RESOLUTION NO. 3188

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA, AFFIRMING THE CITY OF RED LODGE HAS NO OBJECTION TO THE ISSUANCE OF A LIQUOR LICENSE TO GRASSHOPPER, INC., FOR USE IN THE BEARGRASS PUB AT THE DELI ON THE BEARTOOTH, 224 SOUTH BROADWAY IN RED LODGE.

WHEREAS, the City Council for the City of Red Lodge is advised an applicant for a liquor license in the State of Montana is restricted from obtaining that license if it is within a certain distance of a church (M.C.A. §16-3-306(4) and MCA §16-3-309); and

WHEREAS, in the City of Red Lodge, the Beargrass Pub in the Deli on the Beartooth is within that restricted area, and therefore must consult with the City and with the Church to determine if any objections, requirements or restrictions might exist; and

WHEREAS, Ben Mackay of proposed licensee Grasshopper, Inc. has contacted the Red Lodge Community Church, met with leaders of that church and has presented the City with documentation the church has no objections to the issuance of this license; and

WHEREAS, the City has reviewed its zoning code for any restrictions that might apply in this situation and has found none.

NOW THEREFORE, BE IT RESOLVED:

- 1. The City Council resolves that the City has no objections to the issuance of a liquor license to Grasshopper, Inc., to be used in the Beargrass Pub in the Deli on the Beartooth, 224 South Broadway, Red Lodge, Montana 59068.
- 2. The City Council further resolves that the City make no recommendations for any restrictions on the liquor license other than what the State may require.

PASSED and APPROVED by the Red Lodge City Council this 4th day of August 2005.

FOR THE CITY OF RED LODGE, MT

Bv:

Richard C. Gessling, Mayor

Attest:

Debbie Tomicich, City Clerk



Montana Department of Revenue



July 28, 2005

RE:

Application for Transfer of Ownership & Location of Montana Retail On-Premises Consumption Restaurant Beer/Wine License No. 10-068-0500-301, THE BEARGRASS PUB (Formerly: Red Lodge Ale House, 11 & 9 North Broadway), 224 S. Broadway, Red Lodge, Carbon County, Montana

NEWLY LICENSED PREMISES

The above referenced application was received at the Department of Revenue, Liquor Licensing. Notice is being provided to you to give you an opportunity to advise if the applicant and premises meet all the laws and ordinances your office is responsible for regulating. We will be happy to provide any additional information that is needed.

Local laws are not enforced through the alcoholic beverage licensing process; however, if there are local laws affected by this application, compliance with those laws may influence the final determination to issue the license.

This is an application for a new premises; a premises not currently licensed for the consumption of alcohol. Building, health and fire approval will be required before department approval will be considered. If any agency determines deficiencies exist that should be considered in the issuance of this license, please advise this office in writing by August 28, 2005. If we receive a determination of a local deficiency, the license application process cannot be completed until the issue is cleared up at the local level. In addition, if we receive a written protest against the issuance of this license, a public hearing will be scheduled.

If you have any questions, please call 444-0717.

Cheryl Emmons

Sincerely.

Compliance Specialist

Liquor Licensing

P O Box 1712

C:

Helena MT 59604-1712

Annette Rinehart, Department of Labor & Industry

CERTIFICATE OF SERVICE

I certify that on this _______ day of _______ 2005, a true and correct copy of the foregoing has been served by placing same in the United States mail, postage prepaid, and addressed as follows:

RED LODGE CITY ATTORNEY LARRY SCHUSTER PO BOX 9 RED LODGE MT 59068

CARBON COUNTY SANITARIAN GREG MCCANN PO BOX 466 RED LODGE MT 59068

TOM KUNTZ, FIRE CHIEF & BUILDING OFFICIAL PO BOX 9 RED LODGE MT 59068

RED LODGE POLICE CHIEF ACTING CHIEF – RICHARD PRINGLE PO BOX 9 RED LODGE MT 59068

BUILDING CODES BUREAU DAVID W. COOK P O BOX 200517 HELENA MT 59620

Church ammers

State of Montana Alcoholic Beverage/Gambling Operator **Combined License Application** GAMBI ING CONTROL THE

JUN 3 0 2005

Gambling Licensing

Fee Schedules

1. Gambling Operator Licenses

Processing fee:

\$ 300 if the applicant is a nonprofit organization;

\$ 800 if the applicant is a sole proprietorship; or \$ 1,000 if the applicant is a partnership or corporation. Office Use Only

10-0200 License No.: 1014-13-324

Check No.: Fee Paid:

Additional Fees:

Refund:

Note: A new gambling operator licensee application is subject to a processing fee to cover the actual cost of conducting a background investigation to determine whether an applicant qualifies for licensure.

Based on the actual cost incurred by the Gambling Control Division in processing the license, the division will refund any overpayment of the fee or collect an amount sufficient to reimburse the division for any underpayment of actual costs. The Division will provide the applicant with an itemized accounting of expenses.

	Alcol	nolic Beverage	Office Use Only		
2. Alcoholic Beverage Licer Processing Fee: \$200 (All App	nses olications)	e Schedules	License No.: Check No.: Fee Paid:	10.01.00	
Check all appropriate boxes be 3. Liquor License Fee Liquor License	elow:		Additional Fees: Refund:		
 □ On-Premise Beer - \$200 (if □ On-Premise Beer/Wine - \$4 □ All-Beverage - \$400-\$800 (if □ depending on location and page 1 	.00 (if new) ☐ Annual f new and ☐ Seating ☐ Seating	rant Beer/Wine License Fee - \$400 of 60 or less - \$5,000 of 61 to 100 - \$10,000 of 101 or more - \$20,000	☐ All-Bevera	se ge Annual Fee - \$2,000 ge Original Licensee Fee -	
Nationally Chartered Veteral Organizations ☐ On-Premise Beer - \$50 ☐ On-Premise Beer/Wine - \$2 ☐ All-Beverage - \$250 to \$650 (depending on location and population)	ns National F □ On-Prei 250 □ On-Prei All-Bever (dependent)	National Fraternal Organizations ☐ On-Premise Beer - \$200 ☐ On-Premise Beer/Wine - \$400 ☐ All-Beverage - \$400 to \$800 (depending on location and population)		Golf Course Beer/Wine ☐ Annual License Fee - \$400 ☐ Initial Application Fee - \$20,000 (For Profit Entities only)	
4. Catering Endorsement□ Catering (\$200 beer/wine a beverage)		d Party d Party Addition - \$20 d Party Termination - \$10			

1. Gambling License Processing Fee	\$	
2. Alcoholic Beverage Processing Fee	\$ 200.00	
3. Liquor License Fee	\$	Staple Payment Here
4. Catering Endorsement Fee	\$	
5 RBW Seating Fee	\$	Make payment payable to the "Gambling Control Division"

6. Secured Party Total 200.00

Enter the amount due from the corresponding schedules above.

