

Item # 12c

**City of Carson City
Agenda Report**

Date Submitted: September 22, 2009

Agenda Date Requested: October 1, 2009

Time Requested: 10 minutes

To: Liquor Board

From: Business License

Subject Title: Disciplinary action against liquor license #10-24025, held by Alvaro Brito dba San Marcos Grill located at 260 E. Winnie Ln., Carson City, Nevada, pursuant to CCMC 4.13.150. This disciplinary action is based on the issuance of a citation for a second offense criminal statute violation, within six months of the first citation issuance, related to the sale of liquor at the licensed premises. This action may include the imposition of a fine of up to \$500.00 on the licensee and the requirement that the licensee and all employees selling, dispensing, or serving liquor attend the Sheriff's Office alcohol servers' training program within three months of this hearing. If the licensee and relevant employees are required to attend the alcohol servers' training program, the licensee will be required to submit a list of all employees selling, dispensing, or serving liquor to the Public Works Department, Business License Division, no later than seven (7) days from the completion of the training. If the licensee fails to submit the list of employees within seven (7) days, this matter will be rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed. (Jennifer Pruitt)

Staff Summary: CCMC 4.13.150 provides for the imposition of a fine of up to \$500 upon the holder of a liquor license and the requirement that the licensee and all employees selling, dispensing or serving liquor attend alcohol servers' training for the second time a person is issued a criminal citation related to the sale of liquor at a licensed premises. On September 14, 2009, a second offense criminal citation related to the sale of liquor was issued at San Marcos Grill located at 260 E. Winnie Ln., Carson City, Nevada.

Type of Action Requested:

- | | |
|--|--|
| ☐ Resolution | ☐ Ordinance |
| ☒ Formal Action/Motion | ☐ Other (Specify) |

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to impose disciplinary action against liquor license #10-24025, held by Alvaro Brito dba San Marcos Grill located at 260 E. Winnie Ln., Carson City, Nevada, pursuant to CCMC 4.13.150. This disciplinary action is based on the issuance of a citation for a second offense criminal statute violation, within six months of the first citation issuance, related to the sale of liquor at the licensed premises. This action may include the imposition of a fine of up to \$500.00 on the licensee and the requirement that the licensee and all employees selling, dispensing, or serving liquor attend the Sheriff's Office alcohol servers' training program within three months of this hearing. If the licensee and relevant employees are required to attend the alcohol servers' training program, the licensee will be required to submit a list of all employees selling, dispensing, or serving liquor to the Public Works Department, Business License Division, no later than seven (7) days from the completion of the training. If the licensee fails to submit the list of employees within seven (7) days, this matter will be rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed.

Explanation for Recommended Board Action: The Liquor Board has the discretion to issue a fine of up to \$500.00 and to require alcohol server training for all employees selling, dispensing, or serving liquor.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 4.13.150

Fiscal Impact: N/A

Explanation of Impact: N/A

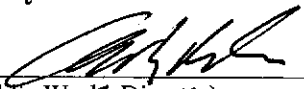
Funding Source: N/A

Alternatives: 1) Take no action

Supporting Material: 1) First offense Administrative Citation
2) Notification of 2nd Offense

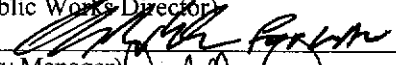
Prepared By: Lena E. Tripp, Senior Permit Technician

Reviewed By:



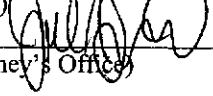
(Public Works Director)

Date: 9-22-09



(City Manager)

Date: 9-22-09

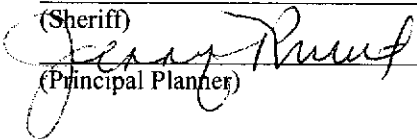


(District Attorney's Office)

Date: 9-22-09

(Sheriff)

Date: _____



(Principal Planner)

Date: 9-21-09

Board Action Taken:

Motion: _____

1) _____ Aye/Nay
2) _____

(Vote Recorded By)



Carson City Business License Division
2621 Northgate Lane, Suite 6
Carson City, Nevada 89706
(775) 887-2105

ADMINISTRATIVE CITATION

(Carson City Municipal Code Section 4.13.150)

Case Number: 09-2666

Business Name: San Marcos Grill
Liquor License #09-24025

Business Address: 260 E. Winnie Ln.

Business Licensee: Alvaro Brito, Liquor Manager
260 E. Winnie Ln.
Carson City, NV 89706

In the City of Carson City, the following criminal citation was issued to Alvaro Brito on April 10, 2009 at the business address set forth above.

CCMC Section 4.13.190:1 Unlawful to serve minors.

1. It shall be unlawful for any licensee or his agent or employee to sell, serve, give away, or otherwise provide liquor to any person under the age of twenty-one (21) years or to allow or permit any person under the age of twenty-one (21) years to possess or consume liquor in or upon the licensed premises.

Administrative Citation Fine: \$100.00

Fine is due and payable: May 14, 2009

PAID

CK. NO. 3169
DATE 4/20/09 *Tripp*

Make payment to: Carson City Business License
2621 Northgate Lane, Ste #6
Carson City, NV 89706

If you wish to schedule a hearing before the Carson City Liquor Board to appeal this citation, an appeal form must be submitted prior to fine due date. For further information contact the Carson City Business License Division at (775) 887-2105.



Carson City Business License Division
2621 Northgate Lane, Suite 6
Carson City, Nevada 89706
(775) 887-2105

ADMINISTRATIVE CITATION

(Carson City Municipal Code Section 4.13.150)

Case Number: 09-6608

Business Name: San Marcos Grill
Liquor License # 10-24025

Business Address: 260 E. Winnie Ln.

Business Licensee: San Marcos Grill
Alvaro Brito
260 E. Winnie Ln.
Carson City, NV 89706

In the City of Carson City, the following criminal citation was issued to **Alvaro Brito** on **September 14, 2009** at the business address set forth above.

CCMC Section 4.13.190:1 Unlawful to serve minors.

1. It shall be unlawful for any licensee or his agent or employee to sell, serve, give away, or otherwise provide liquor to any person under the age of twenty-one (21) years or to allow or permit any person under the age of twenty-one (21) years to possess or consume liquor in or upon the licensed premises.

For further information contact the Carson City Business License Division at (775) 887-2105.