



MEMORANDUM

TO: Bob Klein, Chair, and Members of the
Alcoholic Beverage Control Board

DATE: June 12, 2018

FROM: Erika McConnell, Director

RE: 5650 Adventure Karts

Requested Action: New license application

Statutory Authority: AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

Staff Rec.: Deny the application

Background: This recreational site license application does not appear to meet the statutory requirements of the license type:

Sec. 04.11.210. Recreational site license.

(a) The holder of a recreational site license may sell beer and wine at a recreational site during and one hour before and after a recreational event that is not a school event, for consumption on designated areas at the site.

(b) The biennial fee for a recreational site license is \$800.

(c) In this section, "recreational site" includes a location where baseball games, car races, hockey games, dog sled racing events, or curling matches are regularly held during a season.

According to their recreational site statement, Adventure Karts provides "seasonal ATV tours to cruise line guests and independent travelers...guests will have the opportunity to purchase alcohol while they de-gear, shop and wait for their transportation."

There appear to be no games, races, or other types of competitive events that are regularly held during a season.

Attachment: License application



To Whom It May Concern:

The Adventure Karts Expedition is a tour company based in Ketchikan Alaska that offers seasonal ATV tours to cruise line guests and independent travelers. We are submitting a liquor license application because we believe the ability to serve alcohol will enhance the customer experience for our guests.

Our hours of operation vary day to day. Departures often begin at 7:00am. There will not be an opportunity for guests to purchase alcohol at the start of their tour. Guests must wait until the driving portion of their tour is completed before purchasing and consuming any alcoholic beverages. For a 7:00am tour guests will return to our base no earlier than 9:00am . At this point guests will have the opportunity to purchase alcohol while they de-gear, shop and wait for their transportation. The tour timing allows approximately 30 minutes for this portion of the tour. The latest we have guests on our property is 6:00pm. Opened or closed containers will not be permitted off the premises and signage will be posted accordingly.

We only operate our scheduled ATV tours during the months of May through September and do not host outside events on the property. On average, we provide tours to 10,000 guests per season and believe that this figure number gives us the opportunity to have a positive economic impact for the community. By allowing us to serve alcohol, we hope to promote Alaskan business by providing Alaskan beers and recommendations for local bars and restaurants.

Thank you for your consideration,





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-00: New License Application

What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04** of Alaska Statutes and **Chapter 304** of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

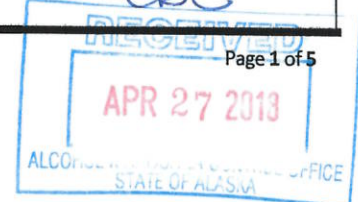
Licensee:	Alaska Rainforest Sanctuary, LLC		
License Type:	Recreational Site	Statutory Reference:	04.11.210.
Doing Business As:	Adventure Karts		
Premises Address:	12609 Whipple Spur Road		
City:	Ketchikan	State:	AK ZIP: 99901
Local Governing Body:	Ketchikan Gateway Borough		
Community Council:			

Mailing Address:	4085 Tongass Ave		
City:	Ketchikan	State:	AK ZIP: 99901

Designated Licensee:	Alaska Rainforest Sanctuary, LLC		
Contact Phone:	(907) 225-8800	Business Phone:	(907) 821-1290
Contact Email:	operations@adventurekarts.com		

Seasonal License? Yes No If "Yes", write your six-month operating period: April- September

OFFICE USE ONLY			
Complete Date:		License Years:	18/19 License #: 5650
Board Meeting Date:		Transaction #:	51339 / 63413 / 63408
Issue Date:		BRE:	CDC





Alaska Alcoholic Beverage Control Board Form AB-00: New License Application

Section 2 – Premises Information

Premises to be licensed is:

an existing facility a new building a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

5 Miles

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

5 Miles

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 4 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

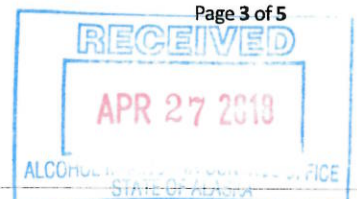
- If the applicant is a **corporation**, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a **limited liability organization**, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a **partnership**, including a **limited partnership**, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Gerald O'Brien Salazar				
Title(s):	Member, Manager	Phone:	(907) 225-8800	% Owned:	100
Address:	4085 Tongass Ave				
City:	Ketchikan	State:	AK	ZIP:	99901

