THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: November 12, 2024

FROM: Sonya Irwin, Licensing Supervisor

RE: 3299 El Chicano Mexican Restaurant, 3rd and 4th Waiver of Operations

Applicable statute: AS 04.11.330(a)(3). An application requesting renewal of a license or endorsement shall be denied if the applicant has not operated the licensed premises for at least 240 hours during each of the two preceding calendar years, unless the board determines that the licensed premises are under construction or cannot be operated through no fault of the applicant;…

Applicable regulation: **3 AAC 305.120 Waiver of annual operating requirement and minimum operating requirements.** (a) Except as provided in this section, the board will deny an application for renewal of a license or a license with one or more endorsements if the licensed premises were not operated for the time required under AS 04.11.330(a)(3) or (d).

(b) A licensee may submit a waiver application to the board to request a waiver of the operating requirement in AS 04.11.330 (a)(3) or (d). Under AS 04.11.330(a)(3), the board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises could not be operated for the required time during the preceding calendar year.

(c) A waiver application for a calendar year must be made in writing to the board and must be accompanied by the non-refundable application fee of (1) an amount equal to one-half the applicable biennial license fee if a waiver application was not made for the previous year; or (2) double the amount of the fee paid for the previous waiver application.

(d) A waiver application must include a statement from the licensee explaining why the licensed premises was not in compliance with AS 04.11.330(a)(3) or (d). The licensee must provide a copy of the waiver application to any local governing body with jurisdiction over the license and licensed premises.

(e) The board may deny a third or subsequent, consecutive application for waiver (1) unless the licensee clearly shows that the licensed premises were not operated, because the premises were condemned or substantially destroyed by any cause; or (2) the licensee holds a common carrier dispensary license and is a boat weighing over 1,000 tons;

(f) Absent circumstances to the contrary, the board will deny a third or subsequent, consecutive application for waiver in the event of condemnation or destruction of the premises if the premises identified on an applicant's license are not leased or owned by the licensee Additionally, a third or subsequent consecutive application for waiver that does not identify a licensed premises location will be denied.

(g) The board may impose conditions along with the approval of a waiver application.

(h) If a waiver application is denied, an application for license renewal for the succeeding license period will be denied by the board under AS 04.11.330(a)(3).

(i) In addition to the application fee under (c) of this section, the applicant shall pay $1,000 for an application that is received too late for board consideration at its last meeting of the calendar year for which the waiver is requested.

(j) In the event of the death of a licensee, destruction of the premises, or comparable circumstances showing extraordinary hardship, the board may waive the fees required under (c) and (i) of this section.

(k) If a license is exercised only to satisfy the minimum operating requirement under AS 04.11.330(a)(3) or 3 AAC 305.110, a licensee shall operate in a similar fashion to other licensed premises of the same type by meeting the following operating requirements as appropriate for the license type: (1) provide signage of sufficient size and visibility to show that the premises is open for business, including the business name and hours of operation; (2) offer a variety of brewed beverages, wines, and distilled spirits for sale at the licensed premises, as appropriate to the type of license, (3) for a licensed package store premises, visibly display the alcoholic beverages stock; (4) for a beverage dispensary licensed premises, provide seating for at least one-half of the maximum number allowed by the occupancy permit; (5) comply with all state or municipal health, fire, and zoning laws or ordinances required for the operation of business; (6) maintain a record of all purchases of alcoholic beverages for resale on the licensed premises; and (7) record sales with a cash register or point of sale system that retains a record of transactions.

(*l*) The licensee has the burden of proof to show that the licensed premises were operated for the minimum required period of time and met the operating requirements under (k) of this section. The licensee may provide receipts, invoices, photographs, permits, timecards, and other records to meet the burden of proof. If the licensee fails to provide proof that one or more of the operating requirements was met, the board may consider additional documentation provided by the licensee to determine whether the licensee has met the burden of proof.

(m) If a new license is issued between November 20 and December 31, the licensee is exempt from filing a waiver of annual operating requirement for that year.

Background: Licensee states that the family has been through medical hardships and other tragedies. Licensee states that location has been under renovation since 2019. There is a plan to submit a transfer application as well as the renewal for 2025-2026.

Attachment: Memo, 3rd Waiver Application for 2023, 4th Waiver Application for 2024, 2nd Waiver Application for 2022 (approved administratively), 1st Waiver Application for 2019 (approved administratively), Covid Waivers for 2020-2021, and correspondence from office to licensee.

