Notice of Violation

(3AAC 305.870)

This form, all information provided and responses are public documents per Alaska Public Records Act AS 40.25

Date: 8/14/24

License #/Type: 6150 Restaurant/Eating Place

Licensee: Rafelitos LLC

Address: 160 W 91st Ave Ste A Anchorage, AK

DBA: Rafelitos

AMCO Case #: AM241840

An administrative notice of violation addresses serious or repetitive violations of AS 04, 3 AAC 305, or other law relating to the manufacture and sale of alcoholic beverages that have occurred or are occurring on the licensed premises.

Note: This is not an accusation or a criminal complaint.

On 08/03/24, Rafelitos hosted a car show called Boulevard Nights under an AMCO restaurant caterer's permit, #24-24148. The permit authorized alcohol consumption outside the regular premises on two 40'x20' patios. Photos and video on social media of the event showed numerous attendees consuming alcohol far beyond the authorized premises. A large parking lot behind the building was utilized for the car show and patrons were observed freely transiting the area while consuming alcohol.

This is a violation of AS 04.09.700 Failure to comply with a permit requirement, by not adhering to the designated premises on permit application under AS 04.09.600(a), AS 04.09.620(b)

Whether a request for an appearance is made, a licensee, endorsement holder, affiliate, or conditional contractor permittee shall respond in writing to the notice of violation within 10 days of receipt of this notice. A licensee, endorsement holder, any affiliate, or conditional contractor permittee who receives an administrative notice of violation may also request an appearance before the director regarding the administrative notice of violation. The request must be made not more than 10 days after the licensee, endorsement holder, or conditional contractor permittee receives the notice. The director shall grant an appearance not more than10 days after the request is received.

***Please send your response to the address below and include your alcohol license number in your response.**

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

Issuing Investigator: J. Bankowski

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Email

Date:

updated 9/30/21

Tracking #:

THE LAW OFFICES OF ERNOUF & COFFEY
A PROFESSIONAL CORPORATION
P.O. Box 212314
Anchorage, Alaska 99521
(907) 274-3385

September 4, 2024

Joan Wilson
Director
Alcohol Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501
VIA EMAIL

Re: Ralfelitos, LLC.
Response to Notice of Violation
#AM241840

Dear Joan:

Please let this letter serve as a formal response to the aforementioned Notice of Violation.

The Boulevard Nights Car show this summer was the first event of this kind held by my client. The event was properly permitted, there were no accidents, no injuries, and no complaints of any kind other than this Notice of Violation. This being said, my client was very upset to receive this Notice of Violation as he takes matters of public safety and adherence to the law as the top priority of the business.

My client is aware that several patrons took it upon themselves to take alcohol out of the designated areas for service of beer and wine. It appears that some of the alcohol may have been personal alcohol stored in the attendees' vehicles. However, once my client and his security team saw what was happening, they immediately intervened to keep the alcohol consumption within the designated areas.

Unfortunately, several of-age patrons made it into the back lot before security could inform them to keep the alcohol in the designated areas. The patrons reported to staff that they thought the whole area was open for drinking since it was entirely fenced in and had security at the

entrance--"like a concert." This is of course not correct. Again, all the patrons involved were 21 years of age or older and were served legally in the designated area but then walked away carrying their drink.

My client has learned a huge and expensive lesson. If he is allowed to have this type of event in the future, he would use more extensive signage, bollards, and temporary fencing to insure there is no confusion as to where alcohol consumption is allowed and where it is not allowed. My client would also more effectively inform car show participants that alcohol is prohibited from being inside of vehicles at the show. Knowing what he knows now, I don't believe you would ever have another issue like this to occur.

My client would very much like to discuss these issues with you further. Please let me know if you would like to meet and we will both makes ourselves available.

Thank you very much for your time and consideration in this regard.

Sincerely,

By: s/ W. Sherman Ernouf

cc: Client