City of Benson
City Council Communication

Regular Meeting **June 8, 2015**

To: Mayor and Council Agenda Item # 3

From: Vicki Vivian, CMC, City Clerk

Subject:

Resolution 18-2015 of the Mayor and Council of the City of Benson, Arizona, approving a Special Event Liquor License for Grace Chapel for July 4, 2015 at Frontier Fitness Club & Spa, 496 N. Ocotillo Road, Benson, Arizona

Discussion:

Grace Chapel has applied for a Special Event Liquor License which "allows a charitable, civic, fraternal, political or religious organization to sell and serve spirituous liquor for consumption only on the premises where the spirituous liquor is sold, and only for the period authorized on the license."

As per ARS §4-203.02, the application is sent to the Arizona Department of Liquor Licenses & Control, where the director may "subject to the approval of…the governing body of a city or town..." issue the license on a temporary basis.

It is further stipulated that "qualifying organizations will be granted a special event license for no more than ten (10) days in a calendar year. A special event may be held for more than one (1) day, but it must be held on consecutive days and at the same location, or additional licenses will be required". If approved, this will be the first special event held in 2015.

Grace Chapel is requesting the permit for a fundraiser to be held at Frontier Fitness Club & Spa on Saturday, July 4, 2015 from 1:00 p.m. to 9:00 p.m.

Staff Recommendation:

Council pleasure

RESOLUTION 18-2015

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, APPROVING A SPECIAL EVENT LIQUOR LICENSE FOR GRACE CHAPEL FOR JULY 4, 2015 AT FRONTIER FITNESS CLUB & SPA, 496 N. OCOTILLO ROAD, BENSON, ARIZONA

WHEREAS, Grace Chapel has applied to the City of Benson for a special event license, to allow selling and serving spirituous liquor for consumption at Frontier Fitness Club & Spa on July 4, 2015; and

WHEREAS, a qualifying organization may be granted a special event license for no more than ten (10) days in a calendar year with the Council's approval; and

WHEREAS, the Mayor and Council of the City of Benson have reviewed Grace Chapel's 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 Grace Chapel 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 8th day of June, 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
City's Attorney

FOR DLLC USE ONLY
Event date(s): _____
Event time start/end: _____

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

APPLICATION FOR SPECIAL EVENT LICENSE

Fee= $25.00 per day for 1-10 days (consecutive)

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. §44-6852)

IMPORTANT INFORMATION: This document must be fully completed or it will be returned.

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

SECTION 1 Name of Organization: Grace Chapel

SECTION 2 Non-Profit/IRS Tax Exempt Number: 86-0394702

SECTION 3 The organization is a: (check one box only)

☐ Charitable (501.C) ☐ Fraternal (must have regular membership and have been in existence for over five (5) years)

☒ Religious ☐ Civic (Rotary, College Scholarship) ☐ Political Party, Ballot Measure or Campaign Committee

SECTION 4 Will this event be held on a currently licensed premise and within the already approved premises?

☑ Yes ~~☐ No~~

Frontier Fitness Club & Spa	# 4760	(520) 586-3326
Name of Business	License Number	Phone (include Area Code)

SECTION 5 How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

☐ Place license in non-use

☐ Dispense and serve all spirituous liquors under retailer's license

☑ Dispense and serve all spirituous liquors under special event

☐ Split premise between special event and retail location

(If not using retail license, submit a letter of agreement from the agent/owner of the licensed premise to suspend the license during the event. If the special event is only using a portion of premise, agent/owner will need to suspend that portion of the premise.)

SECTION 6 What is the purpose of this event? ☑ On-site consumption ☐ Off-site (auction) ☐ Both

SECTION 7 Location of the Event: 496 N Ocotillo Rd Benson Az 85602

Address of Location: Frontier Fitness Club & Spa

Street City County/State Zip

SECTION 8 Will this be stacked with a wine festival/craft distiller festival? ☐ Yes ☑ No

SECTION 9 Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Cortes (Last) Richard (First) M (Middle) 3/24/1954 (Date of Birth)

2. Applicant's mailing address: 496 N. Ocotillo Rd (Street) Benson (City) Az (State) 85602 (Zip)

3. Applicant's home/cell phone. _____ Applicant's business phone: (520) 586-3326

4. Applicant's email address: _____

Individuals requiring ADA accommodations call (602)542-9027

SECTION 10

1. 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.)

2. How many special event licenses have been issued to this location this year? 0
   (The number cannot exceed 12 events per year; exceptions under A.R.S. §4-203.02(D).)

3. 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.)

4. 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 Grace Chapel Percentage 25%
   Address 1050 S. Post Rd (Street) Benson (City) Az (State) 85602 (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.)