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-29: Waiver of Operation Application

Why is this form needed?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04 11 330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in each calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- **for a 1st request, an amount equal to ½ the applicable biennial license fee; or**
- **for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.**

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of $1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330

Licensee:	El Chicano Inc	**License Number:**	3299		
License Type:	Beverage Dispensary				
DBA:	El Chicano Mexican Restaurant				
Premises Address:	402 W Marine Way				
City:	Kodiak	**State:**	Alaska	**ZIP:**	99615
Local Governing Body:	City of Kodiak				

Section 2 – Request Number and Calendar Year

☐ 1st Request ☐ 2nd Request ☑ 3rd Request ☐ Other _____

Request for Calendar Year 2023

AMCO Received 2/19/2024

[illegible] Control Office
[illegible] Avenue, Suite [illegible]
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907-269-0350

AMCO
ALCOHOL & MARIJUANA CONTROL OFFICE

Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

We are highly motivated to move forward. We are currently planning to start construction back up soon. It's in our best interest to keep moving forward so we can plan to use our license at our new location 40 aw marine way.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application. AB

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification. AB

Ana M Brand
Printed name of licensee

Signature of licensee

Office Use Only					
Waiver Application Fee:	$5,000.00	Late Fee:	$1,000.00	Transaction #:	100776354

AMCO Received 2/19/2024

02/19/24

To Whom It May Concern,

Our business has been in Kodiak for over 40 years. We are working very hard to keep things going. After Covid our Island took a big hit. Cost of living has gone up more than double. We are currently paying rent for two locations. You can imagine how that has been affecting things. It's in our best interest to finish construction in the new location at 402 W Marine way. We are about 85 % finished. The financial burden of two locations was not our original plan, life happened and things changed. Our main goal is to get our project off the ground here soon move forward with our license. We have been working very hard and everything that has been thrown our way and meant to break us has not. We are a strong family who believes in hard work. Not many are willing to put in the work and dedication like we have. We will continue to do what it takes to move forward. We appreciate all the help your office has provided us.

Sincerely the Bravo Family

AMCO Received 2/19/2024

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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Why is this form needed?

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This application must be accompanied by a non-refundable waiver application fee of:

- **for a 1st request, an amount equal to ½ the applicable biennial license fee; or**
- **for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.**

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of $1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	El Chicano Inc	**License Number:**	3299		
License Type:	Beverage dispensary				
DBA:	El Chicano Mexican Restaurant				
Premises Address:	402 Marine way Suite # 100				
City:	Kodiak, Ak	**State:**	Alaska	**ZIP:**	99615
Local Governing Body:	City of Kodiak				

Section 2 – Request Number and Calendar Year

☐ 1st Request ☐ 2nd Request ☐ 3rd Request ☑ Other Late Request

Request for Calendar Year 2024

AMCO Received 10/27/2024

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

We have been trying to figure out what is best for our family. Our intention was never to exford not using our license. Our plan is to transfer license name to our oldest daughter, change location to where we are currently operating food out of. We want to use license to help us advance & make more income.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application. FB

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification. FB

FILOMENO-BRAVO
Printed name of licensee

Filomeno Bravo
Signature of licensee

Office Use Only					
Waiver Application Fee:	$10,000.00	***Late Fee:***	None	***Transaction #:***	100943766

AMCO Received 10/27/2024

Continued AB-29 form

We do plan to start a transfer application once we do all the required steps to do so. We also plan on renewing our License before 12/31/24. Our family has been through a lot with medical and other tragedies. We have been trying to heal and keep pushing forward. Our license means everything to our family; we cherish it with the highest standards. Our oldest daughter has been thrown in and doing her best to keep on top of things and managing many things for the family. We want to make sure our customers are happy and provide them with options to serve liquor to them. The community has been asking. We do have a huge community support who wants to see us succeed. We have been trying hard to make a comeback to succeed.

Thank you

Sincerely,

Bravo Family

AMCO Received 10/27/2021

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Why is this form needed?

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This application must be accompanied by a non-refundable waiver application fee of:

- **for a 1st request, an amount equal to ½ the applicable biennial license fee; or**
- **for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.**

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Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	El Chicano Inc	**License Number:**	3299		
License Type:	Beverage Dispensary				
DBA:	El Chicano Mexican Restaurant				
Premises Address:	402 Marine Way STE 100				
City:	Kodiak	**State:**	Alaska	**ZIP:**	99615
Local Governing Body:	City of Kodiak, Alaska				

Section 2 – Request Number and Calendar Year

☐ 1st Request ☒ 2nd Request ☐ 3rd Request ☐ Other _____

Request for Calendar Year 2022

AMCO Received 9/7/22

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-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

We are still under Construction in this Location Slow Process because of Lack of Contractors and Plumbers - We are at a standstill but About 85% finished - Our contractor moved out of State We are operating Temporary in a Popup Location until we can finish this Project - Need Workers To finish this

