

Introduced by: Council Member Albertson  
Date: August 9, 2016  
Action: Passed  
Vote: 5-0

## *CITY OF BETHEL, ALASKA*

### **Resolution # 16-25**

#### **A RESOLUTION OF THE CITY OF BETHEL, CITY COUNCIL STATING ITS PROTEST REGARDING THE NEW RESTAURANT/EATING PLACE LIQUOR LICENSE #5501 FOR BABA'S PIZZA & SUB, LOCATED AT 1725 STATE HIGHWAY, BETHEL, OWNED BY SURASAK SUWANPRAPA**

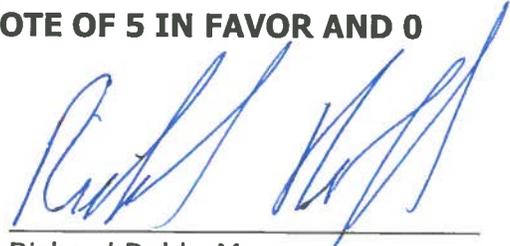
- WHEREAS,** Surasak Suwanprapa made an application with the Alaska Alcohol and Marijuana Control Office (AMCO) and has paid the required fee for a new Restaurant/Eating Place Liquor License #5501, to be used for Baba's Pizza and Sub Restaurant, located at 1725 State Highway, Bethel, Alaska 99559;
- WHEREAS,** the City Clerk received a copy of this application on June 21, 2016 and has determined that the last day for the Council to file a protest is August 20, 2016;
- WHEREAS,** City of Bethel Administration was provided notice of the Baba's Pizza and Sub Restaurant Liquor License application on June 21, 2016, Administration submitted a report to the Bethel City Council on July 8, 2016 (Attachment) with the following findings:
1. Baba's Pizza and Sub Restaurant has not complied with Bethel Municipal Code 5.08.060, which requires a Conditional Use Permit, be obtained from the City for retail sales or dispensing of alcoholic beverages.
  2. Baba's Pizza and Sub Restaurant is not in compliance with Alaska's Fire and Life Safety Regulations;
- WHEREAS,** Alaska Statutes 04.11.420 Zoning Limitations, states, in part: "a person may not be issued a license or permit in a municipality if a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages unless a variance of the regulations or ordinance has been approved;"
- WHEREAS,** as of August 9, 2016, Baba's Pizza & Sub has not obtained a conditional use permit from the City of Bethel, as required under Bethel Municipal Code 5.08.060, Conditional Use Permit Required;

Introduced by: Council Member Albertson  
Date: August 9, 2016  
Action: Passed  
Vote: 5-0

**WHEREAS,** Baba's Pizza & Sub was inspected by the City of Bethel Fire Chief on July 7, 2016; during this inspection five violations of the Alaska's Fire and Life Safety Regulations were identified (Attachment);

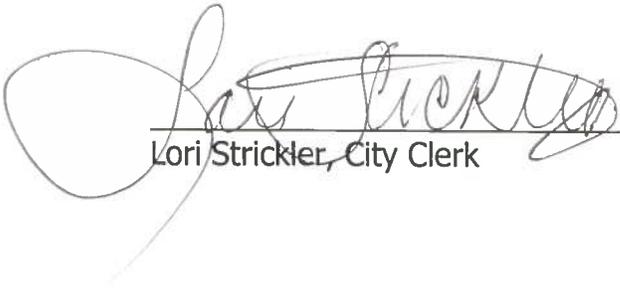
**NOW, THEREFORE, BE IT RESOLVED** the Bethel City Council hereby protests the issuance of Restaurant Eating Place Liquor License for Baba's Pizza & Sub for the reasons listed above.

**ENACTED THIS 9 DAY OF AUGUST, 2016 BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.**



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk