

# 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: 8/6/19

License #/Type: 2813 Restaurant / Eating Place

Licensee: Monica S. Wirtz

Address: 3960 W. Dimond Blvd, Anchorage, AK

DBA: Peking Wok Restaurant

AMCO Case #: 19-1177

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 7-30-19, an inspection was conducted at your establishment. Ki Chang Yum was identified by himself and server Kauy Thang Xayachack as the manager. Yum was asked to provide proof of server education to which he acknowledged he has not received server education because he doesn't serve alcoholic beverages. Xayachack was asked to provide proof of server education. She provided TAP Card #129478 with an expiration date of 6-30-17. She stated she has current server education. Contact was made with Alaska CHARR, the entity that issued Xayachack her server card. They stated she last received the above mentioned card, nothing current. Both employees have been working at the establishment for more than 30 days. On 8-5-19, I returned to the establishment and made contact with licensee Monica Wirtz. Wirtz was asked to provide proof of current server education. She stated she had current server education but could not provide proof. I later contacted Alaska CHARR and learned that she does have current server education, TAM 160752, exp. 2-10-21.

Your attention is directed to AS 04.21.025: Alcohol server education course, AS 04.21.030: Responsibility of licensees, agents, and employees, 3AAC 304.465: Alcohol server education course, AS 04.16.150: Licensee responsible for violations and Anchorage Municipal Code 10.50.015(R) which states you must have server education prior to initiating work.

NOTE: Wirtz has received a similar notice of violation in the past, case #09-2203, for the same violations. A conviction of no server education was adjudicated by the Alaska court system. The Alcoholic Beverage Control Board suspended the alcohol license for 30 days, with all 30 days suspended and issued a fine of \$500.00.

**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:

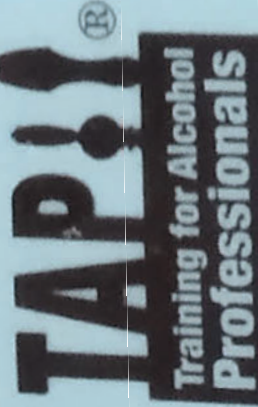
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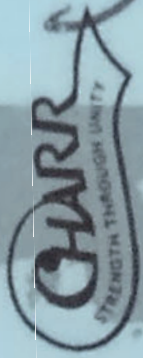
SIGNATURE:

Delivered VIA: Mail

Date:



(not valid for use as identification)



800-478-2427 or  
907-274-8133

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

CERTIFICATE #

175615

Name Kamy Xayachack

Birthdate

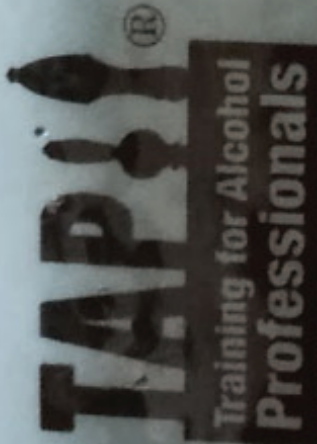
Signature

EXPIRES ON

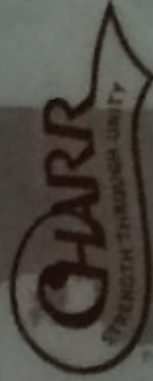
8/15/2022

Instructor





(not valid for use as identification)



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

SERGIO INFANZON

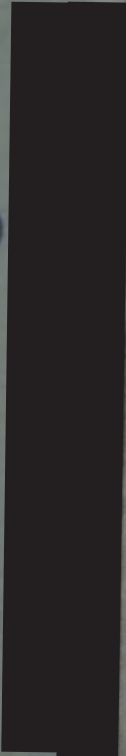
Instructor

CERTIFICATE #

175616

Ki Chang Yum

Name



Birthdate

[Signature]

Signature

EXPIRES ON

8 / 15 / 2022



Alaska Alcoholic Beverage Control Board

## Form AB-17: 2021/2022 License Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2020 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable **\$500.00** late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by 02/28/2021 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

### Establishment Contact Information

Licensee (Owner):	Monica S Wirtz	License #:	2813
License Type:	Restaurant/Eating Place		
Doing Business As:	Peking Wok Restaurant		
Premises Address:	3960 W Dimond Blvd Anchorage, AK 99515		
Local Governing Body:	Muni. of Anchorage		
Community Council:	Sand Lake		

If your mailing address has changed, write the **NEW** address below:

Mailing Address:					
City:		State:		ZIP:	

### Section 1 – Licensee Contact Information

**Contact Licensee:** The individual listed below must be listed in Section 2 or 3 as an Official/Owner/Shareholder of your entity and must be listed on CBPL with the same name and title.

