

GARDINER CITY COUNCIL AGENDA ITEM INFORMATION SHEET



Meeting Date		05/22/2019 Department City Clerk							
Agenda Item		4.7 Consider Approval of a Liquor License Renewal for Canton Village							
1430 143 W	Est. Cost	n/a							
	This agen Canton Vi		da item is the consideration of the City Council to approve a liquor license renewal for lage.						
	The renev	val application is attached.							
Background Information	This Publi	c Hearing was advertised on June 11	, 2019.						
Requested Action			e renewal for C	Canton Village.'					
City Manager and/or Finance Review			above action.						
Council Vote, Action Taker									
Departmenta Follow-Up									
Clerk 2 nd Reading Ac Use Only			ertised <u>05/15/2</u> ertised in 15 Days lated Book						

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY O	PERATIONS DIVISION USE ONLY				
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT	License No:				
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 10 WATER STREET, HALLOWELL, ME 04347 (Overnigh	t Mail) Class: By:				
TEL: (207) 624-7220 FAX: (207) 287-3434 EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV	Deposit Date:				
EMAIL INQUIRIES: MAINELIQUOR WIMAINE. GOV	Amt. Deposited:				
	Cash Ck Mo:				
PRESENT LICENSE EXPIRES:	Good SOS & DBA: YES □ NO □				
NEW application: Yes X No If business is NEW or under new ownership, indicate starting date					
Requested inspection (New Licensees/ Ownership Changes Only)	Date: Business hours:				
INDICATE TYPE OF PRIVILEGE: MALT VINO					
	PE OF LICENSE:				
☑ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/L	OUNGE (Class XI) CLASS A LOUNGE (Class X)				
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD O	PTIONAL (Class I-A)				
☐ CLUB w/o Catering (Class V) ☐ CLUB with CATE	RING (Class I) GOLF COURSE (Class I,II,III,IV)				
☐ TAVERN (Class IV) ☐ QUALIFIED CAT	ERING OTHER:				
REFER TO PAGE 3	FOR FEE SCHEDULE				
ALL QUESTIONS MUST	BE ANSWERED IN FULL				
Corporation Name:	Business Name (D/B/A)				
Cheung Lee Garden Inc					
APPLICANT(S) -(Sole Proprietor) DOB: 5/8/19	Physical Location: 428 Water St				
Xiao Jun Qiu 5/8/191 DOB:	City/Town A State A Zip Code				
2021	Gerdiner ME 04345				
Address 21 Maple St	Mailing Address 428 Water St				
City/Town Gardiner State Zip Code 04345	City/Town Chardiner State ME Zip Code 04345				
Telephone Number Fax Number	Business Telephone Number Fax Number 207-582-1421 207-582-6786				
646-269-6414	Seller Certificate #:				
Ol -0444498	or Sales Tax #:				
Email Address	Website:				
Please Print Niping 15 @hotmail.com	N/A				
. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests:					
Yes, please complete the Corporate Information required for Business Entities who are licensees.					
Do you permit dancing or entertainment on the licensed premises? YES \(\sigma\) NO \(\sumsymbol{\text{L}}\)					

License #	Name of Business				
Physical Location	On City/Town				
6. If manage	er is to be employed, give name: XUE Ping Ni				
7. Business	records are located at: 428 was so scientime	r ME 0434	(
8. Is/are app	plicants(s) citizens of the United States? YES	NO 🗆			
9. Is/are app	olicant(s) residents of the State of Maine?	NO 🗆			
	e, date of birth, and place of birth for all applicants, m	magers, and bar n	nanagers.		
	Full Name (Please Print)		OB	Place of Birth	
Xia	go Jun Qiu	S/	8/71	China	
11. Residen	ce address on all of the above for previous 5 years	(Limit answer to	city & sta	ate)	
		andiner		State: ME	
Vame:	City:			State:	
Name:	City:			State:	
of any St	applicant(s) or manager ever been convicted of any vi				
		* * * * * * * * * * * * * * * * * * * *			
Dispositio			onal sheet(s)	if necessary)	
13. Will any law enforcement official benefit directly in your license, if issued? Yes No Yes, give name:					
4. Has/have applicant(s) formerly held a Maine liquor license? YES \(\square\) NO \(\square\)					
15. Does/do applicant(s) own the premises? Yes \(\subseteq \text{No II No give name and address of owner:} \) Area Leasma Development \(\subseteq \text{558 liver Road, Chelsea, ME 04336} \)					
6. Describe	in detail the premises to be licensed: (On Premise Dia	gram Required)			
YES 🔽	opplicant(s) have all the necessary permits required by NO ☐ Applied for:				
measured	ne distance from the premises to the NEAREST school from the main entrance of the premises to the main entrance by the ordinary course of travel?	, school dormitory rance of the school	, church, cl ol, school de	napel or parish house, ormitory, church, chape	
Or Deer rose v					