Check The Appropriate Boxes To Designate The Purpose Of This Application					
Alcoholic Beverage	Designate The Type Of License Of Your Application:				
☐ New Alcoholic Beverage License Application	☐ On-Premises Beer				
☑ Existing Alcoholic Beverage License; Transfer Of Ownership Ap	·				
☐ Existing Alcoholic Beverage License; Corporate Structure Ch	·				
☑ Existing Alcoholic Beverage License; Transfer Of Location Appli					
☐ Existing Alcoholic Beverage License; Death of Licensee	☐ Resort License				
Gambling					
☐ New Gambling					
(An owner of an interest in a licensed gambling operation may not transfer an interest in the operation to a stranger to the license until a new gambling license application reflecting the proposed transfer is submitted to the department approves the transfer.)					
☐ New Gambling - No Alcoholic Beverage License is Red	quired for Live Keno/Bingo.				
☐ Amended Gambling License Application – (Note: No fee	is required for this application)				
(An ownership interest in a licensed gambling operation may not be transferred to another owner or group of owners of an interest or interests in the same licensed gambling operation without submitting an amended gambling license application to the department and obtaining department approval.)					
☐ Existing Gambling License Change Among Existing	☐ Existing Gambling License Deletion of Owner(s)				
Corporate Shareholder(s)	☐ Existing Gambling Location Change Application				
☐ Existing Gambling License Change Among Existing	☐ Existing Gambling License Type Change Application				
Partners or LLC/LLP Members	Other - (Explain)				
Sect	ion I				
Generall	nformation				
	nformation RECEIVED BY				
Print Or Type	TOTIVED BY				
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Print Or Type Name of Applicant: GRAS (Sole Proprietor/Pal	SSHOPPER, INC. JUN 3 0 2005 Idnerships/Corp / L C/L P)				
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Print Or Type Name of Applicant: (Sole Proprietor/Pal Business/Trade Name: Mailing Address: (Doing be PO BOX 90 GBo: Care) Address of Premise to be Licensed: (Street, Suite RED LOC) City / State / Zip Code: RED LOC Business Phone / Cell Phone: () Fax: () Federal Tax I.D.: 20-2268379 Alcohol Beverage License Number:	SSHOPPER, INC. JUN 3 0 2005 Interships/Corp./LLC/LLP) BEARGRASS PUB Usiness as) ROSCOE MT 59071 X or Street) 224 S. BROADWAY R No., Building No.) DDGE MT S9068 TBA /(612) 802-0080 Cell Check if applied for but not yet received. 10-068-0500-301 (N/A if not applicable)				
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C.	Is the premises within any defined zones: 1. Where the sale of alcoholic beverages is prohibited by city or county ordinance? ☐ Yes ☑ No 2. Where gambling is prohibited by city or county ordinance? ☐ Yes ☑ No						
D.	Is the building ready for use for an alcoholic beverage business: ☐ Yes ☐ No 1. For a new constructed premises? ☐ Yes ☐ No If No, indicate an estimated date of occupancy 2. For remodel of existing building? ☐ Yes ☐ No If Yes, indicate an estimated date of completion						
E.	Submit a copy of the floor plan area to be licensed, using approximate dimensional measurements, including external dimensions and general layout – preferably on an 8-1/2" x 11" sheet of paper and number of tables and chairs indicated. If you are applying for a restaurant beer and wine license, be sure the floor plan has the service bar area clearly designated thereon. Note: On the floor plan you will need to clearly mark the areas where alcohol will be served, stored and						
	consumed. The floor plan must contain outside dimensions, the name of the establishment, physical address, liquor license number (if applicable) and date of submittal.						

RECEIVED BY

Section VII

Declaration and Affidavit

JUN 3 0 ZUUD GAMDLING CONTROL DIVISION

I declare under the penalties of false swearing and/or the revocation of any licenses granted pursuant hereto, that I am the applicant or duly authorized representative of the firm or corporation mailing this application and that I examined the application, including any accompanying information, and that the responses are true, correct and complete. I understand if this application or attachment(s) contains false information, I am subject to the criminal penalties of Section 45-7-202, 45-7-203 and 45-7-208, Montana Code Annotated, and/or revocation of any alcoholic beverage or gambling licenses granted pursuant to this application.

STATE OF MONTANA 10AHO)			
County of Blaine)			
Ben Mackay	of Grasshopper, In	\mathcal{L} , being duly swor	n, if for himself or	herself, deposes and
says, and that he/she is the applica	int above named; o	r that he/she is <u>fr</u>	esident	of the above
named corporation; that he/she ha	is read the foregoi	ng application and a	attachments and th	hat he/she knows the
contents thereof, and that all matte	rs and things there	in set forth are true a	and correct.	
Benjamh Sutherball Print Full Name	Mackay 1	Ser Moch Signature		3/22/2005 Date
PUBL	Personally appeared Before me a Notary F	day of Mockey and the State of Ledin or the	ay Joaho	(Notary Signature) (Print Name of Notary) Day & Four Digit Year)

This application must be completed in full, and all requested attachments must accompany it. Delay, denial or the return of the application will result if incomplete.

Additional Information May Be Required During the Investigation of Your License Application