



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: November 17, 2025

FROM: Kyle Helie, Licensing Examiner II

RE: BPO Elks Lodge #1772
Club License
364 – Renewal Application

This renewal application was deemed complete and scheduled for the December 2, 2025, board meeting. The City of Kodiak has since protested the renewal application.

“The Deputy Fire Marshal determined that the premises described in the renewal applications, 102 W Marine Way, is not code compliant. The deficiencies are identified in the Deputy Fire Marshal's November 5, 2025, letter, a copy of which is submitted with this protest. The Council protests renewal of beverage dispensary license #254 and club license #364 because a business should not be operated from unsafe premises. The Council requests that the board uphold the protests, pursuant to 3 AAC 305.085(h), until the applicant meets the conditions set by the Council. Protest of the license #254 and #364 renewal applications will be withdrawn upon the Fire Marshal's report that the premises deficiencies identified in the Deputy Fire Marshal's November 5, 2025 letter have been satisfactorily corrected and that the 102 W Marine Way premises comply with the City's fire, health, and safety codes. The City Clerk will notify the Alcohol & Marijuana Control Office if the protests are rescinded.”

Under 3 AAC 305.085(h) The board may uphold a protest of an application or continued operation with an initial abeyance period of not more than 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation will be approved when all other applicable requirements have been met.

If the local governing body has not notified the board within the period of the abeyance that the local governing body has removed the protest, the application or continued operation is denied.

If the protest is not a conditional protest, then other rules apply and... the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, or unreasonable – AS 04.11.480

Attachments: City of Kodiak protest of renewal application and 2025-2026 renewal application.



Office of the Mayor and City Council

710 Mill Bay Road, Room 110, Kodiak, Alaska 99615

November 13, 2025

Sent electronically and via certified mail:

Alcoholic Beverage Control Board
C/O Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

Re: Protest of Beverage Dispensary License No. 254 and Club License No. **364** Renewal
Applications, Subject to Rescission

To: The Alcoholic Beverage Control Board,

The City Council of the City of Kodiak protests the renewal of beverage dispensary license #254 and club license #364, subject to rescission of the protest. The applicant was given notice of this protest and an opportunity to be heard by the Council at its November 13, 2025 meeting.

Kodiak City Code 5.12.030(d)(6) provides that the Council may protest an application for a beverage license when business's premises do not comply with municipal fire, health, or safety codes.

The Deputy Fire Marshal determined that the premises described in the renewal applications, 102 W Marine Way, is not code compliant. The deficiencies are identified in the Deputy Fire Marshal's November 5, 2025, letter, a copy of which is submitted with this protest.

The Council protests renewal of beverage dispensary license #254 and club license #364 because a business should not be operated from unsafe premises. The Council requests that the board uphold the protests, pursuant to 3 AAC 305.085(h), until the applicant meets the conditions set by the Council.

Protest of the license #254 and #364 renewal applications will be withdrawn upon the Fire Marshal's report that the premises deficiencies identified in the Deputy Fire Marshal's November 5, 2025 letter have been satisfactorily corrected and that the 102 W Marine Way premises comply with the City's fire, health, and safety codes. The City Clerk will notify the Alcohol & Marijuana Control Office if the protests are rescinded.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry Haines".

Terry Haines

Mayor

cc: BPO Elk Lodge



Office of the Fire Marshal

219 Lower Mill Bay Road Kodiak, AK 99615

Kyle Papineau, Deputy Fire Marshal
City of Kodiak
Kodiak, AK 99615

11/5/2025

Kodiak City Clerks
Kodiak Island Borough Clerks

AMCO Renewal Request, Kodiak Elks Lodge/ Tropics Lounge

At this time, Kodiak Fire Department, Office of the Fire Marshal is protesting with conditions the renewal of AMCO Beverage Dispensary License #254 and Club License #364 for Fire Code Violations. Inspection was completed on 11/5/2025. Most violations were minor, but the wet and dry sprinkler system are over due for service. The Kitchen hood system was also past due for annual service. We recommend protest until conditions are fixed and Life Safety Systems brought back to operational status.

International Fire Code
Chapter 9 Fire Prevention and life safety systems
Section 901.6 Inspection, Testing and Maintenance-
Fire protection and life safety systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective.

Section 606.3.3.1- Inspection of commercial cooking equipment.
- Low-volume cooking operations such as places of religious worship, seasonal businesses and senior centers- Inspection Frequency-12 Months

Once Systems are inspected and repairs made. We will lift conditional protest of the License.

Respectfully,

Kyle A. Papineau
Deputy Fire Marshal
Kodiak Fire Department



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alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-17: 2025/2026 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than December 31, 2024, per AS 04.11.270, 3 AAC 305.050, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal and required fees that have not been postmarked, emailed, or submitted through AK-ACCIS by February 28, 2025, will result in expiration of the alcoholic beverage license per AS 04.11.540.
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the mandatory fees and all documents required, or the application will be returned without being processed, per AS 04.11.270.
- 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.