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

Read the line below, and then sign your initials in the box to the right of the statement:	Initials
I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.	AMB
I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.	AMB

Ana M Bravo
Printed name of licensee

Signature of licensee

Office Use Only					
Waiver Application Fee:	2500.00	*Late Fee:*		*Transaction #:*	100405348

AMCO Received 9/7/22

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Why is this form needed?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in each calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

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Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	El Chicano Inc.	**License Number:**	3291		
License Type:	Beverage Dispensary				
DBA:	El Chicano Mexican Restaurant				
Premises Address:	402 Marine Way Ste 100				
City:	Kodiak	**State:**	Alaska	**ZIP:**	99615
Local Governing Body:	City of Kodiak				

Section 2 – Request Number and Calendar Year

☐ 1st Request ☐ 2nd Request ☐ 3rd Request ☒ Other Covid

Request for Calendar Year 2021

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-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

We are still under Construction in this location. We are still operating our pop up location. Covid has affected alot, causing many delays. It's very difficult to find Contractors who want to take on smaller jobs, alot of business have to wait along time for help. Lack of plumbers is a big issue.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Ana M Brau
Printed name of licensee

Signature of licensee

Office Use Only					
Waiver Application Fee:		***Late Fee:***		***Transaction #:***	

From:	Alcohol Licensing, CED ABC (CED sponsored)
To:	Authorization Panel Service
Cc:	Alcohol Licensing, CED ABC (CED sponsored)
Subject:	#3299 dba El Chicano Mexican Restaurant Please Complete the Box on page 2 of AB-29 form
Date:	Wednesday, July 21, 2021 10:06:47 AM
Attachments:	AB-29.pdf
Importance:	High

Good morning,

Thank you for the submission showing the full page two of the AB-29 form. However, I need you to initial the box on page two in Section 4- Certification. I have highlighted the box and the certifications statement.

Please initial this box to complete the certifications section and send the page back to me.

Thank you,

Kristina Serezhenkov
Licensing Examiner
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

907-269-0359

From: Authorization Panel Service <elchicanoak@hotmail.com>
Sent: Tuesday, July 20, 2021 3:24 PM
To: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Subject: El Chicano AB-29

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

What is this form?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in a calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

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Licensee:	El Chicano Inc	**License Number:**	3299		
License Type:	Beverage Dispensary				
DBA:	El Chicano Mexican Restaurant				
Premises Address:	402 Marine Way Ste 100				
City:	Kodiak	**State:**	Alaska	**ZIP:**	99615
Local Governing Body:	City of Kodiak Alaska				

Section 2 – Request Number and Calendar Year

☐ 1st Request ☑ 2nd Request ☐ 3rd Request ☑ Other COVID

Request for Calendar Year 2020

AMCO Received 7/20/2021

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-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Because of Pandemic Covid All work on this Progect had to Be stopped - Had to have All Duct work Manufactured off Island All Resources To get this made stopped - We Did file AB-29 for 2019 and paid The fees - Please if you could waive the fee for Being Late it would Help - We have No income Now - work has Resumed on this project But Not in time - Too many hard ships I am on the State Chair Board

thank you

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application. [ ]

As a liquor licensee, I declare under penalty of perjury that this form, including all attachments, is true, correct, and complete.

Signature of licensee

Ana M Brau
Printed name of licensee

EMIROS P. VALENZUELA NOTARY PUBLIC STATE OF ALASKA

Notary Public in and for the State of Alaska.

My commission expires: 07/14/2025

Subscribed and sworn to before me this 19th day of July, 2021.

Office Use Only					
Waiver Application Fee:		Late Fee:		Transaction #:	

AMCO Received 7/20/2021

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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

What is this form?

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- **for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.**

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises could not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of $1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	EL Chicano Inc	**License Number:**	3299		
License Type:	Beverage Dispensary				
DBA:	EL Chicano Mexican Restaurant				
Premises Address:	402 Marine Way Ste 100				
City:	Kodiak	**State:**	Alaska	**ZIP:**	99615
Local Governing Body:	City of Kodiak				

Section 2 – Request Number and Calendar Year

☑ 1st Request ☐ 2nd Request ☐ 3rd Request ☐ Other _____

Request for Calendar Year 2019

AMCO
NOV – 4 2019

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-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Still under RENOVATION, took Longer than Expected, had to wait for Permits DUE TO Code Changes, this Location had to BE Brought up to code on All Levels Beause it is going from Retail to Restaurant and Bar – New Ventilation and Kitchen Hood and ADA Bath Rooms, Lack of Plumbers and Electricians in TOWN

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application. AMB

As a liquor licensee, I declare under penalty of perjury that this form, including all attachments, is true, correct, and complete.