This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Monica S Wirtz	Contact Phone:	907-248-1648
Contact Email:	monica.wirtz06@gmail.com		

**Optional:** If you wish for AMCO staff to communicate with **anyone other than the Contact Licensee** about your license, list them below:

Name of Contact:	Kang Cho	Contact Phone:	907-561-0101
Contact Email:	kjcjungam@gmail.com		

Name of Contact:		Contact Phone:	
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			

AMCO





## Form AB-17: 2021/2022 License Renewal Application

## Section 3 – Sole Proprietor Ownership Information

**Corporations, LLC's and Partnerships of ALL kinds should skip this section.**

**READ BEFORE PROCEEDING:** Any new or changes to the ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI approved cardstock, AB-08a's, payment of \$48.25 for each new owner or officer and a date stamped copy of the CBPL change per AS 04.11.045, or a Notice of Violation will be issued to your establishment and your application will be returned.

**Important Note:** All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, phone number, and mailing address for each owner or partner whose information we require.

**If more space is needed, attach additional copies of this page. Additional owners not listed on this page will be rejected.**

This individual is an: ☒ Applicant ☐ Affiliate

Name:	Monica S Wirtz			Contact Phone:	907-830-9947	
Mailing Address:	3960 W Dimond Blvd					
City:	Anchorage	State:	AK	ZIP:	99515	
Email:	monica.wirtz06@gmail.com					

This individual is an: ☐ Applicant ☐ Affiliate

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

## Section 4 – License Operation

Check **ONE BOX** for **EACH CALENDAR YEAR** that best describes how this liquor license was operated:

- |  | 2019                                | 2020                                |
|--|-------------------------------------|-------------------------------------|
| 1. The license was <b>regularly operated continuously</b> throughout each year. (Year-round)   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The license was <b>only operated during a specific season</b> each year. (Seasonal)<br><i>If your operation dates have changed, list them below:</i><br>_____ to _____  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 4. 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 calendar years. <i>A complete 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.</i> | <input type="checkbox"/>            | <input type="checkbox"/>            |

**If you have not met the minimum number of hours of operation in 2020, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "OTHER" and COVID is listed as the reason.**

## Section 5 – Violations and Convictions

Have **ANY** Notices of Violation been issued for this license **OR** has **ANY** person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2019 or 2020?

Yes ☒ No ☐ *AW*

**If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)**

**If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.**

AMCO



**Form AB-17: 2021/2022 License Renewal Application****Section 6 – Certifications**

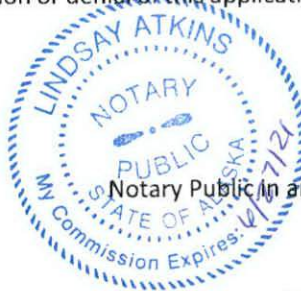
As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by 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 and potentially expired if I do not comply with statutory or regulatory requirements.
- 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 this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and accurately listed, and I have provided AMCO with all required changes of Shareholders (10% or more), Managers, Corporate Officers/Board of Directors, Partners, Controlling Interest or Ownership of the business license, and have provided all required documents for any new or changes in officers.
- **I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons 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, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.**
- 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 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.

Melissa Wirtz  
Signature of licensee

Melissa S. Wirtz  
Printed name of licensee



Lindsay Atkins  
Signature of Notary Public

Notary Public in and for the State of: Alaska

My commission expires: June 27, 2021

Subscribed and sworn to before me this 21 day of December, 2020.

