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: 7/22/24

License #/Type: 3375 Beverage Dispensary-Tourism AS 04.11.400(d)

Licensee: LL Restaurant, LLC

Address: 1500 Bogard Rd., Wasilla, AK 99654

DBA: Chop House at Lake Lucille

AMCO Case #: AM 24-1460

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 06/27/2024, an inspection was conducted at your establishment. I contacted Manager, Samantha Bailey, and asked if any 16-17 year olds were employed. Bailey stated there was one and produced an unapproved work permit. I asked Bailey to provide me with the hire date and all dates with hours worked for the minor, and informed her the minor could not work until the work permit was approved. I went back to speak with Bailey approximately two weeks later and was informed there were a total of five minors employed at the establishment. Bailey provided copies of all the work permits. I saw they were all approved between 06/28/2024 and 07/01/2024, after my initial inspection on 06/27/2024. The minors were hired between 01/31/2024 and 06/07/2024, working a total of 844.02 hours, with 181 total violations.

Your attention is referred to AS 04.16.049(c) which in part reads, "Notwithstanding any other provision in this section, a person 16 or 17 years of age may enter and remain within the licensed premises of a hotel, golf course, or restaurant or eating place in the course of employment if (1) the employment does not involve the serving, mixing, delivering, or dispensing of alcoholic beverages; (2) the person has the written consent of a parent or guardian; and (3) an exemption from the prohibition of AS 23.10.355 is granted by the Department of Labor and Workforce Development.", and AS 04.16.150: Licensee responsible for violations

Mailed 07/22/2024, Certified Mail 7021 0950 0001 6766 6222

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: J. Linger

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

updated 4/23/19

JDW
COUNSEL
ALIGNED FOR EXCELLENCE

Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave, Second Floor
Anchorage, Alaska 99503
Phone 907-231-3750
JDW, LLC
jana@jdwcounsel.com

August 7, 2024

Dear AMCO Enforcement:

This letter is in response to NOV #24-1460, issued on July 22, 2024, to Chop House at Lake Lucille #3375. We appreciate AMCO Enforcement for bringing this issue to our client's attention. The Chop House at Lake Lucille is dedicated to ensuring all staff members are of appropriate age, and all employees aged sixteen (16) and seventeen (17) receive work permits. Our client acknowledges that the privilege to serve alcohol at the Chop House at Lake Lucille comes with the responsibility of continuous compliance, and they are unwavering in their commitment to upholding this.

Immediately after the Enforcement visit on June 27, the Chop House at Lake Lucille's management and staff took steps to regain compliance with AMCO. Upon the visit from Enforcement, all minors were immediately removed from the schedule pending their work permits being approved, as instructed by Enforcement during their first visit. Chop House ownership immediately began getting the minor employees' work permits approved over the weekend of June 28-30; they have been in compliance since Monday, July 1. Chop House at Lake Lucille's staff turnover has been significant since January. The original staff member who was tasked with obtaining the proper employee work permits did not do so prior to assigning the minor employees shifts. That staff member is no longer in charge of work permits. Moving forward, all minor work permits will now be handled by management and management must provide approval to assign minor employees shifts to ensure assigning of shifts pre-obtaining work permits does not occur.

Moving forward, our client has implemented an internal policy to ensure that all staff members under the age of eighteen must, without exception, have their work permits approved before they are scheduled for any shift. All staff must maintain compliance while working with Chop House at Lake Lucille, and they will create and maintain a log of all work permits. They will also ensure that all work permits are up-to-date and readily available on-site at any time on request.

Chop House at Lake Lucille is grateful for the guidance provided by your investigators and is taking all steps to prevent future non-compliance.

Truly and Sincerely Yours,

Jana D Weltzin, Esq.