

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
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery



Alaska Alcoholic Beverage Control Board

**Form AB-17: 2020/2021 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 are is due to renew by December 31, 2019. 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 and submitted to AMCO's main office before any license renewal application will be reviewed. 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:	Taco Azteca, Incorporated	License #:	4816
License Type:	Beverage Dispensary		
Doing Business As:	Mayan Palace		
Premises Address:	3401 Airport Way		
Local Governing Body:	City of Fairbanks (Fairbanks North Star Borough)		
Community Council:	None		
Mailing Address:	P.O. Box 74708		
City:	Fairbanks	State:	AK
		ZIP:	99707

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:	M. Alfredo Gallo	Contact Phone:	(907)350-6047
Contact Email:	casillas.yolanda@hotmail.com		

**Optional:** If you wish for AMCO staff to communicate with an 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: 2020/2021 Renewal License Application

## Section 2 – Entity or Community Ownership Information

Licensees who directly hold a license as an individual or individuals should skip to Section 3. General partnerships and local governments should skip to the second half of this page. All licensees that are **corporations** or **LLCs** must complete this section. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). The CBPL Entity # below 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>

Alaska CBPL Entity #:	114004
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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.

NG

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 **shareholder 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. You must list **ALL of your qualifying officials, additional copies of this page or a separate sheet of paper may be submitted if necessary.**

Name of Official:	Wilfredo Gallo			
Title(s):	President	Phone:	(907) 350-6047	% Owned: 100%
Mailing Address:	P.O. Box 74708			
City:	Fairbanks	State:	AK	ZIP: 99707

Name of Official:	Wilfredo Gallo			
Title(s):	Secretary	Phone:	(907) 350-6047	% Owned: 100%
Mailing Address:	P.O. Box 74708			
City:	Fairbanks	State:	AK	ZIP: 99707

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



# Form AB-17: 2020/2021 Renewal License Application

## Section 3 – Sole Proprietor Ownership Information

Entities, such as corporations or LLCs, should skip this section. 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.

The following information must be completed for each licensee and each affiliate.

This individual is an:  applicant  affiliate

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

This individual is an:  applicant  affiliate

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.

MG

## Section 5 – License Operation

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

2018    2019

- The license was regularly operated continuously throughout each year.  2018     2019
- The license was regularly operated during a specific season each year.  2018     2019
- The license was only operated to meet the minimum requirement of 240 total hours each calendar year.  2018     2019  
*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.  2018     2019  
*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.*



# Form AB-17: 2020/2021 Renewal License Application

## Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2018 and 2019:

Yes No

Have any notices of violation (NOVs) been issued for this license in the calendar years 2018 or 2019?

Yes  No

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 2018 or 2019?

Yes  No

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.

WG

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.

WG

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.

WG

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

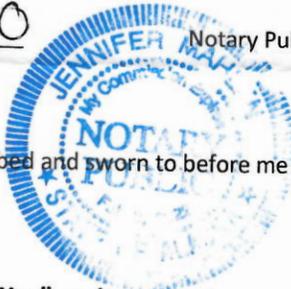
Wifredo Gallo  
Printed name of licensee

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 02/08/22

Subscribed and sworn to before me this 27<sup>th</sup> day of December, 2019.



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):					