Hem# 120

#### City of Carson City Agenda Report

Date Submitted: November 23, 2009

Agenda Date Requested: December 3, 2009

Time Requested: 10 minutes

To: Liquor and Entertainment Board

From: Business License Division, Public Works

Subject Title: Disciplinary action against liquor license #10-23477, held by BDESH, Inc. dba Eagle Gas located at 1360 S. Carson St., pursuant to CCMC 4.13.150. This disciplinary action is based on the issuance of a citation for a second offense criminal statute violation, within six months of the first citation issuance, related to the sale of liquor at the licensed premises. This action may include the imposition of a fine of up to \$500.00 on the licensee and the requirement that the licensee and all employees selling, dispensing, or serving liquor attend the Sheriff's Office alcohol servers' training program within three months of this hearing. (Jennifer Pruitt)

Staff Summary: CCMC 4.13.150 provides for the imposition of a fine of up to \$500.00 upon the holder of a liquor license and the requirement that the licensee and all employees selling, dispensing, or serving liquor attend alcohol servers' training for the second time a person is issued a criminal citation related to the sale of liquor at a licensed premises. On November 13, 2009, a second offense criminal citation related to the sale of liquor was issued at Eagle Gas. The first offense criminal citation was issued on September 14, 2009. If the licensee and relevant employees are required to attend the alcohol servers' training program, the licensee will be required to submit a list of all employees selling, dispensing, or serving liquor to the Business License Division, no later than seven days from the completion of the training. If the licensee fails to submit the list of employees within seven days, this matter will be rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed.

<b>Γype of Action Requested:</b> ( ) Resolution	( ) Ordinance		
(X) Formal Action/Motion	( ) Other (Specify)		
Does This Action Require A Business	Impact Statement:	( ) Yes	(X) No

**Recommended Board Action:** I move to impose disciplinary action against liquor license #10-23477, held by BDESH, Inc. dba Eagle Gas located at 1360 S. Carson St., pursuant to CCMC 4.13.150. This disciplinary action is based on the issuance of a citation for a second offense criminal statute violation, within six months of the first citation issuance, related to the sale of liquor at the licensed premises. This action may include the imposition of a fine of up to \$500.00 on the licensee and the requirement that the licensee and all employees selling, dispensing, or serving liquor attend the Sheriff's Office alcohol servers' training program within three months of this hearing. (Jennifer Pruitt)

Explanation for Recommended Board Action: The Liquor Board has the discretion to issue a fine of up to \$500.00 and to require alcohol server training for all employees selling, dispensing, or serving liquor.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 4.13.150

Fiscal Impact: N/A

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Funding Source: N/A			
Alternatives: 1) Take no	action		
Supporting Material: 1	) First Offense Administrat ) Notification of 2 <sup>nd</sup> Offense	tive Citation e	
Prepared By: Lena E. Tr	ipp, Senior Permit Technician		
Reviewed By:  (Public Works Director)  (City Manager)  (District Attorney's Office)  (Sheriff)  (Principal Planter)		Date: 11/23/09  Date: 11-23-09  Date: 11-23-09  Date: 11-20-0	<del>/</del>
Board Action Taken:			
Motion:		2)	Aye/Nay
(Vote Recorded By)			

Explanation of Impact: N/A



# **Carson City Business License Division**

2621 Northgate Lane, Suite 6 Carson City, Nevada 89706 (775) 887-2105

### **ADMINISTRATIVE CITATION**

(Carson City Municipal Code Section 4.13.150)

Case Number:

09-6605

**Business Name:** 

**Eagle Gas** 

Liquor License #10-23477

**Business Address:** 

1360 S. Carson St.

Business Licensee:

BDESH, Inc.

Mohammad Barkat 2152 N. Carson St.

Carson City, NV 89706

In the City of Carson City, the following criminal citation was issued to Hassan Zia on September 14, 2009 at the business address set forth above.

#### CCMC Section 4.13.190:1 Unlawful to serve minors.

1. It shall be unlawful for any licensee or his agent or employee to sell, serve, give away, or otherwise provide liquor to any person under the age of twenty-one (21) years or to allow or permit any person under the age of twenty-one (21) years to possess or consume liquor in or upon the licensed premises.

Administrative Citation Fine:

\$100.00

Fine is due and payable:

October 16, 2009

Make payment to:

Carson City Business License

2621 Northgate Lane, Ste #6

Carson City, NV 89706

If you wish to schedule a hearing before the Carson City Liquor Board to appeal this citation, an appeal form must be submitted prior to fine due date. For further information contact the Carson City Business License Division at (775) 887-2105.

Certified Mail Receipt #7008 1140 0001 81613476



# **Carson City Business License Division**

2621 Northgate Lane, Suite #62 Carson City, Nevada 89706 (775) 887-2105

### **ADMINISTRATIVE CITATION**

(Carson City Municipal Code Section 4.13.150)

Case Number:

09-7985

Business Name:

Eagle Gas

Liquor License # 10-23477

**Business Address:** 

1360 S. Carson St.

Business Licensee:

BDESH, Inc.

Mohammad Barkat 2152 N. Carson St.

Carson City, NV 89706

In the City of Carson City, the following criminal citation was issued to **Fernando** Carrillo on **November 13, 2009** at the business address set forth above.

#### CCMC Section 4.13.190:1 Unlawful to serve minors.

1. It shall be unlawful for any licensee or his agent or employee to sell, serve, give away, or otherwise provide liquor to any person under the age of twenty-one (21) years or to allow or permit any person under the age of twenty-one (21) years to possess or consume liquor in or upon the licensed premises.

For further information contact the Carson City Business License Division at (775) 887-2105.