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	83509D	AK Formed Date:	08/25/2005	Home State:	AK
Registered Agent:	Gerald O'Brien Salazar		Agent's Phone:	(907) 225-8800	
Agent's Mailing Address:	PO Box 8495				
City:	Ketchikan	State:	AK	ZIP:	99901

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

Section 5 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses: Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Section 6 – Authorization

Communication with AMCO staff: Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

Lawrence Gaffaney - President

APR 19 2018



Department of Commerce, Community, and Economic Development
 Corporations, Business, and Professional Licensing
 Corporations Section
 PO Box 110808
 Juneau AK 99811-0808

AK Entity #: 83509D
 Date Filed: 09/09/2005 08:00 AM
 State of Alaska
 Department of Commerce

STATEMENT OF CHANGE Registered Agent or Registered Agent Address

Pursuant to Alaska Statutes the undersigned entity submits the following statement for the purpose of changing its registered agent or the registered agent address in the State of Alaska.

1. Name of Entity: Alaska Rainforest Sanctuary, LLC Alaska Entity #: 83509D

The registered agent must be an individual resident of Alaska or a corporation in good standing authorized to transact business in Alaska. A corporation may not act as its own agent. The registered agent address must be in Alaska.

2. Prior Registered Agent Information:

Name:	<u>H Clay Keene</u>			
Mailing Address:	<u>540 Water St. Ste 302</u>	City: <u>Ketchikan</u>	State: <u>AK</u>	Zip Code: <u>99901</u>
Physical Address if Mailing Address is a Post Office Box:				

3. New Registered Agent Information:

Name:	<u>Gerald O. Salazar</u>			
Mailing Address:	<u>P.O. Box 8495</u>	City: <u>Ketchikan</u>	State: <u>AK</u>	Zip Code: <u>99901</u>
Physical Address if Mailing Address is a Post Office Box:				

Check this box if this is also the principal office address for the entity shown above.

4. Authorization:

Date this change was authorized:	<u>8/25/05</u>		
This change was authorized by (check appropriate box)	<input type="checkbox"/> Resolution of the board of directors (Corporation) <input checked="" type="checkbox"/> A member (Limited Liability Company) <input type="checkbox"/> General Partner (Limited Partnership or Limited Liability Partnership)		

The president or vice president of the corporation, a member of a limited liability company, or a general partner of a limited partnership or limited liability partnership must sign this statement.

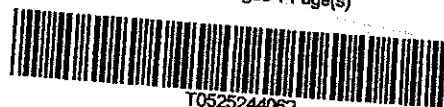
Signature of Authorized Person	Title	Date
<u>Gerald O. Salazar</u>	<u>Managing Member</u>	<u>8/25/05</u>

If you have specific legal questions or concerns about this filing, you are strongly advised to consult an attorney or other professional to assist you. Mail the completed filing and the \$25.00 fee (in U.S. dollars) to:

State of Alaska
 Corporations Section
 PO Box 110808
 Juneau, AK 99811

For additional information or forms please visit our web site at: www.dcc.state.ak.us

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Alaska Alcoholic Beverage Control Board Form AB-00: New License Application

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

GS

I certify that all proposed licensees have been listed with the Division of Corporations.

GS

I certify 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.

GS

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

GS

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

GS

As an applicant for a liquor license, 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, is true, correct, and complete.

[Signature]
Signature of licensee

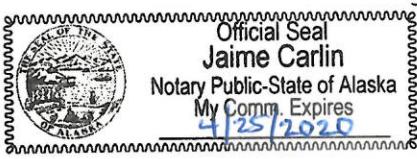
Gerald O'Brien Sakizor
Printed name of licensee

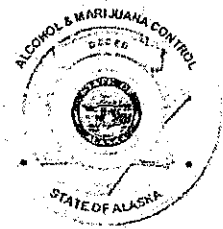
[Signature]
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 4/25/2020

Subscribed and sworn to before me this 9 day of March, 2018.





Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

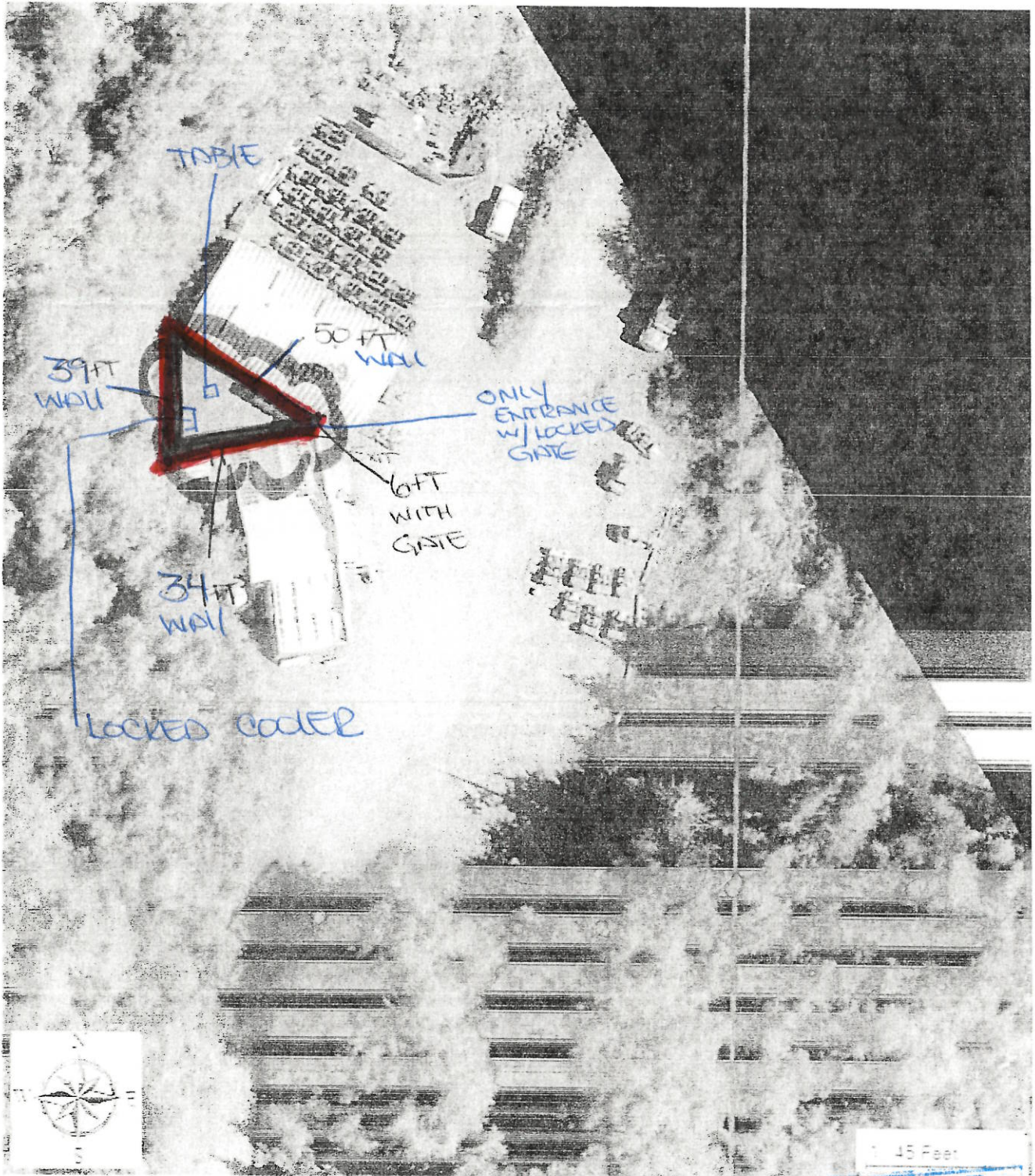
Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Alaska Rainforest Sanctuary, LLC	License Number:	
License Type:	Recreational Site		
Doing Business As:	Adventure Karts		
Premises Address:	12069 Whipple Spur Road		
City:	Ketchikan	State:	AK ZIP: 99901

APR 19 2018

12609 WHIPPLE SPUR RD KETCHIKAN, AK 99901



RECEIVED
MAY 02 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

To whom it may concern:

Our proposed licensed premises is an outdoor area. This area is gated in. We will provide a security personnel on site at all times. This personnel will be checking IDs to ensure there will be no underage consumption. Our gate, to enter is nine (9) feet tall and guests must show ID before entering outdoor area. Once guests are in the gated premises there will be an employee working at a locked cooler. He will be administering the alcoholic beverages and then guests are welcome to walk around the courtyard or sit at designated tables within the gated area. There is no bar at this time.

Thank you.