Signature of licensee

Ana M Bravo
Printed name of licensee

DEBORAH A. OLSON
My Commission Expires
NOTARY PUBLIC
Mar 23, 2023
STATE OF ALASKA

Notary Public in and for the State of Alaska.

My commission expires: 3/23/23

Subscribed and sworn to before me this 31st day of October, 2019.

Office Use Only					
Waiver Application Fee:		Late Fee:		Transaction #:	1177690 & 1177691

AMCO
NOV – 4 2019

THE STATE of ALASKA
GOVERNOR MICHAEL J. 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

November 27, 2019

El Chicano Inc.
103 Center Street
Kodiak, AK 99615

Re: El Chicano Mexican Restaurant, License #3299

Dear El Chicano Inc.:

On November 13, 2017 the Alcoholic Beverage Control Board delegated the authority to approve first and second requests to waive the statutory minimum operating requirements to the Director.

Please consider this notice that I have approved your 1st waiver of operation for the 2019 calendar year.

Please ensure that if you are operating solely to meet minimum operating requirements in the future, you address the items required in 3 AAC 304.170(j) in order to prove your operations to the board.

Please contact alcohol.licensing@alaska.gov with any questions.

Sincerely,

Mikal Martin
Records and Licensing Supervisor

For:

Glen Klinkhart
Interim Director

cc: License File

From: CED ABC Alcohol Licensing (CED sponsored)
To: Antonia Bravo
Cc: CED ABC Alcohol Licensing (CED sponsored)
Subject: RE: Lic #3299 Notice of Incomplete Application DBA: El Chicano Mexican Restaurant
Date: Monday, January 29, 2024 11:01:09 AM

You are able to make an application to go no premises and at that time transfer to new ownership. It is the board's discretion to approve that transfer and if it is under new ownership, the new owner(s) would be able to make waiver applications for this license. Going No Premises doesn't negate the need for a Waiver of Operation application but if you were listed as the new owner, and considering the board's determination, the waiver applications submitted by the old owners wouldn't count against your license.
Again, I want to clarify that all of these components; the 2023 Waiver Application, the transfer to No Premises, and the Transfer of Ownership would all have to be considered and approved by the board. There is a reality where any of these variables is denied and the license will no longer be valid, so please be aware that the goal is to get the license operational and that is the most assured way to maintain its validity.

Cheers,
T. Gilliland
AMCO Licensing Examiner
269-0350

From: Antonia Bravo <ToniBravoKodiak@outlook.com>
Sent: Monday, January 29, 2024 9:49 AM
To: CED ABC Alcohol Licensing (CED sponsored) <alcohol.licensing@alaska.gov>; Authorization Panel Service <elchicanoak@hotmail.com>
Cc: CED ABC Alcohol Licensing (CED sponsored) <alcohol.licensing@alaska.gov>
Subject: Re: Lic #3299 Notice of Incomplete Application DBA: El Chicano Mexican Restaurant

> You don't often get email from tonibravokodiak@outlook.com. Learn why this is important

Thank you Trish . I will get that over to you by tomorrow . Any updates on putting license to a non-location ?? Have you had a chance to speak with your supervisor.

Get Outlook for iOS

From: CED ABC Alcohol Licensing (CED sponsored) <alcohol.licensing@alaska.gov>
Sent: Monday, January 29, 2024 9:46:00 AM
To: Authorization Panel Service <elchicanoak@hotmail.com>; tonibravokodiak@outlook.com <tonibravokodiak@outlook.com>
Cc: CED ABC Alcohol Licensing (CED sponsored) <alcohol.licensing@alaska.gov>
Subject: RE: Lic #3299 Notice of Incomplete Application DBA: El Chicano Mexican Restaurant

Good morning, Toni!
The form you sent me was a waiver for the year 2021. This is the correct type of form, but you are now requesting a waiver for operating year 2023. Please be detailed in your explanation of why you

From: CED ABC Alcohol Licensing (CED sponsored)
To: Authorization Panel Service
Cc: CED ABC Alcohol Licensing (CED sponsored)
Subject: RE: Lic #3299 Notice of Incomplete Application DBA: El Chicano Mexican Restaurant
Date: Friday, February 2, 2024 8:52:25 AM

Good morning, Toni!
I have read the correspondence in its entirety and understand what happened. The request was made for the owners to submit an AB-29 for the year 2021 in order to renew the license for the years 2023 and 2024.
The AB-29 must to be submitted in the year they are applied for before the deadline. This was not done. So when the examiner requested the AB-29 be filed in while processing the renewal in 2023 for the year 2021, the owners sent in a form for 2023, which was not what was requested. In order to renew the license, we needed waiver for the 2021.
In the emails following the submission of the 2023 AB-29, it was explained that the request we were making was for 2021's AB-29. It was also stated and responded that the AB-29 that we accepted was for 2021, not 2023. If there had been an accepted submission of form AB-29 for the year 2023, there would have been an eBill and you would have been scheduled to be reviewed by the board for a third request for waiver of operation. You will need to submit to us a 2023 AB-29 with an explanation and associated fees, and it will need to be approved by the board. Please call me at **(907) 269-5939** if you have any questions.

