

Introduced by: Fischer
Date: Apr. 6, 1982
Vote: 10 Yes, 5 No
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 82-69

(Amended)

AMENDING RESOLUTION 82-5 WHICH OPPOSED THE ISSUANCE OF ALCOHOLIC BEVERAGE LICENSES AT VIAPAN LAKE AND TRADING BAY IN OR NEAR THE VILLAGE OF TYONEK.

WHEREAS, applications have been received for the issuance of alcoholic beverage licenses within the Village of Tyonek or in the vicinity of the Village; and

WHEREAS, representatives of the Village Council have expressed their concerns and have made known their opposition to the issuance of these licenses because of their likely impact upon the welfare of the Village and its inhabitants; and

WHEREAS, the Assembly heard a presentation from the applicants who advised the Assembly that its opposition precludes issuance of the license unless the Alcoholic Beverage Control Board deems the Assembly's opposition to be arbitrary, capricious or unreasonable, between arbitrary and capricious; and

WHEREAS, the Assembly finds that in view of the contesting positions of the Village and the applicant it ought to restate its position in the licensing process;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That Resolution 82-5 adopted on January 5, 1982 is amended and the Assembly's previous protest to the issuance of alcoholic beverage licenses in the Village of Tyonek or its vicinity, and specifically at Viapan Lake and Trading Bay, is modified to be a protest of a package retail store for the sale of alcoholic beverages.

Section 2. That the Clerk shall serve copies of this resolution upon Patrick L. Sharrock, Director of the Alcoholic Beverage Control Board, upon Donald Standifer, Sr., President, Tyonek Council, upon Roy Huhndorf, President, Cook Inlet Region, Inc., and upon B. Agnes Brown, President, Tyonek Native Corporation.

Section 3. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 6th DAY OF April, 1982.

John C. Davis, Assembly President

ATTEST:

Frances Baymer
Borough Clerk

Donald L. McCloud
Donald McCloud, Vice President