

**RESOLUTION
OF THE SPENARD COMMUNITY COUNCIL
REGARDING Liquor Licenses**

November 7, 2012

WHEREAS, community members have become increasingly concerned with a noticeable increase in the number of chronic inebriates drinking and camping in our neighborhood; and

WHEREAS these chronic inebriates negatively affect our neighborhood by congregating, littering and defecating in the greenbelt, parks and public spaces; and

WHEREAS these chronic inebriates pose a danger to themselves and a hazard to bike riders and pedestrians on the sidewalks and streets accessing our neighborhood; and

WHEREAS, community members have reason to believe that these chronic inebriates, few of whom previously travelled to our neighborhood, come here to purchase and do purchase alcohol in our neighborhood, and

WHEREAS, the Spenard Community Council currently has at least 17 active license in use along Spenard Road, with a total of at least 37 within one mile, and

WHEREAS, the Spenard Community Council historically has worked closely with its business-owner members who sell alcohol to ensure the safety and continued vitality of the neighborhood; and

WHEREAS, an additional liquor license has become available based on the recent US Census, and

WHEREAS, the SCC at its September meeting hosted a presentation by Pamela Hatzis, the owner of La Bodega, which is seeking a package store liquor license for a new business in the Northern Lights Mall in the center of our neighborhood; and

WHEREAS, several members at that meeting indicated their concern generally about approving another Conditional Use Permit in Spenard and requested that research be done on other Council area restrictions that have been established for alcohol retailers, and

WHEREAS, the Spenard Community Council successfully worked with Milano's when a similar issue arose earlier this year, and

WHEREAS, La Bodega has expressed willingness to work with the Spenard Community Council to establish restrictions on a Conditional Use Permit and that those restrictions would not be inconsistent with their business model and its desire to be a good neighbor; and

WHEREAS, members of the SCC board have indicated their agreement with the notion of a level playing field for all package stores in the vicinity; and

WHEREAS, the SCC will ask the Assembly to include the same restrictions in all Conditional Use Permits in the Spenard Council area when they next come up for review or sooner if the owners are agreeable; and

WHEREAS, the Government Hill, Fairview and Downtown restrictions have apparently worked well for each of the establishments to which they currently are applied, including particularly the operators of the Fifth Avenue store who have testified that these conditions helped trace alcohol related problems to the source of purchase;

THEREFORE NOW BE IT RESOLVED that the Spenard Community Council does not oppose the package license application of La Bodega for its planned retail store and restaurant at the Northern Lights Mall, *provided that* the following restrictions (or substantially similar restrictions) are included in the Conditional Use Permit:

RESTRICTIONS ON SALES:

1. No cheap wines, such as MD 20/20, in any size. No fortified wines less than \$10.00 a bottle.
2. No six packs of beer less than \$6.00.
3. Any liquor products where the 750 milliliter size has a shelf price of \$10.00 or less shall not be stocked.

STAFFING REQUIRED:

1. TAMS or equivalent training shall be provided to all store personal within seven calendar days of hiring.

ADVERTISING RESTRICTIONS:

1. No promotional price signs in the windows (neon excluded). No low price newspaper advertising.

COMMUNITY REVIEW REQUIREMENTS:

1. Semi-annual review of operations by the Spenard Community Council, if desired by the Spenard Community Council.
2. Video tapes of customers viewable on request, through Municipal authorities, by the Spenard Community Council held for a period of five days.

OTHER CONDITIONS:

1. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premises and at a location visible to the public.
2. Licensee shall require all customers to show a valid, official state identification card, passport or military identification card as a condition of selling any alcoholic beverage to that customer.

This resolution is ADOPTED THIS 7th DAY OF NOVEMBER, 2012

Signed,

Jim Bowers, SCC PRESIDENT

