



Municipality of Skagway

Memo

Date:	Thursday, July 7, 2022
To:	Mayor and Borough Assembly
CC:	
From:	Steve Burnham Jr, Borough Clerk s.burnham@skagway.org
RE:	Garden City Enterprises dba Jewell Gardens Restaurant/Eating Place – Public Convenience Seasonal, Liquor License #5658 Renewal Application

At the June 2, 2022 meeting, the Assembly postponed a motion “to protest liquor license application #5658” until the first Assembly meeting in July.

There is currently an *active* motion to protest liquor license application #5658.

Since the June 2, 2022 meeting, *none* of the following concerns have been remedied:

- Pursuant to SMC 5.12.030 Municipal business license required – There is not a current Municipal Business license for Garden City Enterprises, LLC, or Jewell Gardens.

SMC 5.12.030 Municipal business license required.

Notwithstanding possession of a valid marijuana or alcoholic beverage license from the state, every person engaged in a "business" (as defined in Section 5.04.010) involving marijuana or alcoholic beverages shall be subject to the provisions of Chapter 5.04 of this title concerning business licenses.

- Pursuant to SMC 5.12.040 Recommendation by assembly – There are several debts owed to the Municipality, including utilities, bills from the Harbor, and sales tax remittance for rental properties.

Memo from the Clerk; July 7, 2022

Re: Garden City Enterprises Liquor License Renewal Application

SMC 5.12.040 Recommendation by assembly.

Any person seeking the recommendation of the municipality, prior to issuance or renewal of a marijuana or alcoholic beverage license by the state, shall present to the assembly a copy of his application to the state for a license or renewal fully completed and executed, together with a current statement prepared by the borough clerk that any and all taxes, fees, assessments, utility bills and remittance of sales tax due to the municipality by the applicant have been paid in full.

Staff recommends the Assembly protest this license renewal.

If the vote to protest passes, the following motion *should* be made:

I move we protest liquor license renewal application #5658 for the following reasons:

- 1. The application is out of compliance with SMC 5.12.030 Municipal business license required.**
- 2. The applicant maintains several debts to the Municipality, including utilities, bills from the Harbor, and sales tax remittance for rental properties, which causes the application to be out of compliance with SMC 5.12.040 Recommendation by assembly.**

Should the Assembly protest, a public hearing must be scheduled to provide an avenue for the applicant to defend the application. **This is required by State Statute.** Due to the postponement in considering the protest, there is little time to hold a hearing. The Assembly must now vote to schedule a hearing for a date occurring on or before July 14, 2022. The deadline to file a protest is July 15, 2022 however, staff require that day to complete the process.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

May 18, 2022

Municipality of Skagway

VIA Email: s.burnham@skagway.org

License Type:	Restaurant/Eating Place – Public Convenience Seasonal	License Number:	5658
Licensee:	Garden City Enterprises, LLC		
Doing Business As:	Jewell Gardens		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Joan Wilson, Director
amco.localgovernmentonly@alaska.gov

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED
05/16/2022
ABC BOARD

LIQUOR LICENSE
2022 - 2023
TEMPORARY

5658

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2023 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2024 UNLESS DATED BELOW

TYPE OF LICENSE: Restaurant/Eating
Convenience Se

4/10 - 10/10

LICENSE FEE: \$300.00

1139

CITY / BOROUGH: Skagway
Skagway

D/B/A: Jewell Gardens
1.5 Mile Klondike Hwy
Mail Address:
Garden City Enterprises, LLC
PO Box 535
Skagway, AK 99840

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

[] Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 5/9/22)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED
05/16/2022
ABC BOARD

LIQUOR LICENSE
2022 - 2023
TEMPORARY

5658

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2023 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2024 UNLESS DATED BELOW

TYPE OF LICENSE: Restaurant/Eating
Convenience Se

4/10 - 10/10

LICENSE FEE: \$300.00

CITY / BOROUGH: Skagway
Skagway

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

[] Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

D/B/A: Jewell Gardens
1.5 Mile Klondike Hwy
Mailing Address:
Garden City Enterprises, LLC
PO Box 535
Skagway, AK 99840

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 5/9/22)



Alaska Alcoholic Beverage Control Board

2022-2023 Master Checklist: Renewal License Application

Doing Business As:	Jewell Gardens	License Number:	5658
License Type:	Restaurant/Eating Place-Public Convenience Seasonal		
Examiner:	<i>Ryrie</i>	Transaction #:	100351643

