City of Benson
City Council Communication

Regular Meeting **March 9, 2015**

To: Mayor and Council Agenda Item # 2

From: Vicki L. Vivian, CMC, City Clerk

Subject:

Resolution 9-2015 of the Mayor and Council of the City of Benson, Arizona, approving Pierce Wines Arizona, LLC's application for a March 21, 2015 Wine Festival License/Wine Fair License at the San Pedro Golf Course, 926 N. Madison, Benson, Arizona

Discussion:

The organization, Pierce Wines Arizona, LLC, has applied for a Wine Festival License/Wine Fair License.

A.R.S. §4-203.03 reads that any domestic farm winery may apply for a wine festival license pursuant to this section.

1. A Wine festival license allows a licensed domestic farm winery to serve samples of its products on the wine festival premises, the sale of such products for consumption on the wine festival premises, and the sale of such products in original containers for consumption off the wine festival premises. The license is subject to the approval of the governing body of a city or town, or the Board of Supervisors of an unincorporated area of a county, where the wine festival is to take place. The Department may issue up to twenty five (25) wine festival licenses for each calendar year for each licensed domestic farm winery, for up to a cumulative total of seventy five (75) calendar days per winery.

2. A Wine fair license allows a licensed domestic farm winery to serve samples of its products at a sanctioned county or state fair, the sale of such products for consumption on the fair premises and the sale of such products in original containers for consumption off the fair premises. Wine fair license: The license is subject to the permission of the fair organizers.

Pierce Wines Arizona, LLC is requesting the permit for a winter visitor event hosted by the Benson/San Pedro Valley Chamber of Commerce at the San Pedro Golf Course on Saturday, March 21, 2015 from 5:00 p.m. to 8:00 p.m.

Staff Recommendation:

Council pleasure

RESOLUTION 9-2015

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, APPROVING PIERCE WINES ARIZONA, LLC'S APPLICATION FOR A MARCH 21, 2015 WINE FESTIVAL LICENSE/WINE FAIR LICENSE FOR AT THE SAN PEDRO GOLF COURSE, 926 N. MADISON, BENSON, ARIZONA

WHEREAS, Pierce Wines Arizona, LLC has applied to the City of Benson for a wine festival license/wine fair license, to allow sampling of wine on the premises and the selling of wine by the bottle March 21, 2015; and

WHEREAS, a qualifying organization who holds a Domestic Farm Winery (Series 13) may be granted Wine Festival License/Wine Fair License for up to 25 events per year for no more than seventy-five (75) days in a calendar year with the Council's approval; and

WHEREAS, the Mayor and Council of the City of Benson have reviewed the Pierce Wines Arizona, LLC application and have determined that its approval is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Benson, Arizona, as follows:

Section 1. The Application for Pierce Wines Arizona, LLC is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Section 2. All orders or resolutions in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect upon its adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Benson, Arizona this 9th day of March, 2015.

_____
TONEY D. KING, SR., Mayor

ATTEST:

_____
VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:

_____
MESCH, CLARK AND ROTHSCHILD, P.C.
By Gary J. Cohen

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

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: Barbara Pierce, Daytime Phone #: _____

2. Business name: Pierce Wines Arizona LLC, Liquor license #: 13023027
farm winery or craft distillery

Email: _____

3. Mailing address: 4511 E Robbs Road | Willcox | AZ | 85643
street address | city | state | zip code

4. Location of fair/festival: 926 N. Madison | Bensen | Cochise | 85602
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.	March 21, 2015	Saturday	5:00 PM	8:00 PM
2.				
3.				
4.				
5.				
6.				
7.				

Please attach an additional sheet if necessary

Individuals requiring ADA accommodations please call (602)542-9027

SECTION 3 Site Owner Information:

