

RESOLUTION 2015-096

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 SPECIAL EVENT LIQUOR LICENSE TO CALVERT T. SINGER ON BEHALF OF THE ELKS LODGE NO. 2065, FOR THE ANNUAL OKTOBERFEST CHARITABLE FUNDRAISER ON OCTOBER 16 AND 17, 2014, 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 Special Event liquor license for Mr. Calvert T. Singer on behalf of the Elks Lodge No. 2065 for the annual Oktoberfest charitable fund raiser held on October 16 and 17, 2015 at the Elks Lodge, 1 Elks Lane, 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 Special Event liquor licenses be recommended for approval if no objections are raised; and

WHEREAS, it is in the best interest of the citizens of Sierra Vista that this Special Event liquor license be approved.

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 a Special Events liquor license for Mr. Calvert T. Singer, applicant, on behalf of the Elks Lodge No. 2065.

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 24th DAY OF SEPTEMBER 2015.



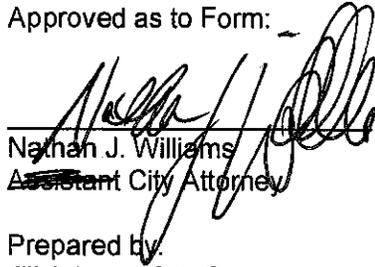
Frederick W. Mueller
Mayor

Attest:



Jill Adams
City Clerk

Approved as to Form:



Nathan J. Williams
Assistant City Attorney

Prepared by:
Jill Adams, City Clerk

SECTION 10

- Has the applicant been convicted of a felony, or had a liquor license revoked within the last five (5) years?
 Yes No (If yes, attach explanation.)
- How many special event licenses have been issued to this location this year? 1
 (The number cannot exceed 12 events per year; exceptions under A.R.S. §4-203.02(D).)
- Is the organization using the services of a promoter or other person to manage the event? Yes No
 (If yes, attach a copy of the agreement.)
- List all people and organizations who will receive the proceeds. Account for 100% of the proceeds. The organization applying must receive 25% of the gross revenues of the special event liquor sales. Attach an additional page if necessary.

Name Elks Lodge #2065 Percentage: 100%
 Address 1 Elks Lane Sierra Vista AZ 85635
Street City State Zip

Name _____ Percentage: _____
 Address _____
Street City State Zip

5. Please read A.R.S. § 4-203.02 Special event license; rules and R19-1-205 Requirements for a Special Event License.
Note: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.
"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT UNLESS THEY ARE IN AUCTION SEALED CONTAINERS OR THE SPECIAL EVENT LICENSE IS STACKED WITH WINE /CRAFT DISTILLERY FESTIVAL LICENSE"

6. What type of security and control measures will you take to prevent violations of liquor laws at this event?
 (List type and number of police/security personnel and type of fencing or control barriers, if applicable.)

0 Number of Police 3 Number of Security Personnel Fencing Barriers

Explanation: Our ramada and special events area is fenced with a single entrance security, ID check desk and arm banding station. AZ Rangers will patrol the parking lot, assist with parking and control of patrons

SECTION 11 Date(s) and Hours of Event. May not exceed 10 consecutive days.
 See A.R.S. § 4-244(15) and (17) for legal hours of service.

	Date	Day of Week	Event Start Time AM/PM	License End Time AM/PM
DAY 1:	<u>10/16/2015</u>	<u>Friday</u>	<u>2PM</u>	<u>11PM</u>
DAY 2:	<u>10/17/2016</u>	<u>Saturday</u>	<u>2PM</u>	<u>11PM</u>
DAY 3:	_____	_____	_____	_____
DAY 4:	_____	_____	_____	_____
DAY 5:	_____	_____	_____	_____
DAY 6:	_____	_____	_____	_____
DAY 7:	_____	_____	_____	_____
DAY 8:	_____	_____	_____	_____
DAY 9:	_____	_____	_____	_____
DAY 10:	_____	_____	_____	_____

