

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: 1/27/25

License #/Type: 45

Beverage Dispensary - Tourism

Licensee: WX, LLC

Address: 35041 Kenai Spur Road, Soldotna, AK

DBA: Mykel's Restaurant

AMCO Case #: 24-2385

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 12-18-24, an inspection was conducted at your facility with Amanda Turner, a current employee and former manager. Through her, it was learned you employ 16 & 17 yr- olds. Not having access to these documents, she was provided with information to give to the licensee to forward the documents. Not hearing anything from the licensee, an Advisory Notice was sent to remind them of the request on 12-26-24. After contact was made with the licensee, Shiping Wang, it was revealed from 9-18-23 to 10-2-24, a 16 year-old was working without an approved DOL Work Permit, a total of 4 days. From 9-28-24 to 1-3-25, another 16 year-old was employed without an approved DOL Work Permit for 43 days. Ms. Wang could not provide actual documented work schedules but did provide generalities of days they should have worked. On 1-16-25, Inv. Hamilton met with Ms. Shiping who disputed the numbers and stated she would now send actual work schedules because they may not have actually worked the days she said. WX, LLC was issued citation P00527141. As of 1-27-25 she has not provided updated information.

Your attention is directed to AS 04.16.052(a)(2): Furnishing of alcoholic beverages to persons under the age of 21 by licensees. "(a) A licensee or an agent or employee of the licensee may not with criminal negligence....(2) allow a person under the age of 21 years to enter and remain within licensed premises except as provided in AS 04.16.049, AS 23.10.355: Employment of persons under 21, and AS 04.16.150: Licensee responsible for violations

Certified Mail 7021 0950 0001 6767 0441

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. Hamilton

Received by:

SIGNATURE: *F.R. HAMILTON*

SIGNATURE:

Delivered VIA: Mail

Date:

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: 3/24/25

Licensee: Hukali, LLC

DBA: Sami's City Diner

License #/Type: 5822 Restaurant / Eating Place

Address: 3000 Minnesota, Dr., Anchorage, AK

AMCO Case #: 25-0321

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 3-21-25, an inspection was conducted at your establishment with manager C. Hukali. Mr. Hukali was asked to provide proof his and his servers identification and alcohol server training cards. Ms. L Carstews was able present an TAP alcohol server certificate. Her co-worker M. Hukali provided identification but stated she had server education but could not provide proof at this time. Both were told to stop server alcoholic beverage until proof was provided of identification and server education cards. Both servers documents were later verified as being valid. Finally, the establishment did not have the state mandated pregnancy sign posted.

Your attention is directed to AS 04.21.025: Server education, 3AAC 305.700: Alcohol Server Education Course and AS 04.21.065: Warning signs

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 than 10 days after the request is received.

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Notice of Violation

(3AAC 305.870)

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Date: 3/18/25

Licensee: AK, Inc.

DBA: Speedway Express

License #/Type: 2803 PACKAGE STORE

Address: 4608 Spenard Rd., Anchorage, AK

AMCO Case #: 25-0283

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 3-17-25, an inspection was conducted at your establishment. Nowhere in the store, on the building or signage near the road indicated this was a Speedway Express liquor store. Signage indicated this was either a Marathon or Rebel store. The clerk was wearing a Rebel promotional shirt. Finally, none of the three state mandated alcohol signs are posted as required. A Notice of Violation was given to this licensee in November of 2021 for a name change violation. In 2022, an accusation was given to the licensee's for several of their establishments names being changed without going through the proper procedures. This store was listed as being in the accusation.

Your attention is directed to 3AAC 305.630: Licensed premises with reads in part, "(d) A licensee may not alter the functional floor plan, reduce, or expand the area, or change the business name of the licensed premises without the prior written approval of the director" and AS 04.16.065: Posting of warning signs which reads in part, "(a) A holder of one of the following types of licenses or permits shall post on the licensed or designated premises three separate warning signs as described in (b)" and, "(b) The warning signs required by (a) of this section must be at least 11 inches by 14 inches, and the lettering must be at least one-half inch high and in contrasting colors. The first sign must read, "WARNING: Drinking alcoholic beverages such as beer, wine, wine coolers, and distilled spirits or smoking cigarettes during pregnancy can cause birth defects." The second sign must read, "WARNING: A person who provides alcoholic beverages to a person under 21 years of age, if convicted under AS 04.16.051, could be imprisoned for up to five years and fined up to \$50,000." The third sign must read, "WARNING: An unaccompanied person under 21 years of age who enters these premises in violation of law may, under AS 04.16.049(e), be civilly liable for damages of \$1,500." The license or permit holder shall display the first and second signs in a manner that would make them conspicuous to a person who will be purchasing or consuming alcoholic beverages or smoking cigarettes on the licensed or designated premises and shall conspicuously display the third sign at each door through which customers enter the licensed premises."