1. Site owner name: San Pedro Golf Course (First / Last), Daytime Phone #: 520-586-7888

2. Site owner mailing address: 926 N Madison (street address) Benson (city) AZ (state) 85602 (zip code)

3. Email Address: erodriguez@bensonaz.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

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 4

4. List the number of days you have held a licensed Fair/Festival in the current calendar year 1 (applied -4)

5. What security and control measures will you take to prevent violations of state liquor laws at this event?

   _____ # of Police Officers on Site Fencing ☐ Yes ☐ No

   1 # of Security Personnel on Site Barriers ☑ Yes ☐ No

6. I am familiar with and have read statues 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

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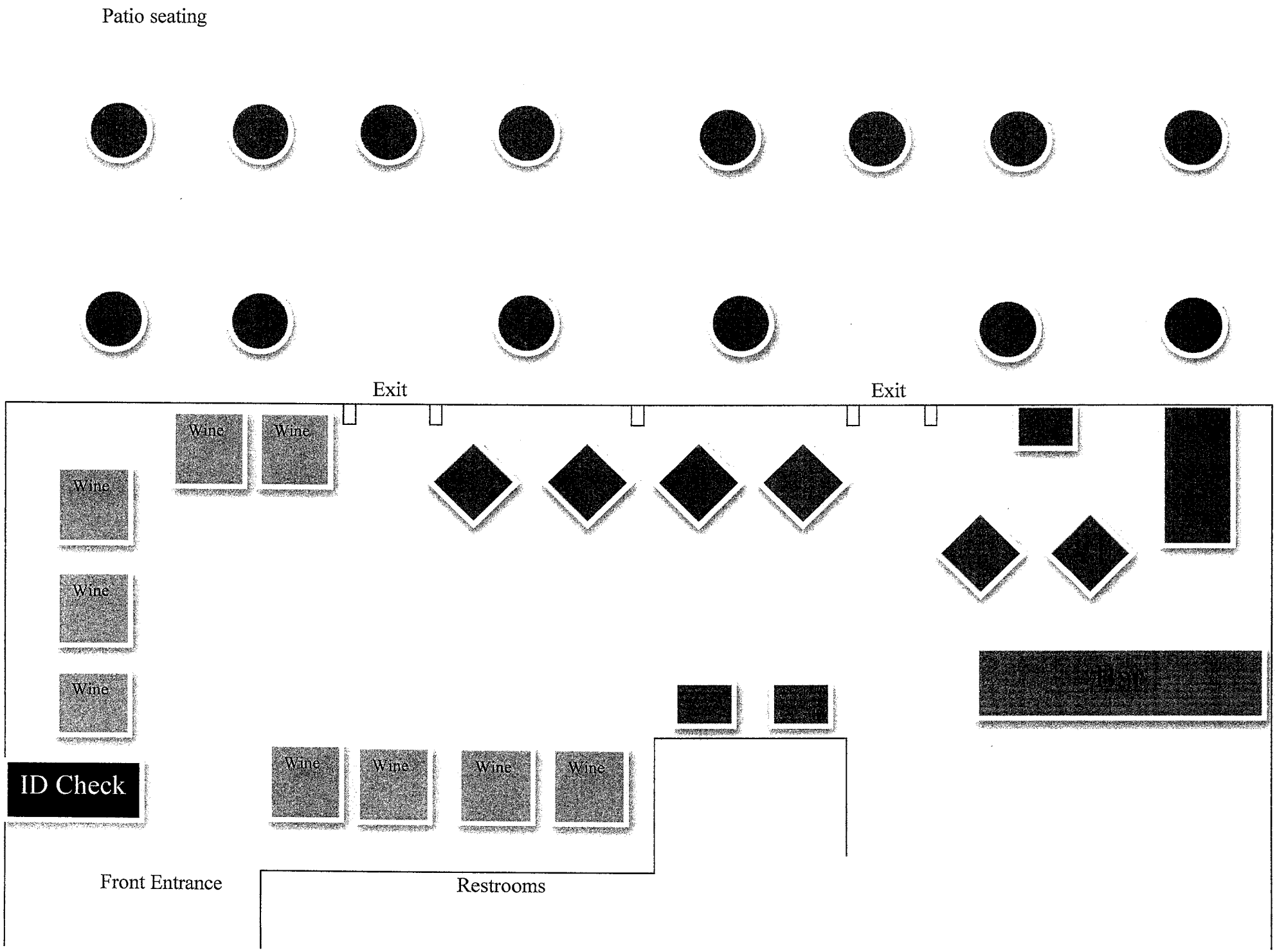
Patio seating
Exit
Exit
Wine
Wine
Wine
Wine
Wine
Bar
ID Check
Wine
Wine
Wine
Wine
Front Entrance
Restrooms

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

I, Barbara J Pierce 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 B J Pierce owner 3-3-15 602-320-1622
(signature) Title/ Position Date Phone #

The foregoing instrument was acknowledge before me this 3 March 2015
Day Month Year

State Arizona County of Cochise

My Commission Expires on: 12/29/15 Stephanie Cook
Date Signature of Notary Public

STEPHANIE COOK
Notary Public - Arizona
Cochise County
My Comm. Expires Dec 29, 2015

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, _____ _____ recommend ☐APPROVAL ☐ DISAPPROVAL
(government official) (Title)

on behalf of _____, _____, _____, _____
(City, Town, County) Signature Date Phone #

FOR DEPARTMENT OF LIQUOR USE ONLY

☐APPROVAL ☐ DISAPPROVAL BY: DATE:

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