**Restaurant/Eating Place** applications must include a completed AB-33: Restaurant Receipts Affidavit

**Recreational Site** applications must include a completed Recreational Site Statement

**Tourism** applications must include a completed Tourism Statement

**Wholesale** applications must include a completed AB-25: Supplier Certification

All renewal and supplemental forms are available online

**Any application that is not complete or does not include ALL required completed forms and fees will not be processed and will be returned per AS 04.11.270, 3 AAC 304.105.**

**FOR OFFICE USE ONLY**

License Fee:	\$600	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$900

AMCO



STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

04/07/2021

ABC BOARD

# LIQUOR LICENSE 2021 - 2022

2813

LICENSE RENEWAL APPLICATION DUE  
DECEMBER 31, 2022 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT  
FEBRUARY 28, 2023 UNLESS DATED BELOW

TYPE OF LICENSE: Restaurant/Eating

LICENSE FEE: \$600.00

1130

CITY / BOROUGH: Anchorage, Muni. of  
Anchorage

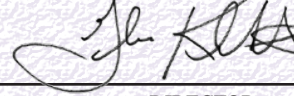
D/B/A: Peking Wok Restaurant  
3960 W Dimond Blvd

Mail Address:  
Monica S. Wirtz  
3960 W Dimond Blvd  
Anchorage, AK 99515

This license cannot be transferred without permission  
of the Alcoholic Beverage Control Board

☐ Special restriction - see reverse side

ISSUED BY ORDER OF THE  
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 9/09)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

04/07/2021

ABC BOARD

# LIQUOR LICENSE 2021 - 2022

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ISSUED BY ORDER OF THE  
ALCOHOLIC BEVERAGE CONTROL BOARD

**COPY**

DIRECTOR

D/B/A: Peking Wok Restaurant  
3960 W Dimond Blvd

Mailing Address:  
Monica S. Wirtz  
3960 W Dimond Blvd  
Anchorage, AK 99515

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 9/09)



## Alaska Alcoholic Beverage Control Board

**Master Checklist: Renewal Liquor License Application**

Doing Business As:		License Number:	
License Type:			
Examiner:		Transaction #:	

Document	Received	Completed	Notes
AB-17: Renewal Application			
App and License Fees			

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	
--------------------	--

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input type="checkbox"/>
Mailing address and contact information different than in database (if yes, update database)?	<input type="checkbox"/>	<input type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input type="checkbox"/>	<input type="checkbox"/>

**LGB 1 Response:**☐

Waive

☐

Protest

☐

Lapsed

**LGB 2 Response:**☐

Waive

☐

Protest

☐

Lapsed





THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,  
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

April 7, 2021

Monica S. Wirtz

DBA: Peking Wok Restaurant

Via Email: [kjcjungam@gmail.com](mailto:kjcjungam@gmail.com) ; [monica.wirtz06@gmail.com](mailto:monica.wirtz06@gmail.com)

Re: Restaurant/Eating Place License #2813 DBA: Peking Wok Restaurant

Dear Applicant:

I have received your application for renewal of your liquor license. Our staff has reviewed your application after receiving your application and required fees. Your renewal documents appear to be in order, and I have determined that your application is complete for purposes of AS 04.11.510, and AS 04.11.520.

Your application is now considered complete and will be sent electronically to your local governing body, your community council if your proposed premises is in Anchorage or certain locations in the Matanuska-Susitna Borough, and to any non-profit agencies who have requested notification of applications. The local governing body will have 60 days to protest the renewal of your license or waive protest.

**A temporary license has been issued for this establishment.**

Your application will be scheduled for the *April 2021* board meeting for Alcoholic Beverage Control Board consideration. The address and call-in number for the meeting will be posted on our home page. The board will not grant or deny your application at the meeting unless your local government waives its right to protest per AS 04.11.480(a).

Please feel free to contact us through the [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov) email address if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Olivia".

Olivia Frank  
Occupational Licensing Examiner

**Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business, and Professional Licensing  
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

**PEKING WOK RESTAURANT**

3960 W DIMOND BLVD, ANCHORAGE, AK 99515

owned by

MONIA S WIRTZ

is licensed by the department to conduct business for the period

December 16, 2020 to December 31, 2022  
for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.  
It is not transferable or assignable.

Julie Anderson  
Commissioner