19. Have self i	s you received any assistance financially or otherwise (including any mortgages) from any source in the establishment of your business? YES \(\sigma\) NO \(\sigma\)	other u	ian your-			
If YE	S, give details:					
The Divi	sion of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, extaining to the business, for which this liquor license is requested, and also such books, records are which any liquor license is in effect.	ia retur	us during			
information monetary	"I understand that false statements made on this form are punishable by law. Knowingly on on this form is a Class D offense under the Criminal Code, punishable by confinement of up to fine of up to \$2,000 or both."	supply o one y	ing false ear or by			
Dated at:	Gardiner, ME on 6/1, 20 19 Town/City, State					
	Please sign in blue ink of Applicant or Corporate Officer(s) Signature of Applicant or Corpora					
Signature	of Applicant or Corporate Officer(s) Signature of Applicant or Corpora	te Offic	er(s)			
DIBITATO	Xiao Jun Qiu					
	Print Name Print Name					
	FEE SCHEDULE					
		S	10.00			
FILING I	FEE: (must be <u>included</u> on all applications)	Ф				
Class I	Spirituous, Vinous and Malt	aterers;				
Class I-A	CT ASS T A. Ustala only that do not serve three meals a day.					
Class II	Spirituous Only CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; I Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	Jiiiiig				
Class III	Vinous Only CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants;					
Class IV						
	D. LTT 11 1 D. J. and Decoleforte					
Class III & IV	Malt & Vinous Only CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants;					
Class V	lass V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breaklasts)					
Class X	Spirituous, Vinous and Malt – Class A Lounge	\$Z,	200.00			
Class XI	CLASS X: Class A Lounge \$1,500.00					
JNORGAI inorganize	NIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All seed territories shall submit along with their application evidence of payment to the County Tr	applica reasure	nts in r.			

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at		City/Town	, Maine(County)	
On:		Date		
	ersigned beir	0	☐ Municipal Officers ☐ County Commissioners of the	, Maine
□ City	□ Town	☐ Plantation	n 🗆 Unincorporated Place of:	, 1/141110
			THE APPROVAL EXPIDES IN 60 DAVS	

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE - SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

- 1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may bold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]
- B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]
- C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]
- D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall

notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD) .]

- 2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]
- B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]
- C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]
- D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]
 - E. A violation of any provision of this Title; [2009, c. 81, \$1 (AMD).]
- F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]
- G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]
 - [2009, c. 81, §§1-3 (AMD) .]
- 3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c. 730, §27 (RP).]
- B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c.730, §27 (AMD).]

[1995, c.140, §6(AMD).]

- 4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]
- 5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay.

Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80(AFF).]

MAINE DEPT OF PUBLIC SAFETY

State Or Mative Liquor Licensing & Inspection Division 164 State House Station Augusta ME 04333-0164

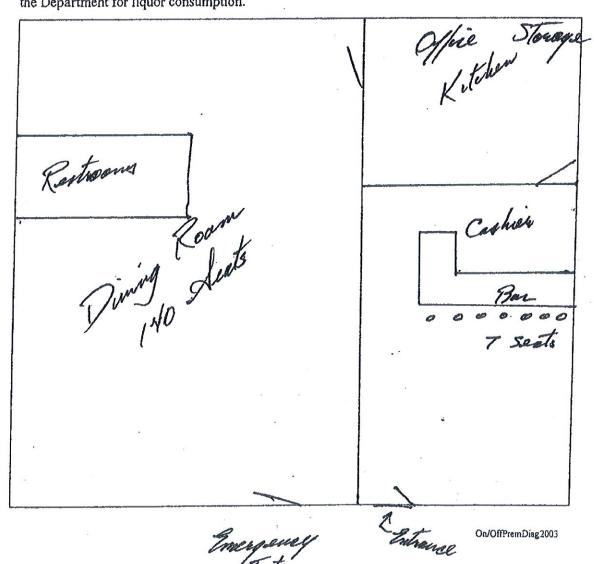


Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.