Document	Received	Completed	Notes
AB-17: Renewal Application	2/28	<i>2/17</i>	
App and License Fees	2/28	<i>2/17</i>	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation	2/28	<i>2/17</i>	
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit	2/28	<i>2/17</i>	
COI / COC / 5 Star / FAA Cert			
FP Cards & Fees / AB-08a			
Late Fee	2/28	<i>2/17</i>	

Names on FP Cards: _____

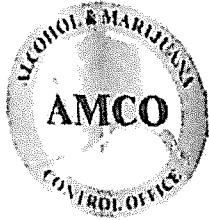
	Yes	No	N/A
CBPL Entity Printout included?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business License Copy included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Background(s) Completed & Date: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Special Consideration: _____ Board Meeting Date: *6/20/2022*

LGB Sent Date: _____ LGB Deadline Date: _____

LGB 1 Name: *Skayway* LGB 2 Name: _____

Waive
 Protest
 Lapsed
 Waive
 Protest
 Lapsed



Alcohol and Marijuana Control Office

550 W 7th Avenue,

Suite 1600

Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-17: 2022/2023 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2021 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by 02/28/2022 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Establishment Contact Information

Licensee (Owner):	Garden City Enterprises, LLC	License #:	5658
License Type:	Restaurant/Eating Place-Public Convenience Seasonal		
Doing Business As:	Jewell Gardens		
Premises Address:	Mile 1.5 Klondike Hwy, Skagway, AK 99840		
Local Governing Body:	Skagway		
Community Council:			

If your mailing address has changed, write the NEW address below:

Mailing Address:	PO Box 535		
City:	Skagway	State:	Alaska
		ZIP:	998940-0535

Section 1 – Licensee Contact Information

Contact Licensee: The individual listed below must be listed in Section 2 or 3 as an Official/Owner/Shareholder of your entity and must be listed on CBPL with the same name and title.

This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Max Jewell	Contact Phone:	(907) 512-0660 (cell) (907) 563-2111 (office)
Contact Email:	max@jewellgardens.com ; bookkeeper@jewellgardens.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee about your license, list them below:

Name of Contact:	TBA	Contact Phone:	
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			



Alaska Alcoholic Beverage Control Board

Form AB-17: 2022/2023 License Renewal Application

Section 2 – Entity or Community Ownership Information

Sole Proprietors should skip this Section.

Use the link from Corporations, Business and Professional Licensing (CBPL) below to assist you in finding the Entity #.

<https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	64594D
-----------------------	--------

READ BEFORE PROCEEDING: Any new or changes to Shareholders (10% or more), Managers, Corporate Officers, Board of Directors, Partners, Controlling Interest or Ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI-approved card stock, AB-08a's, payment of \$48.25 for each new officer with a date-stamped copy of the CBPL change per AS 04.11.045, 50 & 55, or a Notice of Violation will be issued to your establishment and your application will be returned.

The only exception to this is a Corporation who can meet the requirements set forth in AS 04.11.050(c).

DO NOT LIST OFFICERS OR TITLES THAT ARE NOT REQUIRED FOR YOUR ENTITY TYPE.

- Corporations of any type including non-profit must list ONLY the following:
 - All shareholders who own 10% or more stock in the corporation
 - Each President, Vice-President, Secretary, and Managing Officer regardless of percentage owned
- Limited Liability Corporations, of any type must list ONLY the following:
 - All Members with an ownership interest of 10% or more
 - All Managers (of the LLC, not the DBA) regardless of percentage owned
- Partnerships of any type, including Limited Partnerships must list ONLY the following:
 - Each Partner with an interest of 10% or more
 - All General Partners regardless of percentage owned

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You **must** list full legal names, all required titles, phone number, percentage of shares owned (if applicable) and a full mailing address for each official of your entity whose information we require. **If more space is needed: attach additional completed copies of this page. Additional information not on this page will be rejected.**

Name of Official:	Max Jewell				
Title(s):	Owner / <i>WJR</i>	Phone:	(907) 612-0660	% Owned:	100%
Mailing Address:	PO Box 535				
City:	Skagway	State:	AK	ZIP:	99840

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	



Form AB-17: 2022/2023 License Renewal Application

Section 3 – Sole Proprietor Ownership Information

Corporations, LLC's and Partnerships of ALL kinds should skip this section.

READ BEFORE PROCEEDING: Any new or changes to the ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI approved cardstock, AB-08a's, payment of \$48.25 for each new owner or officer and a date stamped copy of the CBPL change per AS 04.11.045, or a Notice of Violation will be issued to your establishment and your application will be returned.

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, phone number, and mailing address for each owner or partner whose information we require.

If more space is needed, attach additional copies of this page. Additional owners not listed on this page will be rejected.

