

RESOLUTION 2015-091

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL FOR A FAIR/FESTIVAL LIQUOR LICENSE TO MARK ANDERS JORVE ON BEHALF OF ZARPARA VINEYARD, FOR WINE SALES AT FARMER'S MARKET OCTOBER 15, NOVEMBER 19 AND DECEMBER 17, 2015, 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, an application for a Fair/Festival Liquor License for Mark Anders Jorve on behalf of Zarpara Vineyard for the sale of wine on October 15, November 19 and December 17, 2015, at the Farmer's Market, Veterans' Memorial Park, 3105 E. Fry Boulevard, Sierra Vista, Arizona, has been received from the Arizona Department of Liquor Licenses and Control; and

WHEREAS, Section 4-203.02 of the Arizona Revised Statutes requires approval of the Sierra Vista City Council before the license will be considered; and

WHEREAS, it is a settled policy of the City Council that Fair/Festival Liquor Licenses be recommended for approval if no objections are raised; and

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

SECTION 1

That the settled policy, most recently affirmed, is, and hereby is, reaffirmed.

SECTION 2

The City Council of the City of Sierra Vista recommends approval to the State Department of Liquor Licenses and Control of Fair/Festival Liquor License for Mark Anders Jorve, applicant, on behalf of Zarpara Vineyard.

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.

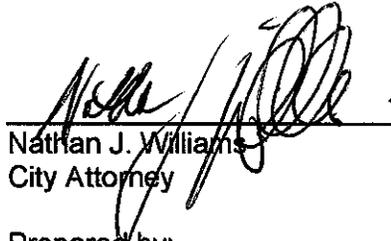
PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 10th DAY OF SEPTEMBER 2015.



Frederick W. Mueller
Mayor

Approved as to Form:

Attest:



Nathan J. Williams
City Attorney



Jill Adams
City Clerk

Prepared by:
Jill Adams, City Clerk



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY
License #:
Date:
Approved by:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Rhona MacMillan Contact Phone #: 602-904-3088
 2. Business name: Zarpara Vineyard Liquor license #: 13023026
Farm Winery or Craft Distillery
 3. Email: jill.adams@sierravistaaz.gov
 4. Mailing address: 6777 S. Zarpara Ln Willcox AZ 85643
Street Address City State Zip Code
 5. Location of fair/festival: 3105 E. Fry Blvd Sierra Vista Cochise 85635
Street address City County Zip Code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	<u>10/15/15</u>	<u>Thursday</u>	<u>9:30am</u>	<u>2:30pm</u>
2.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
3.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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7.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Please attach an additional sheet if necessary

SECTION 6 This section to be completed only by the applicant named in section #1

I, Rhona MacMillan declare that I am the APPLICANT filing this application as listed in
(Print Full Name)

Section 8. I have read the application and the contents and all statements are true, correct and Complete.

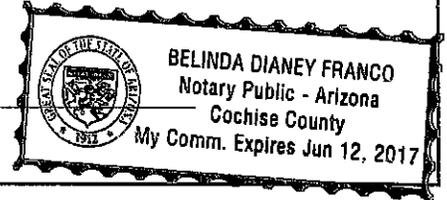
x Rhona MacMillan Member Manager 8/24/15 602-904-3088
(Signature) Title/Position Date Phone #

The foregoing instrument was acknowledge before me this 24 August 2015
Day Month Year

State Arizona County of Cochise

My Commission Expires on: June 12, 2017
Date

Belinda Dianey Franco
Signature of Notary Public



The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

SECTION 7 Local Governing Body Approval Section

I, Jill Adams City Clerk recommend APPROVAL DISAPPROVAL
(Government Official) (Title)

on behalf of Serna Vishan Jill Adams 9/11/15 520-458-3315
(City, Town, County) Signature Date Phone #

FOR DEPARTMENT OF LIQUOR USE ONLY

APPROVAL DISAPPROVAL BY: _____ DATE: _____

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Use this page to draw a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

See attached diagram of farmers market. We will be one of the booths on the grassy area.





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Please attach an additional sheet if necessary

SECTION 3 Site Owner Information:

1. Site owner name: City of Sierra Vista Daytime Contact Phone #: 520-438-3315
First Last
2. Site owner mailing address: 1011 N. Coronado Dr. Sierra Vista AZ 85635
Street address City State Zip Code
3. Email Address: jill.adams@sierravistaaz.gov
-

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the site owner named in Section 3? Yes No * See remarks below
2. Will the liquor you sell/serve be products only manufacture/produced at your licensed premises names in Section 1? Yes No
3. List the number of Fair/Festival licenses you have been issued in the current calendar year 17
4. List the number of days you have held a licensed Fair/Festival in the current calendar year 22
5. What security and control measures will you take to prevent violations of state liquor laws at this event?
- 0 # of Police Officers on Site Fencing Yes No
- 0 # of Security Personnel on Site Barriers Yes No
6. I am familiar with and have read statutes for Arizona's fair/festival privileges, requirements and penalties? (Farm Winery A.R.S. §4-203.03, Craft Distillery A.R.S. §4-205.11, either being held at a Special Event A.R.S. §4-203.02)
 Yes No
7. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell or furnish liquor at this fair/festival have knowledge of Arizona liquor laws?
(R19-1-302) Yes No
- * The Farmers Market at this location has given us permission to join the market. However, the city owns the property, so this application is intended to request permission from the city. We will be sampling wine in 1oz pours and selling unopened bottles of wine. We will not be selling wine by the glass or selling open bottles of wine or opening bottles for customers.
Contact for Farmers' Market - Diane Jones, email - sierravistafarmersmarket@cox.net.

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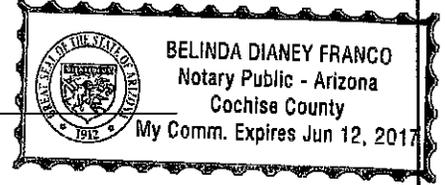
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