

Item # 12D

**City of Carson City
Agenda Report**

Date Submitted: March 10, 2009

Agenda Date Requested: March 19, 2008
Time Requested: 10 minutes

To: Liquor Board

From: Business License, Development Services

Subject Title: Disciplinary action against liquor license #09-23465, held by Alanddon, LLC dba Arco AM/PM #82392 located at 720 S. Carson St., Carson City, Nevada, 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. 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 Public Works Department, Business License Division, no later than seven (7) days from this hearing. If the licensee fails to submit the list of employees within seven (7) 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. (Jennifer Pruitt/Lena Tripp)

Staff Summary: CCMC 4.13.150 provides for the imposition of a fine of up to \$500 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 February 21, 2009, a second offense criminal citation related to the sale of liquor was issued at Arco AM/PM #82392 located at 720 S. Carson St., Carson City, Nevada.

Type of Action Requested:

- Resolution
- Formal Action/Motion
- Ordinance
- Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to impose disciplinary action against liquor license #09-23465, held by Alanddon, LLC dba Arco AM/PM #82392 located at 720 S. Carson St., Carson City, Nevada, 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 is to impose a fine of \$500.00 on the licensee and to require 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. A list of all employees selling, dispensing, or serving liquor must be submitted to the Public Works Department, Business License Division, no later than seven (7) days from this hearing. If the licensee fails to submit the list of employees within seven (7) 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.

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

Explanation of Impact: N/A


Funding Source: N/A

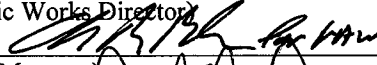
Alternatives: 1) Take no action

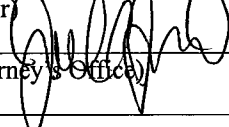
Supporting Material: 1) First offense Administrative Citation
2) Notification of 2nd Offense


Prepared By: Lena E. Tripp, Senior Permit Technician

Reviewed By:



(Public Works Director)


(City Manager)


(District Attorney's Office)


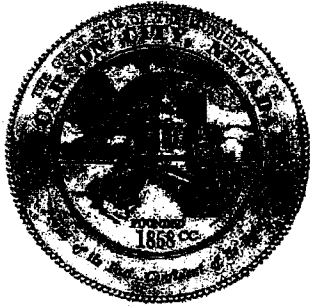
(Sheriff)

Date: 3-10-09
Date: 3-10-09
Date: 3-10-09
Date: _____

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____ _____

(Vote Recorded By)



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: 08-8334

Business Name: Arco AM/PM #82392 – Liquor License #09-23465

Business Address: 720 S. Carson St.

Business Licensee: Alanddon, LLC
Allan G. Fiegehen, Liquor Manager
2800 Lockheed Way
Carson City, NV 89706

In the City of Carson City, the following criminal citation was issued to **Ken Richard Napoletano** on **November 14, 2008** 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.

On January 13, 2009, Ken Richard Napoletano plead guilty to the charge set forth above. The Administrative Citation Fine is now due and payable.

Administrative Citation Fine: \$100.00

Fine is due and payable: March 13, 2009

Make payment to: Carson City Business License
2621 Northgate Lane, Ste #6
Carson City, NV 89706

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



Carson City Business License Division
2621 Northgate Lane, Suite 6
Carson City, Nevada 89706
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ADMINISTRATIVE CITATION

(Carson City Municipal Code Section 4.13.150)

Case Number: 09-1319

Business Name: Arco AM/PM #82392 – Liquor License #09-23465

Business Address: 720 S. Carson St.

Business Licensee: Alanddon, LLC.
Allan Fiegehen/Donald Lehr, Liquor Managers
2800 Lockheed Way
Carson City, NV 89706

In the City of Carson City, the following criminal citation was issued to **Susan Monroe** on **February 21, 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.