Cheers,
T. Gilliland
AMCO Licensing Examiner
269-0350

From: Authorization Panel Service <elchicanoak@hotmail.com>
Sent: Thursday, February 1, 2024 10:34 PM
To: CED ABC Alcohol Licensing (CED sponsored) <alcohol.licensing@alaska.gov>
Cc: Antonia Bravo <tonibravokodiak@outlook.com>
Subject: Fw: Lic #3299 Notice of Incomplete Application DBA: El Chicano Mexican Restaurant

Hi Trish, please see the forms attached from a previous email that was sent 08/01/2023 will this work? The AB-29 documents requested for 2023 had already been submitted. Last year I had to provide this because there was a board meeting coming up 08/04/2023 . Would this allow the late fee to be forgiven? Let me know. So now that we are in 2024 do we do another AB-29 for 2024?
AB-29 Form.

From: Authorization Panel Service <elchicanoak@hotmail.com>
Sent: Tuesday, August 1, 2023 9:50 PM
To: CED ABC Alcohol Licensing (CED sponsored) <alcohol.licensing@alaska.gov>; Toni Bravo <mexicangirl178@hotmail.com>

From:	AMCO Local Government Only (CED sponsored)
To:	CED ABC Alcohol Licensing (CED sponsored)
Subject:	FW: El Chicano, INC. DBA El Chicano Mexican Restaurant, License No. #3299
Date:	Wednesday, September 27, 2023 3:34:32 PM

From: Lina Cruz <lcruz@kodiakak.us>
Sent: Wednesday, September 27, 2023 3:00 PM
To: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Cc: AMCO Admin (CED sponsored) <amco.admin@alaska.gov>
Subject: El Chicano, INC. DBA El Chicano Mexican Restaurant, License No. #3299

> **CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

The Clerk's Office has determined that there was **no interest** in protesting the liquor license renewal application for El Chicano, INC. DBA El Chicano Mexican Restaurant, License No. #3299. We would however like to note that the physical address for El Chicanos does not match any of the addresses listed on their application.

Thank you,

Lina Cruz, CMC
Deputy Clerk
Office of the Borough Clerk
710 Mill Bay Road, Room 234
Kodiak, AK 99615
(907) 486-9311
(907) 486-9391 Fax
lcruz@kodiakak.us

PUBLIC RECORDS LAW DISCLOSURE: This e-mail and responses to this email are subject to provisions of the Alaska Statutes and may be made available to the public upon request.

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

3299

ISSUED
08/03/2023
ABC BOARD

LIQUOR LICENSE
2023 - 2024
TEMPORARY

LICENSE RENEWAL APPLICATION DUE DECEMBER 31, 2024 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispen

LICENSE FEE: $2,500.00

1104

CITY / BOROUGH: Kodiak
Kodiak Island Borough

D/B/A: El Chicano Mexican Restau.
402 Marine Way Suite 100

Mail Address:
El Chicano, Inc.
103 Center Street
Kodiak, AK 99615

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

Joan M. Wilson

DIRECTOR

04-900 (REV 10/20/22

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

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

3299

ISSUED
08/03/2023
ABC BOARD

LIQUOR LICENSE
2023 - 2024
TEMPORARY

LICENSE RENEWAL APPLICATION DUE DECEMBER 31, 2024 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Disper

LICENSE FEE: $2,500.00

CITY / BOROUGH: Kodiak
Kodiak Island Borough

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

[ ] Special restriction - see reverse side

D/B/A:
El Chicano Mexican Restaurant
402 Marine Way Suite 100

Mailing Address:
El Chicano, Inc.
103 Center Street
Kodiak, AK 99615

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

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

04-900 (REV 5/9/22)

Alaska Alcoholic Beverage Control Board

1 AB-17: 2023/2024 License Renewal Application

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: 2023/2024 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2022 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 application for renewal or any fees for renewal that have not been postmarked by 2/28/2023 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.

