

Introduced by: City Council
Date: December 8, 2009
December 28, 2009
December 22, 2009
Action: Failed
Vote: 1-3

CITY OF BETHEL, ALASKA

Resolution # 09-52 (AMENDED)

A RESOLUTION BY THE CITY OF BETHEL PROTESTING THE ISSUANCE OF A STATE OF ALASKA ALCOHOLIC RESTAURANT EATING PLACE LICENCE FOR OSAKA RESTAURANT; LOCATED AT 431 RIDGECREST; OWNED BY KILSUH PARK; LICENSE ID# - 4951

WHEREAS, on November 17, 2009, the Alcohol Beverage Control Board provided notice to the City of Bethel that the owner of Osaka Restaurant, Kilsuh Park, applied for the issuance of a restaurant eating place license;

WHEREAS, at the October 6, 2009 Regular Election the majority of the registered voters in the City of Bethel voted out of local option AS 04.11.491 (a) (1) prohibiting the sale of alcoholic beverages, the option was repealed on November 1, 2009 following the certification of the election;

WHEREAS, subsequent to the certification of the election, the Bethel City Council called a Special Election to be held January 19, 2010, pending Department of Justice preclearance, to put to the registered voters in the City of Bethel five advisory questions to help assess the Bethel City Council's position on the issuance of any alcohol licenses within the City;

WHEREAS, Bethel City Council members have heard community opposition to the issuance of liquor licenses in the City through public comments during council meetings and read letters from organizations and individuals within the community expressing opposition;

WHEREAS, Osaka Restaurant is less than 200 feet from a church building where religious services are regularly conducted the Bethel City Council does not feel it is appropriate to issue any alcohol licenses when the proposed premises is within 200 feet of a church or school;

WHEREAS, while the Bethel City Council is preparing a more defined *Alcoholic Beverages Chapter 5.08*, in the Bethel Municipal Code, the Council requests that the Alcohol Beverage Control Board give additional time before issuing alcohol licenses;

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WHEREAS, Osaka Restaurant began the liquor license application process prior to the date of local option repeal (November 1, 2009) by placing a notice of liquor license application in the October 28, 2009 Delta Discovery Newspaper;

NOW, THEREFORE, BE IT RESOLVED by the Bethel City Council for the reasons set forth above, the City of Bethel does hereby protest the application for the above identified restaurant eating place liquor license and requires the City Clerk to send this resolution to the Alcohol Beverage Control Board before January 16, 2009.

ENACTED THIS _ DAY OF _ 2009 BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

Joseph Klejka, Mayor

ATTEST:

Lori Strickler, City Clerk