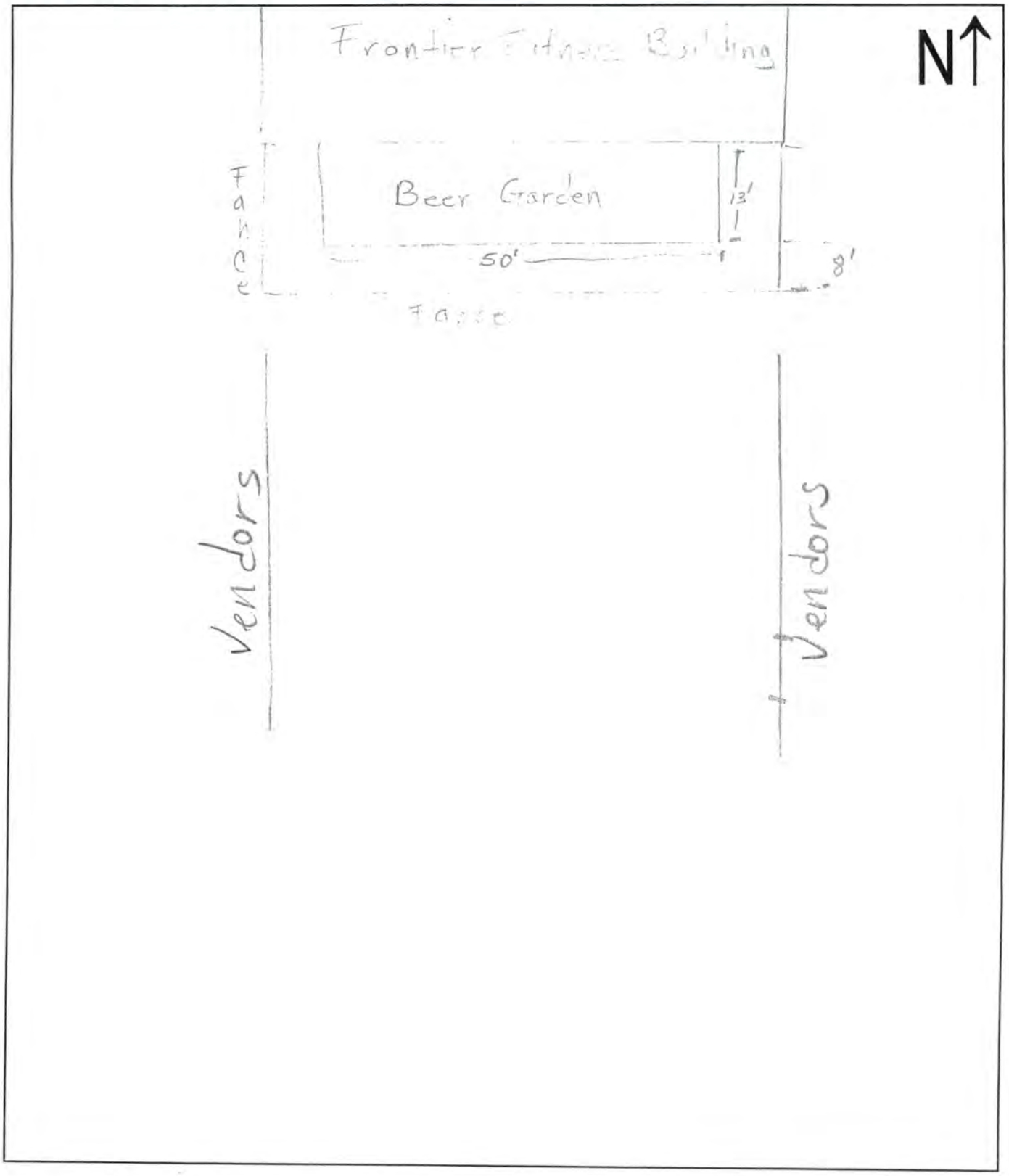
   ____ Number of Police 3 Number of Security Personnel ☐Fencing ☑Barriers
   Explanation: private Security, ID checks for all (wrist bands)

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:	July 4, 2015	Saturday	1:00 pm	9:00 pm
DAY 2:				
DAY 3:				
DAY 4:				
DAY 5:				
DAY 6:				
DAY 7:				
DAY 8:				
DAY 9:				
DAY 10:				

Individuals requiring ADA accommodations call (602)542-9027

SECTION 12 License premises diagram. The licensed premises for your special event is the area in which you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license. The following space is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades, or other control measures and security position.



Individuals requiring ADA accommodations call (602)542-9027

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

I, Richard M. Cortes (Print full name) declare that I am an OFFICER, DIRECTOR, or CHAIRPERSON appointing the applicant listed in Section 9, to apply on behalf of the foregoing organization for a Special Event Liquor License.

x			
(Signature)	Owner (Title/ Position)	5-29-15 (Date)	520-586-3326 (Phone #)

The foregoing instrument was acknowledged before me this 29 (Day) May (Month) 2015 (Year)

State Arizona County of Cochise

My Commission Expires on: 25 March 2017 (Date) Mary A. Weber (Signature of Notary Public)

MARY A. WEBER
Notary Public - State of Arizona
COCHISE COUNTY
My Commission Expires
March 25, 2017

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

I, RICHARD M. CORTES (Print full name) declare that I am the APPLICANT filing this application as listed in Section 9. I have read the application and the contents and all statements are true, correct and complete.

x			
(Signature)	Owner (Title/ Position)	5-29-15 (Date)	520-586-3326 (Phone #)

The foregoing instrument was acknowledged before me this 29 (Day) May (Month) 2015 (Year)

State Arizona County of Cochise

My Commission Expires on: 25 March 2017 (Date) Mary A. Weber (Signature of Notary Public)

MARY A. WEBER
Notary Public - State of Arizona
COCHISE COUNTY
My Commission Expires
March 25, 2017

The local governing body 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. 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, _____ (government official) _____ (Title) recommend ☐ APPROVAL ☐ DISAPPROVAL

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

FOR DEPARTMENT OF LIQUOR LICENSES AND CONTROL USE ONLY

☐ APPROVAL ☐ DISAPPROVAL BY: _____ DATE: _____

Individuals requiring ADA accommodations call (602)542-9027