



Staff Report

For City Council Meeting - 2/3/2021

Subject - New Business - OLCC License Renewals

Synopsis: Attached is the list of OLCC liquor licenses in Gearhart that are eligible for license renewal effective 3/31/2021. ORS 471.166 establishes the process for local governments to make recommendations to the OLCC; there is \$0 cost to renew.

Council Options:

- 1) Provide a written renewal recommendation to the OLCC for any or all of the licenses on the attached list;
- 2) Make a written request for additional time to investigate a specific renewal or renewals; [The request must set forth the reason additional time is needed, state that the local government is considering making an unfavorable recommendation, and state the specific grounds being considered toward an unfavorable recommendation.]
- 3) Take no action. After 3/10/2021, the OLCC will process the renewal application as if you made a favorable recommendation.

Recommendation: N/A

Legal Analysis: N/A

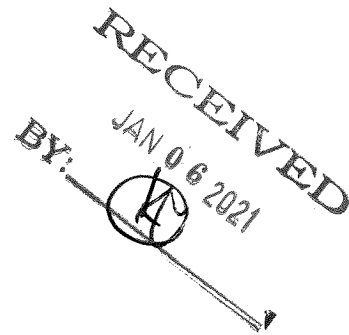
Financial Analysis: N/A

Respectfully submitted,

A handwritten signature in black ink, appearing to be the name "Chad", written in a cursive style.

Chad

City Administrator
GEARHART
PO Box 2510
Gearhart, OR 97138



RENEWAL NOTIFICATION PROCESS

It's time again for liquor license renewals in your area. Liquor licenses are due to expire **3/31/2021**. Attached is the list of licensees who are required to submit their renewal application to local government for comment. According to our records you charge:

\$0.00 Renewal Fee for ON-PREMISES \$0.00 Renewal Fee for OFF-PREMISES

We told applicants to mail your local government fees to the address on this letter.
PLEASE NOTIFY US IMMEDIATELY IF THE FEE(S) OR ADDRESS ARE INCORRECT

HOW TO MAKE A RECOMMENDATION

You have until **3/10/2021** to make your recommendation. Below are your options for renewals:

RECOMMEND APPROVAL

1. **DO NOTHING.** If you do not submit a recommendation by **3/10/2021**, the OLCC will process the renewal application as a favorable recommendation.

RECOMMEND DENIAL (see additional information on page 2)

1. File an unfavorable recommendation, stating the grounds for the unfavorable (must meet the denial criteria on back of form); **OR**
2. Make a written request for additional time to complete an investigation. The request must state: 1) you are considering making an unfavorable recommendation; 2) the specific grounds being considered. **The grounds must be one referenced in Oregon Administrative Rule 845-005-0308(3).** If your request is granted you will be given a 45-day extension to file your unfavorable recommendation. Unfavorable means recommending denial of a license or requesting restrictions be placed on a license.

If you need assistance or would like to discuss a specific application, please contact your local OLCC office for help. Please send renewal recommendation correspondence to OLCC.Renewals@oregon.gov or OLCC License Renewals, P.O. Box 22297, Portland, OR 97269-2297. If you have questions, contact our license renewal section at 503.872.5138 or toll free at 1.800.452.6522 ext 25138.

REASONS WE MAY DENY OR RESTRICT A LICENSE
ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322
845-005-0325, 845-005-0326(4)(5) or 845-005-0355

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC can consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location. The problems can include:

obtrusive or excessive noise, music or sound vibrations
public drunkenness
fights or altercations
harassment
unlawful drug sales
alcohol or related litter

OLCC is not able to consider the following issues when deciding to renew a liquor license:

lack of parking
increase in traffic
too many licenses in a specific area (saturation)
entertainment type - nude dancing, gambling, live bands, etc.
increased noise
zoning issues

Visit www.oregon.gov/olcc/ to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

License No./ Premises No.	Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic. 311682 Prem. 2705	BUD'S CAMPGROUND & GROCERY GAAMA ENTERPRISES INC O - OFF-PREMISES SALES	4412 N HWY 101 GEARHART, OR 97138 503-738-6855	13905 NW WILLIS RD MCMINNVILLE, OR 97128
Lic. 307303 Prem. 59412	DOLLAR GENERAL STORE #18949 DG RETAIL LLC O - OFF-PREMISES SALES	3453 HWY 101 N GEARHART, OR 97138 503-717-9813	100 MISSION RIDGE GOODLETTSVILLE, TN 97072
Lic. 309965 Prem. 38549	EL TRIO LOCO MEXICAN CUISINE SANTA MARIA LLC F-COM - FULL ON-PREMISES SALES	3611, 3613, 3615 HWY 101 N GEARHART, OR 97138 503-352-9885	
Lic. 308137 Prem. 22599	GREAT WALL RESTAURANT LIN'S RESTAURANTS INC F-COM - FULL ON-PREMISES SALES	4340 HWY 101 N GEARHART, OR 97138 503-738-4108	88822 TEAL RD GEARHART, OR 97138
Lic. 309920 Prem. 43991	HIGHLANDS GOLF CLUB DOWNTOWN GOLF CO LLC L - LIMITED ON-PREMISES SALES	33260 HIGHLANDS LN GEARHART, OR 97138 503-368-5744	PO BOX 2654 GEARHART, OR 97138
Lic. 315083 Prem. 43991	HIGHLANDS GOLF CLUB DOWNTOWN GOLF CO LLC O - OFF-PREMISES SALES	33260 HIGHLANDS LN GEARHART, OR 97138 503-368-5744	PO BOX 2654 GEARHART, OR 97138
Lic. 307846 Prem. 2178	MCMENAMIN'S SANDTRAP BAR & GRI MCMENAMIN'S INC F-COM - FULL ON-PREMISES SALES	1157 N MARION GEARHART, OR 97138 503-223-0109	430 N KILLINGSWORTH PORTLAND, OR 97217
Lic. 307040 Prem. 17954	PACIFIC WAY BAKERY & CAFE JOHN S. ALLEN L - LIMITED ON-PREMISES SALES	601 PACIFIC WY GEARHART, OR 97138 503-738-0245	PO BOX 2565 GEARHART, OR 97138
Lic. 319530 Prem. 17954	PACIFIC WAY BAKERY & CAFE JOHN S. ALLEN O - OFF-PREMISES SALES	601 PACIFIC WY GEARHART, OR 97138 503-738-0245	PO BOX 2565 GEARHART, OR 97138
Lic. 309973 Prem. 2765	RECREATION LANES RESTAURANT AI DAMARKOM INC F-COM - FULL ON-PREMISES SALES	3518 HWY 101 N GEARHART, OR 97138 503-738-5333	PO BOX 23 SEASIDE, OR 97138
Lic. 311401 Prem. 61317	SUPERMART 11 HARGOBIND INC O - OFF-PREMISES SALES	3300 HWY 101 N GEARHART, OR 97138 503-739-7295	PO BOX 2082 GEARHART, OR 97138
Lic. 307639 Prem. 57107	SWEET SHOP GEARHART THE SWEET SHOP GEARHART LLC O - OFF-PREMISES SALES	567 PACIFIC WAY GEARHART, OR 97138 503-747-9261	PO BOX 2337 GEARHART, OR 97138
Lic. 307657 Prem. 57108	SWEET SHOP GEARHART THE SWEET SHOP GEARHART LLC L - LIMITED ON-PREMISES SALES	567 PACIFIC WAY GEARHART, OR 97138 503-747-9261	PO BOX 2337 GEARHART, OR 97138

Count for GEARHART

13