This individual is an: Applicant Affiliate

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

This individual is an: Applicant Affiliate

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

Section 4 – License Operation

Check ONE BOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:

- | | 2020 | 2021 |
|---|-------------------------------------|-------------------------------------|
| 1. The license was regularly operated continuously throughout each year. (Year-round) | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The license was only operated during a specific season each year. (Seasonal)
<i>If your operation dates have changed, list them below:</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ to _____ | | |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
<i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
- If you have not met the minimum number of hours of operation in 2020 and/or 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "OTHER" and COVID is listed as the reason.

Section 5 – Violations and Convictions

Have ANY Notices of Violation been issued for this license OR has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2020 or 2021?

Yes No

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.



Alaska Alcoholic Beverage Control Board

Form AB-17: 2022/2023 License Renewal Application

Section 6 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and potentially expired if I do not comply with statutory or regulatory requirements.
I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.
I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and accurately listed, and I have provided AMCO with all required changes of Shareholders (10% or more), Managers, Corporate Officers/Board of Directors, Partners, Controlling Interest or Ownership of the business license, and have provided all required documents for any new or changes in officers.
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.
I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name from what is currently approved and on file with the Alcoholic Beverage Control Board.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

Signature of licensee

Max Jewell

Printed name of licensee

TAMI M. SCIME
Notary Public
State of Alaska
My Commission Expires Dec 15, 2025

Signature of Notary Public

Notary Public in and for the State of: Alaska

My commission expires: 12/15/2025

Subscribed and sworn to before me this 28th day of February, 2022.

- Restaurant/Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit
Recreational Site applications must include a completed Recreational Site Statement
Tourism applications must include a completed Tourism Statement
Wholesale applications must include a completed AB-25: Supplier Certification
Common Carrier applications must include a current safety inspection certificate

All renewal and supplemental forms are available online

Any application that is not complete or does not include ALL required completed forms and fees will not be processed and will be returned per AS 04.11.270, 3 AAC 304.105.

FOR OFFICE USE ONLY

Table with 2 columns: Fee Type and Amount. Rows include License Fee (\$300), Application Fee (\$300.00), Misc. Fee (\$500), and Total Fees Due (\$1,100).

Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	GARDEN CITY ENTERPRISES, LLC

Entity Type: Limited Liability Company

Entity #: 64594D

Status: Good Standing

AK Formed Date: 8/19/1998

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2024

Entity Mailing Address: P.O. BOX 535, SKAGWAY, AK 99840

Entity Physical Address: 1.5 KLONDIKE HIGHWAY, SKAGWAY, AK 99840

Registered Agent

Agent Name: Max Jewell

Registered Mailing Address: BOX 535, SKAGWAY, AK 99840

Registered Physical Address: 361 9TH AVE, SKAGWAY, AK 99840

Officials

Show Former

AK Entity #	Name	Titles	Owned
	Max Jewell	Member	100.00

Filed Documents

Date Filed	Type	Filing	Certificate
8/19/1998	Creation Filing	Click to View	
2/16/1999	Initial Report	Click to View	
12/21/1999	Biennial Report	Click to View	
12/24/2001	Biennial Report	Click to View	
12/10/2003	Biennial Report	Click to View	
11/18/2005	Biennial Report	Click to View	
11/17/2011	Biennial Report	Click to View	
11/17/2011	Biennial Report	Click to View	
4/23/2012	Biennial Report	Click to View	
12/17/2013	Biennial Report	Click to View	

Date Filed	Type	Filing	Certificate
12/08/2015	Biennial Report	Click to View	
2/02/2018	Biennial Report	Click to View	
8/30/2018	Agent Change	Click to View	
3/13/2020	Biennial Report	Click to View	
10/08/2021	Biennial Report	Click to View	

[Close Details](#)

[Print Friendly Version](#)

License Detail

LICENSE DETAILS

License #: 2141785

[Print Business License](#)

Business Name: Garden City Enterprises, LLC

Status: Active

Issue Date: 10/18/2021

Expiration Date: 12/31/2023

Mailing Address: PO Box 535
Skagway, AK 99840-0535

Physical Address: Mile 1.5
Skagway, AK 99840-0535

Owners

GARDEN CITY ENTERPRISES, LLC

Activities

Line of Business	NAICS	Professional License #
71 - Arts, Entertainment and Recreation	713990 - ALL OTHER AMUSEMENT AND RECREATION INDUSTRIES	

Endorsements

No Endorsements Found

License Lapse(s)

If this business license lapsed within the last four years the lapsed periods will appear below. Lapsed periods are the unlicensed period between an expiration date and renewal date.

No Lapses on record for the last 4 years.

[Close License Detail](#)

[Print Friendly Version](#)