

MEETING DATE/TYPE: VOTING MEETING 9-12-17

DEPARTMENT: City Clerk

AGENDA ITEM: Public Hearing and consideration for an Acquisition of Control for a Series 3 Microbrewery liquor license from Scott Alan Whitney, applicant for Hometown Brewing Company DBA Coppertop Alehouse; Location: 220 S. Montezuma Street.

Approved By: Michael Lamar, City Manager

Item Summary

Scott Alan Whitney has applied for a for an Acquisition of Control for a Series 3 Microbrewery liquor license for Hometown Brewing Company DBA Coppertop Alehouse

License	Hometown Brewing Company DBA Coppertop Alehouse 220 S. Montezuma Street
Applicant	Scott Alan Whitney
City Application No.	17-303
State Application No.	03133025
Sixty Day Processing Deadline	October 8, 2017

Staff Recommendation

Police Department	In Compliance
Business & Sales Tax Licensing	In Compliance
Public Comments Received	None

NOTE: State law provides that for an Acquisition of Control application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires that the best interest of the community will be substantially served by the issuance of a license. "(A.R.S. §4-201)

Background

The application presented for consideration has complied with each of the following requirements.

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1. The application has been filed with the State Liquor Department and released to the City for additional processing.
2. The City application fee, set by Section 4-7-3 of the Prescott City Code, has been paid.
3. The application has been posted at the proposed location for the required twenty days and statements of opposition or statements of support received by the City Clerk are attached.
4. The Police Department has reviewed the application according to State law, which precludes issuance of a license to any person who: (1) Within one year has violated any provision of a liquor license or had a liquor license revoked; or (b) Within five years of the date of application has been convicted of a felony involving moral turpitude.
5. The Finance Department has reviewed the application to determine any delinquent tax information.

Public Hearing and Action Procedure

The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control ("Department") for their consideration.

Recommendation of Approval

If the City Council recommendation is for approval, no hearing is required unless the Director of the Department, the State Liquor Board ("Board"), or any aggrieved party, requests a hearing on the grounds that the public convenience and the best interest of the community will not be substantially served if a license is issued. If no hearing is requested, the Director may approve the license.

Recommendation of Disapproval

If the City Council recommendation is for disapproval of an application, a statement of the specific reasons along with a summary of the testimony or other evidence supporting the recommendation for disapproval is required to be attached to the order of disapproval and submitted to the Director, after which a public hearing will be held.

No Recommendation

If the City Council makes no recommendation, the Director may cancel the hearing and issue the license unless the Board or any aggrieved party protests and requests a hearing. If the reason for the protest is clearly removed or deemed satisfied by the Director, the Board shall cancel the hearing and the Department may issue the license.

Financial Impact

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The application and license fees have been paid.

Attachments

1. Liquor License Series Number Definitions
2. R19-1-702

Recommended Action: **1) MOVE** to close the Public Hearing; **(2) MOVE** to approve/deny/make no recommendation for Liquor License Application No. 03133025 for an Acquisition of Control for a Series 3 Microbrewery liquor license, for Hometown Brewing Company DBA Coppertop Alehouse; Location: 220 S. Montezuma Street.