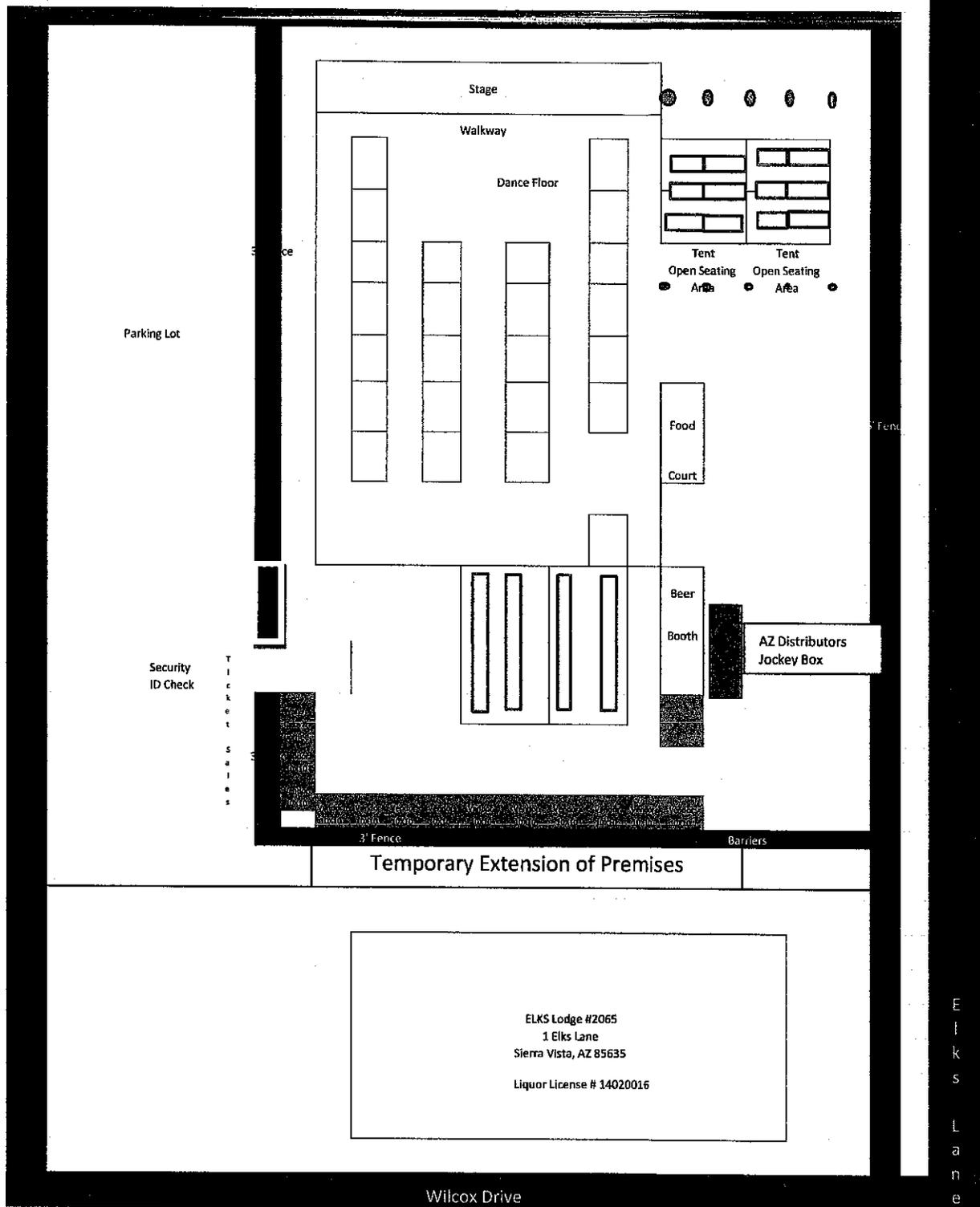
27th ANNUAL ELKS OKTOBERFEST LICENSED PREMISES DIAGRAM



(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.

(Show dimensions, serving areas, and label type of enclosure and security positions)



SECTION 13 To be completed only by an Officer, Director or Chairperson of the organization named in Section 1.

I, Calvert T Singer declare that I am an OFFICER, DIRECTOR, or CHAIRPERSON
(Print Full Name)
appointing the applicant listed in Section 9, to apply on behalf of the foregoing organization for a Special Event
Liquor License.

X Cal T Singer Director 9/1/2015 (520) 508-6878
(Signature) Title/ Position Date Phone #

The foregoing instrument was acknowledged before me this 1 September 2015
State AZ County of Cochise Day Month Year

My Commission Expires on: 2/15/2016
Date

Signature of Notary Public
MICHELLE WILLIAMSON
Notary Public - Arizona
Cochise County
My Comm. Expires Feb 15, 2016

SECTION 14 This section is to be completed only by the applicant named in Section 9.

I, Calvert T Singer declare that I am the APPLICANT filing this application as
(Print Full Name)
listed in Section 9. I have read the application and the contents and all statements are true, correct and
complete.

X Cal T Singer Director/Trustee 9/1/2015
(Signature) Title/ Position Date Phone #

The foregoing instrument was acknowledged before me this 1 September 2015
State AZ County of Cochise Day Month Year

My Commission Expires on: 2/15/2016
Date

Signature of Notary Public
MICHELLE WILLIAMSON
Notary Public - Arizona
Cochise County
My Comm. Expires Feb 15, 2016

Please contact the local governing board for additional application requirements and submission deadlines. Additional
licensing fees may also be required before approval may be granted. For more information, please contact your local
jurisdiction: http://www.azliquor.gov/assets/documents/homepage_docs/spec_event_links.pdf.

SECTION 15 Local Governing Body Approval Section

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

on behalf of Sona Vista Jill Adams 9/24/15 620-448-3315
(City, Town, County) Signature Date Phone

FOR DEPARTMENT OF LIQUOR LICENSES AND CONTROL 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.