

RESOLUTION 2015-079

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL A SERIES 9 LIQUOR LICENSE APPLICATION TO ADD SAMPLING PRIVILEGES FOR CLARE HOLLIE ABEL ON BEHALF OF WAL-MART SUPER CENTER #1240; TO THE STATE DEPARTMENT OF LIQUOR LICENSES AND CONTROL; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, a Series 9 Liquor License application to add sampling privileges for Clare Hollie Abel on behalf of Wal-Mart Super Center #1240, has been filed with the Arizona Department of Liquor Licenses and Control; and

WHEREAS, Arizona Revised Statutes §4-112 requires local municipalities to grant approval or disapproval of all liquor licenses being applied for within their jurisdiction; and

WHEREAS, the applications have been posted on the premises of the business for twenty (20) days as required by State law; and

WHEREAS, it is the settled policy of the City Council that liquor licenses be recommended for approval if no objections are raised.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

The City Council reaffirms its settled policy on liquor licenses within City limits.

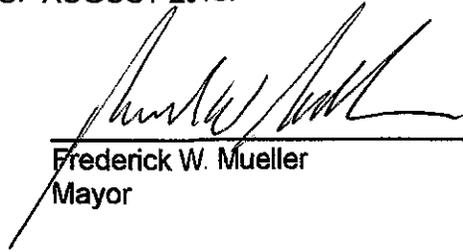
SECTION 2

The City Council of the City of Sierra Vista recommends approval a Series 9 Liquor License application to add sampling privileges for Clare Hollie Abel on behalf of Wal-Mart Super Center #1240, to the State Department of Liquor Licenses and Control.

SECTION 3

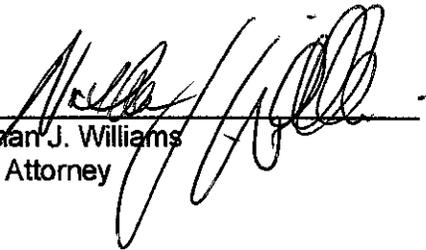
The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents, are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 13th DAY OF AUGUST 2015.



Frederick W. Mueller
Mayor

Approved as to Form:



Nathan J. Williams
City Attorney

Attest:



Jill Adams
City Clerk

Prepared By:
Jill Adams, City Clerk

State of Arizona
Department of Liquor Licenses and Control

15 JUL 17 11:47 AM 1205

800 W. Washington 5th Floor
Phoenix, Arizona 85007
(602) 542-5141

State/Local Government Routing Sheet
Add Sampling Privileges To Active
Liquor Store (series 9) or Beer and Wine Store (series 10) License

<input checked="" type="checkbox"/> Liquor Store (series 9)
<input type="checkbox"/> Beer and Wine Store (series 10)

The attached form for sampling must be processed within 105 days from this date:

Date Application Received at DLLC: 17 JULY 2015

Date of 60-days from receipt: 9/15/15 105-days from receipt: 10/30/15

If the local governing body has questions regarding the attached sampling form, please call:

DLLC Contact Name: SELENA GONZALES

DLLC Contact Phone Number: 602-542-9040 DLLC Contact email: SELENA.GONZALES@azliquor.gov

Upon local governing body approval, a new license with a sampling privilege ("S") designation will be issued to this licensee:

For DLLC Use Only	
Current License #: <u>09025000</u>	Date of issuance: <u>6 / 22 / 2011</u>
S License #: _____	Date of issuance: ____/____/____
DLLC Contact: <u>SELENA GONZALES</u>	DLLC Phone #: <u>602-542-9040</u>

For Local Governing Body Use Only	
Date Receive: ____/____/____	Date Approved: ____/____/____
Recommendation: <input type="checkbox"/> Approve <input type="checkbox"/> Protest <input type="checkbox"/> No Recommendation	
I _____, hereby recommend that non-transferrable sampling Government Official	
privileges be added to this licensee on behalf of _____ City, Town or County	
(____) _____ Phone Number	_____ Email Address

* CITY OF SIERRA VISTA *

State of Arizona
Department of Liquor Licenses and Control



<input checked="" type="checkbox"/>	Liquor Store (series 9)
<input type="checkbox"/>	Beer and Wine Store (series 10)

Sampling Privileges Form

Applicant's Name: Clare Hollie Abel (check one) Owner Agent

Mailing Address: Dept. 8916; 702 SW 8th Street, Bentonville AR Benson 72716 0500
Street Address or P.O. Box City State County Zip Code

Business Phone Number: (520) 458-8790 Email: chabel@bcattorneys.com

Business Name: Wal-Mart Supercenter #1240 Current License #: 09025000

Physical Location of Business:
500 North Hwy 90 Sierra Vista AZ Cochise 85635
Street Address City State County Zip Code

I, Clare Hollie Abel, understand that, upon approval, sampling privileges for the liquor license identified above will require compliance with the following:

Initial Here

- CHA 1. the premises shall contain at least five thousand square feet to be eligible for sampling privileges for Beer and Wine Store (series 10) applicants only (A.R.S. §4-206.01(J)).
- CHA 2. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
- CHA 3. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
- CHA 4. The licensed retailer shall make sales of sampled products from the licensed retail premises.
- CHA 5. The licensee shall not charge any customer for the sampling of any products.
- CHA 6. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
- CHA 7. Accurate records of sampling products dispensed shall be retained by the licensee.
- CHA 8. Sampling shall be limited to three ounces of beer or cooler-type products, one and one-half ounce of wine and one ounce of distilled spirits per person, per brand, per day.
- CHA 9. The sampling shall be conducted only on the licensed premises.
- CHA 10. Upon approval of this form, a license for a liquor store with sampling privileges (series 9S) or a beer and wine store with sampling privileges (series 10S) will be issued and mailed to the licensee's address of record. The license must be displayed in a conspicuous public area of the licensed premises that is readily accessible for inspection by any peace officer, distributor, wholesaler or member of the public. (A.R.S. §4-261.01)

CHA

11. Liquor store license sampling privileges are not transferable.

15 JUL 17 Liq. Lic. PM1205

CHA

12. I have read, understand, and assume responsibility for compliance with A.R.S. §4-206.01.

A.R.S. §4-206.01(J) Bar, beer and wine bar or liquor store licenses; number permitted; fee; sampling privileges

1. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
2. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
3. The licensed retailer shall make sales of sampled products from the licensed retail premises.
4. The licensee shall not charge any customer for the sampling of any products.
5. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
6. Accurate records of sampling products dispensed shall be retained by the licensee.
7. Sampling shall be limited to three ounces of beer or cooler-type products, one and one-half ounces of wine and one ounce of distilled spirits per person, per brand, per day.
8. The sampling shall be conducted only on the licensed premises.

I, **Clare Hollie Abel**

attest that I am the OWNER/AGENT filing this form, that I have read, and assume responsibility for compliance with, A.R.S. §4-206.01 at the licensed establishment named on page 1, and verify all statements I have made on this document to be true, correct and complete. I understand that I am responsible for the \$100 issuance fee and the annual \$60 renewal fee for these sampling privileges. Sampling privilege renewal fees are due at the same time as the renewal for the "current license #" identified on page 1 of this application.

Clare Hollie Abel _____ *agent* _____ *7 16 15* _____
 Signature, Title Date

Notarized Signature

The forgoing instrument was acknowledged before me this 17th of July, 2015.
day month year

Notary Public: Beth Briggs _____
Signature



My commission expires: _____ day _____ month _____ year

For DLLC Use Only

S License #: _____ Date of issuance: _____/_____/_____

Issuance fee applicable? Yes No \$100 issuance fee collected

Initials: _____