7.	Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? Yes No		
8.	If Yes to Question 8, please complete the following: (attached additional sheets as needed)		
	Name:		
	Date of Conviction:		
	Offense:		
	Location of Conviction:		
	Disposition:		
Signat	rure:		
	X2017h O1h The of Owner or Corporate Officer Xiao Jin Qiu Tame of Owner or Corporate Officer		
Bureau Divisio 8 State 10 Wat	c Completed Forms to: a of Alcoholic Beverages on of Liquor Licensing and Enforcement House Station, Augusta, Me 04333-0008 (Regular address) ter Street, Hallowell, ME 04347 (Overnight address) one Inquiries: (207) 624-7220 Fax: (207) 287-3434 Inquiries: MaineLiquor@Maine.gov		

Kelly Gooldrup

From:

Jim Toman

Sent:

Monday, June 3, 2019 2:21 PM

To:

Kelly Gooldrup; Al Nelson; Christine Landes; Tony Laplante

Subject:

RE: Liquor License Renewal - Canton Village

PD is fine with renewal

From: Kelly Gooldrup < KGooldrup@gardinermaine.com>

Sent: Monday, June 3, 2019 12:27 PM

To: Al Nelson <ANelson@gardinermaine.com>; Christine Landes <CLandes@gardinermaine.com>; Jim Toman

<JToman@gardinermaine.com>; Tony Laplante <TLaplante@gardinermaine.com>

Subject: Liquor License Renewal - Canton Village

Please review the attached liquor license renewal application for Canton Village.

Thank you,

Kelly J. Gooldrup
City Clerk | Registrar of Voters
Notary Public | Dedimus Justice
City of Gardiner
6 Church Street
Gardiner, ME 04345

P: 207-582-4460 | F: 207-582-6895

E: kgooldrup@gardinermaine.com

W: www.gardinermaine.com



Kelly Gooldrup

From:

Tony Laplante

Sent:

Monday, June 3, 2019 2:13 PM

To:

Kelly Gooldrup

Subject:

RE: Liquor License Renewal - Canton Village

No concerns

From: Kelly Gooldrup

Sent: Monday, June 3, 2019 12:27 PM

To: Al Nelson <ANelson@gardinermaine.com>; Christine Landes <CLandes@gardinermaine.com>; Jim Toman

<JToman@gardinermaine.com>; Tony Laplante <TLaplante@gardinermaine.com>

Subject: Liquor License Renewal - Canton Village

Please review the attached liquor license renewal application for Canton Village.

Thank you,

Kelly J. Gooldrup
City Clerk | Registrar of Voters
Notary Public | Dedimus Justice
City of Gardiner
6 Church Street
Gardiner, ME 04345
P: 207-582-4460 | F: 207-582-6895
E: kgooldrup@gardinermaine.com



Kelly Gooldrup

From:

Al Nelson

Sent:

Monday, June 3, 2019 2:08 PM

To:

Kelly Gooldrup; Christine Landes; Jim Toman; Tony Laplante

Subject:

RE: Liquor License Renewal - Canton Village

FD has no issues

From: Kelly Gooldrup < KGooldrup@gardinermaine.com>

Sent: Monday, June 3, 2019 12:27 PM

To: Al Nelson <ANelson@gardinermaine.com>; Christine Landes <CLandes@gardinermaine.com>; Jim Toman

<JToman@gardinermaine.com>; Tony Laplante <TLaplante@gardinermaine.com>

Subject: Liquor License Renewal - Canton Village

Please review the attached liquor license renewal application for Canton Village.

Thank you,

Kelly J. Gooldrup City Clerk | Registrar of Voters Notary Public | Dedimus Justice City of Gardiner 6 Church Street

Gardiner, ME 04345

P: 207-582-4460 | F: 207-582-6895

E: kgooldrup@gardinermaine.com

W: www.gardinermaine.com



Date Received: 6/3/19 Received by: 256

Name of
Business/Event/ Canton Village
Board/Committee:

Date of Event:

	Minor Special Event	Major Special Event	['] Liquor License	DBA License	Junk Yard Permit	Other License	Boards & Committees
<u>Paid</u>							
Email DH &CM	N 10 1000000 10 10		Cd3/19				
Email Gardiner							
Main Street							
Approved by:				viologic estimation			
<u>CM</u>			6/3/19 6/3/19				
PD			6/3/19				
FD							
PW&BG			6/3/19				
CEO			F/M	§ 8 90 ja			
ED	วิที่ ลิศาสาร สิทธิการครั้ง เรื่อ			- 00 and and an appearable			
Add to Agenda	TO MAKE PA	Control Colored	6/3/19			gyastala arenggan	ar ka ta gawa, iyaka
Legal Ad to KJ	******/			1.00	and the second	1000	
Add to Events							
Calendar Add to DBA List				The state of the s	B (B) (B) (B) (B)	01) j. (1-45) (10-40)	
Issue License							
Notify Applicant of			Į.	1 P. S. S. W. W. C.	İ	SO Problems	
Council Meeting	\$4.50 mm		ļ.		S		
Notify Applicant of	Property of						
Approval or Denial	4.51		3	ingles Problem		i i	
Create Oath Sheet						eriyay kenduk	
Swear in			- 744 5 M			Sign of the American	
Contact Info to				46:44V			
Board/Committee							
Update TRIO							
<u>Update Website</u>							

Notes: Added to	6/19/19	Courc'il granda
		3