Section 1 - Establishment Contact Information

Licensee (Owner):	El Chicano, Inc.	**License #:**	3299
License Type:	Beverage Dispensary		
Doing Business As:	El Chicano Mexican Restaurant		
Local Governing Body:	Kodiak, Kodiak Island Borough		
Community Council:	None		

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

Mailing Address:	103 Center Street				
City:	Kodiak	**State:**	AK	**ZIP:**	99615

Section 2 – Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Filomeno Brau	**Contact Phone:**	907-942-0680
Contact Email:	elChicanoAk@Hotmail.com		

Optional: If you wish for AMCO staff to communicate with **anyone other than the Contact Licensee (such as legal counsel)** about your license, list their information below:

Name of Contact:		**Contact Phone:**	
Contact Email:			

Section 3 – for Package Stores ONLY: Written Order Information

	YES	NO
Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2022 and/or 2023?	☐	☐

AMCO
DEC 27 2022

Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

Section 4 – Ownership Structure Certification

	YES	NO
Did the ownership structure of the licensed business change in 2021/2022?	☐	☑

If *Yes*, and you have **NOT** notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application.

If *No*, certify the statement below by initialing the box to the right of the statement.

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2021 or 2022. KB

Section 5 – License Operation

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

	2021	2022
1. The license was **operated for more than 240 hours** throughout each year. (Year-round)	☐	☐
2. The license was **only operated during a specified time** each year. (Not to exceed 6 months per year) *If your operation dates have changed, list them below:* _____ to _____	☐	☐
3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year. *A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.*	☐	☐
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. *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.* **If you have not met the minimum number of hours of operation in 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 6 - Violations and Convictions

	YES	NO
Have **ANY** Notices of Violation been issued for this license?	☐	☑
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 2021 or 2022?	☐	☑

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.

Section 7 – 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 the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, 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 I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.

AMCO
DEC 27 2022

Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

- 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 hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Filomeno Bravo
Signature of licensee

FILOMENO-BRAVO
Printed name of licensee

Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: 5/19/2024

Subscribed and sworn to before me this 22 day of December, 20 22.

Restaurant and Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit
Recreational Site applications must include a completed AB-36: Recreational Site Statement
Tourism applications must include a completed AB-37: 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:
https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx

FOR OFFICE USE ONLY

License Fee:	$	**Application Fee:**	$ 300.00	**Misc. Fee:**	$
				Total Fees Due:	$

100521780 AMCO DEC 27 2022

Department of Commerce, Community, and Economic Development
CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING

State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database Download / Corporations / Entity Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	EL CHICANO INC.

Entity Type: Business Corporation

Entity #: 59239D

Status: Good Standing

AK Formed Date: 10/3/1996

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2024

Entity Mailing Address: 103 CENTER ST, KODIAK, AK 99615

Entity Physical Address: 103 CENTER AVENUE, KODIAK, AK 99615

Registered Agent

Agent Name: FILOMENO BRAVO

Registered Mailing Address: 103 CENTER ST, KODIAK, AK 99615

Registered Physical Address: 103 CENTER ST, KODIAK, AK 99615

Officials

☐Show Former

AK Entity #	Name	Titles	Owned
	ANA BRAVO	Secretary, Shareholder, Treasurer, Vice President	50.00
	FILOMENO BRAVO	Director, President, Shareholder	50.00

Filed Documents

Date Filed	Type	Filing	Certificate
10/03/1996	Creation Filing		
3/06/1998	Biennial Report	Click to View	
1/27/2000	Biennial Report	Click to View	
4/04/2002	Biennial Report	Click to View	
12/24/2003	Biennial Report	Click to View	
4/30/2007	Admin Dissolution	Click to View	Click to View
11/02/2007	Biennial Report	Click to View	
7/31/2012	Biennial Report	Click to View	
3/18/2013	Biennial Report	Click to View	
3/18/2013	Biennial Report	Click to View	
6/09/2014	Biennial Report	Click to View	
4/05/2016	Biennial Report	Click to View	
11/29/2017	Biennial Report	Click to View	
12/29/2019	Biennial Report	Click to View	
7/26/2021	Change of Officials	Click to View	
4/04/2022	Biennial Report	Click to View	

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Alaska Business License # **47764**

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

EL CHICANO MEXICAN RESTAURANT

103 CENTER AVENUE, KODIAK, AK 99615

owned by

EL CHICANO, INC.

is licensed by the department to conduct business for the period

December 29, 2021 to December 31, 2023
for the following line(s) of business:

72 - Accommodation and Food Services

This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner

From:	Hamilton, Joe (CED)
To:	CED ABC Alcohol Licensing (CED sponsored)
Cc:	Davies, Jason M (CED); Johnson, Steven M (CED); Bankowski, Joe (CED)
Subject:	Places Closed for Business
Date:	Thursday, June 6, 2024 1:13:57 PM
Attachments:	image001.png

Lic 3299 El Chicano Mexican Restaurant, still not moved to Marine Address

[redacted]

[redacted]