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *F.R. HAMILTON*

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

Date: 11/5/21

License #/Type: 2803 Package Store

Licensee: AK, Inc

Address: 4608 Spenard Road, Anchorage, AK

DBA: 2 Go Mart #002

AMCO Case #: 21-1190

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 July, 2021, it was noticed that all your 2 Go Marts changed names to Speedway Express. On 7-2-21, your organization was sent an advisory notice explaining that you needed to submit a name change to AMCO. As of 11-5-21, AMCO has not received any name change paperwork.

Your attention is referred to 3AAC 305.185: Licensed premises

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.

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

J.R. Hamilton

SIGNATURE:

Delivered VIA: Mail

Date:





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: 3/19/25

License #/Type: 3906

Package Store



Licensee: Fred Meyer Stores, Inc.

Address: 2000 W Dimond Blvd., Anchorage, AK 99515

DBA: Fred Meyer - Dimond #71

AMCO Case #: AM 25-0293

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 03/17/2025 AMCO Investigator's Linger and Hamilton entered Fred Meyer - Dimond #71 located at 2000 W. Dimond Blvd, in Anchorage to conduct a routine investigation. Investigator Linger contacted Kevin Scott who was working in the package store and asked to see his alcohol server education card (TAP card). Kevin produced a TAP card with an expiration date of 02/26/2025, expiring 19 days prior to the inspection date. Kevin stated he was the store manager and didn't know his current card had expired. This is in violation of the below referenced Alaska Statute, and Alaska Administrative Code.

This is in violation of:

AS 04.21.025 Alcohol server education course (a)(c), and 3 AAC 305.700(a)

AS 04.21.025(a) Except as provided under (e) and (f) of this section, as a condition of issuance or renewal of a license or conditional contractor's permit and selling alcoholic beverages under a license or conditional contractor's permit, the board shall require a licensee or permittee who sells or serves alcoholic beverages and a licensee's or permittee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board.

(c) A licensee, permittee, agent, or employee shall complete the course required under (a) of this section and pass a written test, online or in person, demonstrating an understanding of the course subjects not more than 30 days after being licensed, permitted, or employed. The course provider shall issue a card to each individual who completes the course and passes the written test. A card issued under this subsection is valid for three years from the date of issue. A licensee, permittee, agent, or employee may renew a card issued under this section; to renew the card, the licensee, permittee, agent, or employee must pass a written test demonstrating an understanding of the course subjects. Notwithstanding the 30-day period 95 for completing the course and passing the written test under this subsection, a person may not sell or serve alcoholic beverages or check the identification of a patron at a permitted event under AS 04.09.600 - 04.09.690 unless the person possesses a valid card issued before the event.

3 AAC 305.700. Alcohol server education course. (a) Unless exempt under AS 04.21.025(f), a licensee, employee, or agent of a licensee selling or serving alcoholic beverages shall successfully complete an alcohol server education course. The person or the on duty supervisor shall carry or have available to show current course cards or photocopies of the cards certifying completion of an approved alcohol server education course. The card is effective for three years from the date of issuance during which time the person shall complete another approved course or successfully complete a written test demonstrating an understanding of the course subjects as required by AS 04.21.025(c). The card must include the name and date of birth of the card holder, the name of the course, and the date of expiration of the card. If the card does not include a photograph of the holder, the person shall also carry a valid identification under 3 AAC 305.800(b). The card or a photocopy of the card must be shown upon request of a peace officer or board representative. If the person cannot show a current card or a copy of it on file on the premises or show a date of hire less than 30 days earlier, the person shall immediately cease selling or serving alcoholic beverages or checking identification.

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 than 10 days after the request is received.

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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:

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Date: 3/19/25