Section 1 - Establishment Contact Information

Doing Business As:	BPO Elks Lodge #1772	License #:	364
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If your mailing address has changed, write the NEW address below:

Mailing Address:	PO Box 846		
City:	Kodiak	State:	AK
		ZIP:	99615

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license unless the Optional contact is completed.

Contact Licensee:	Rod Kiefer	Contact Phone:	907 486 1772
Contact Email:	rmk30058@hotmail.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact:		Contact Phone:	
Contact Email:			

Section 3 - Renewal of Endorsement or Endorsements

Do you have an active endorsement(s) associated to the license you are renewing? If no skip to the next section.
If **YES** answer **ONE** of the below questions in the affirmative:

YES NO

1. I will renew **ALL** of my active endorsement or endorsements.
2. I will **NOT** renew **ANY** of my active endorsement or endorsements.
3. I want to renew one or more of my active endorsement or endorsements and I am listing here the endorsement or endorsements I do **NOT** want to renew.

☐☐

Endorsement Not Renewing		Endorsement Not Renewing	
Endorsement Not Renewing		Endorsement Not Renewing	



#101043476

#101044095



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Section 4 – for Package Stores ONLY: Written Order Information

Package Stores ONLY: Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2025 and/or 2026? If so, if you have not already done so, you will need to apply for a Shipping Endorsement here: <https://accis.elicense365.com/#>

YES ☐ NO ☒

Section 5 – Ownership Structure Certification

Did the ownership structure of the licensed business change in 2023/2024?

YES ☐ NO ☒

If **Yes** and you have **NOT** notified AMCO, you will need to apply for a Change of Officials here: <https://accis.elicense365.com/#>

If **No**, certify the statement below by initialing the box to the right of the statement:
I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2023 or 2024.

☒

Section 6 – License Operation

Unless you continuously operated (more than 240 hours) in 2023 or 2024, check ONE BOX for EACH CALENDAR YEAR that best describes how this alcoholic beverage license was operated as set forth in AS 04.11.330:

- | | 2023 | 2024 |
|---|--------------------------|--------------------------|
| 1. The license was only operated during a specified time (seasonal) each year. (Not to exceed 6 months per year)
<i>If your seasonal operation dates have changed, list them below:</i>
_____ to _____ | ☐ | ☐ |
| 2. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
<i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation and corresponding fee must be provided with this form, or through AK-ACCIS here: https://accis.elicense365.com/#</i> | ☐ | ☐ |
| 3. The license was not operated at all or was operated less than 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. You may submit this through AK-ACCIS here: https://accis.elicense365.com/#</i> | ☐ | ☐ |

Section 7 - Violations and Convictions

Have any Notices of Violation been issued for this license in 2023 or 2024?

YES ☐ NO ☒

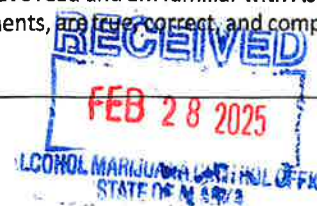
Has any person or entity in this application been convicted of a violation of Title 04, 3AAC 304, 3 AAC 305 or a local ordinance adopted under AS 04.21.010 in 2023 or 2024?

YES ☐ NO ☒

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.

Section 8 – 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 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.





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- 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 the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, 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 I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of 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 305.700.
- I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Rob M Kiefer

Printed name of licensee

Rob M Kiefer

Signature of licensee

Restaurant and Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit
Sporting Activity/Recreational Site applications must include a completed AB-36: Sporting Activity/Recreational Site Statement
Beverage Dispensary Tourism applications must include a completed AB-37: Beverage Dispensary Tourism Statement
Wholesale applications must include a completed AB-25: Supplier Certification
Common Carrier vessel applications must include a current safety inspection certificate

Manufacturer Direct Shipment Licensees must apply for renewal through the
AK-ACCIS online system here: <https://accis.elicense365.com/#>

New This Renewal- Endorsement Fee(s) and Paper Application Fee:

Endorsement renewals will require the biennial \$200.00 fee per endorsement. **Multiple Fixed Counter Endorsements** require ONE \$200.00 biennial fee regardless of how many fixed counters are attached to the license.

This paper form requires an additional submission fee of \$150.00 per 3 AAC 305.165(10).

Avoid additional fees and apply through AK-ACCIS here: <https://accis.elicense365.com/#>

All renewal and supplemental forms are available online:

<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

FOR OFFICE USE ONLY

License Fee:	\$	Application Fee:	\$ 300.00	Misc. Fee:	\$
Endorsement Fee:	\$	Paper Form Fee	\$150.00		\$
				Total Fees Due:	\$