[redacted]

Joe Hamilton
Investigator 1
Alcohol & Marijuana
Control Office
550 W. 7th Ave, Suite
1600
Anchorage, AK 99501
Joe.hamilton@alaska.gov

From:	CED ABC Alcohol Licensing (CED sponsored)
To:	elchicanoak@hotmail.com
Cc:	CED ABC Alcohol Licensing (CED sponsored)
Subject:	Transfer Application Documents
Date:	Friday, September 6, 2024 1:47:26 PM
Attachments:	AB-01.pdf AB-02.pdf AB-07.pdf AB-08a.pdf AB-09.pdf AB-11.pdf Advertising Format.pdf

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Hello,

Thank you for the call. This information should get you started on a transfer application.

To transfer a current license, the following items will need to be submitted. However, before you submit an application of any kind to the Alcohol and Marijuana Control office, you must publish and post your application as listed in Form AB-07 & Advertising Format. These items must be completed within the **60 days before submitting the application to AMCO**. Applications with publications or postings that are more than 60 days old on the day the application is submitted to AMCO will be returned without review. Please note the application process can take 3 to 6 months on average.

AB-01: Transfer License Application:

- Sections 4 and 5 are mutually exclusive; only include information in ONE of these sections.
- If you fill out section 5, please make sure that the CBPL (Corporations, Business and Professional Licensing) information matches what is listed on your application. https://www.commerce.alaska.gov/cbp/main/search/entities

AB-02: Premises Diagram:

- Please review the diagram requirements carefully, any diagram that does not meet all requirements will be returned for correction.

AB-07: Public Notice Posting Affidavit:

- An applicant must give notice of a liquor license application to the public by posting a true copy of the Form AB-00 (new licenses) or Form AB-01 (license transfers) for ten (10) days per AS 04.11.310 and 3 AAC 304.125.
- Posting should occur at the premises and another conspicuous location in the area.
- Common Carrier – Vessels should post in their home port (or main port of call in Alaska) at the Harbor Master's office and another conspicuous location.

AB-08a: Authorization of Records Release:

- For those individuals who are required to be listed in Sections 4 or 5 of the AB-01.
- Original fingerprint card on FBI approved cardstock for each individual who is required

to be listed in Sections 4 or 5 of the AB-01.

- $48.25 Background Investigation fee for those individuals who are required to be listed in Sections 4 or 5 of the AB-01.

AB-09: Statement of Financial Interest:

- This form should be completed by the applicant.

Publisher's Affidavit (Please see Advertising Format Attached):

- Applicants must advertise once each week for three consecutive weeks by newspaper of general circulation in the area of the license; or if by radio, two times each week during triple A advertising time, for three consecutive weeks*. Per Alaska Regulation, notice by radio MAY NOT substitute for newspaper notice in the following areas: Municipality of Anchorage, City and Borough of Juneau, and Fairbanks North Star Borough.*
- This affidavit should be signed and notarized by an associate of the publisher or radio in which the advertisement was published; most publishers have their own affidavit format.
- Use the Advertising Format under New License Forms on our website to create your radio or newspaper advertisement.

Entity documents:

- Limited Liability Companies – Articles of Organization, Certificate of Organization and Operating agreement.
- Corporations – Certificate of Incorporation.

Proof of Right and Title to the premises:

- The Licensee, as listed on Page 1, Section 1 of the AB-01 form, must be the entity or individual that the lease or deed lists as the lessee or owner.
- All documents must be signed by the appropriate parties.
- Any sublease or assignment of lease must also provide the master lease/original lease.
- The "Premises Address" as listed on Page 1, Section 1 of the AB-01 form should be listed in the lease or deed. (If it is not listed, a legal linking document between what IS listed in the lease and the premises address will be required.)
- If the transfer is a transfer of ownership and NOT location, it is imperative that the transferor (current licensee) maintain right/title and interest in the premises until the transfer is effectuated. Most commonly, the submitted documents have either an effective date of "upon license transfer" or there is a lease-back agreement that is in effect until the transfer is effectuated.

Fees:

- $500.00 Transfer License Application fee

All forms, instructions and fee can be found here:

https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx. Completed documents (with the exception of fingerprint cards or payments) may be scanned and emailed, and questions or concerns may be sent to alcohol.licensing@alaska.gov.

I hope this information is helpful. Please let us know if you have further questions or concerns.

Anna White
Licensing Examiner II
Alcohol and Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
(907)269-0350
alcohol.licensing@alaska.gov

From:	CED ABC Alcohol Licensing (CED sponsored)
To:	elchicanoak@hotmail.com
Cc:	CED ABC Alcohol Licensing (CED sponsored)
Subject:	Waiver of Operations and Transfer Information #3299 El Chicano Mexican Restaurant
Date:	Tuesday, October 1, 2024 3:35:45 PM
Attachments:	AB-29 Waiver of Operations.pdf AB-01.pdf AB-02.pdf AB-07.pdf AB-08a.pdf AB-09.pdf AB-11.pdf Advertising Format.pdf

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Hi Toni,

Thank you for your call today. I have attached a copy of the AB-29 Waiver of Operations form that will need to be filled out for 2024. This will be the 4th Waiver filed for this license, and the required fee for the Waiver is $10,000.
Each Waiver fee is double that of the previous Waiver, and the Waiver fee paid for your 3rd Waiver in 2023 was $5,000. The Waiver form is due by November 1st, 2024, or you will be subject to a $1,000 late fee.

Here is some more detailed information of the Transfer Application forms and other documents that are required. All Transfer forms have also been attached again for your convenience:

To transfer a current license, the following items will need to be submitted. However, before you submit an application of any kind to the Alcohol and Marijuana Control office, you must publish and post your application as listed in Form AB-07 & Advertising Format. These items must be completed within the **60 days before submitting the application to AMCO**. Applications with publications or postings that are more than 60 days old on the day the application is submitted to AMCO will be returned without review. Please note the application process can take 3 to 6 months on average; it may be longer with the current backlog of applications due to the Title 4 Re-Write that went into effect January 1st, 2024.

AB-01: Transfer License Application:

- Sections 4 and 5 are mutually exclusive; only include information in ONE of these sections.
- If you fill out section 5, please make sure that the CBPL (Corporations, Business and Professional Licensing) information matches what is listed on your application. https://www.commerce.alaska.gov/cbp/main/search/entities

AB-02: Premises Diagram:

- Please review the diagram requirements carefully, any diagram that does not meet all requirements will be returned for correction. You may submit as many pages as

necessary with this form to fulfill the requirements.

AB-07: Public Notice Posting Affidavit:

- An applicant must give notice of a liquor license application to the public by posting a true copy of the Form AB-00 (new licenses) or Form AB-01 (license transfers) for ten (10) days per AS 04.11.310 and 3 AAC 305.075.
- Posting should occur at the premises and another conspicuous location in the area (anywhere viewable by the public like a post office, grocery store, community center, library, etc). We need the full address of where you did the posting at the other conspicuous location.
- Common Carrier – Vessels should post in their home port (or main port of call in Alaska) at the Harbor Master's office and another conspicuous location.

AB-08a: Authorization of Records Release:

- For those individuals who are required to be listed in Sections 4 or 5 of the AB-01.
- Original fingerprint card on FBI approved cardstock for each individual who is required to be listed in Sections 4 or 5 of the AB-01.
- $48.25 Background Investigation fee for those individuals who are required to be listed in Sections 4 or 5 of the AB-01.

AB-09: Statement of Financial Interest:

- This form should be completed by the applicant.

Publisher's Affidavit (Please see Advertising Format Attached):

- Applicants must advertise once each week for three consecutive weeks by newspaper of general circulation in the area of the license; or if by radio, two times each week during triple A advertising time, for three consecutive weeks*. Per Alaska Regulation, notice by radio MAY NOT substitute for newspaper notice in the following areas: Municipality of Anchorage, City and Borough of Juneau, and Fairbanks North Star Borough.*
- This affidavit should be signed and notarized by an associate of the publisher or radio in which the advertisement was published; most publishers have their own affidavit format.
- Use the Advertising Format under New License Forms on our website to create your radio or newspaper advertisement.

Entity documents:

- Limited Liability Companies – Articles of Organization, Certificate of Organization and Operating agreement.
- Corporations – Certificate of Incorporation.

Proof of Right and Title to the premises:

- The Licensee, as listed on Page 1, Section 1 of the AB-01 form, must be the entity or

individual that the lease or deed lists as the lessee or owner.

- All documents must be signed by the appropriate parties.
- Any sublease or assignment of lease must also provide the master lease/original lease.
- The "Premises Address" as listed on Page 1, Section 1 of the AB-01 form should be listed in the lease or deed. (If it is not listed, a legal linking document between what IS listed in the lease and the premises address will be required.)
- If the transfer is a transfer of ownership and NOT location, it is imperative that the transferor (current licensee) maintain right/title and interest in the premises until the transfer is effectuated. Most commonly, the submitted documents have either an effective date of "upon license transfer" or there is a lease-back agreement that is in effect until the transfer is effectuated.

Fees:

$500.00 Transfer License Application fee

Please let us know if you have any other questions.

Anna White
Licensing Examiner II
Alcohol and Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
(907)269-0350
alcohol.licensing@alaska.gov