

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3/22/21

License #/Type: 1224 Beverage Dispensary

Licensee: Hickel Investment Company

Address: 928 W. 4th Ave, Anchorage, AK

DBA: Whale's Tail

AMCO Case #: 21-0290

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You have an unreported change of officers. Details are as follows:

Change in officers: Failure to report the removal of Theodore Hickel with 10.35 % ownership.

AMCO Records Show Members and Percentage Owned:

- o Walter J Hickel Jr. owns 16.22 %
- o William Hickel owns 17.54 %
- o Jack Hickel owns 15.91 %
- o Joseph Hickel owns 17.13 %
- o Robert Hickel owns 11.16 %
- o Theodore J Hickel owns 10.35 %
- o Donald Towslee 0 %

CBPL Shows Members and Percentage Owned:

- o Walter J Hickel Jr owns 18.10 %
- o William Hickel owns 20.84 %
- o Jack Hickel owns 18.28 %
- o Joseph Hickel owns 15.70 %
- o Robert Hickel owns 13.15 %
- o Donald Towslee 0 %

Date of unreported change of officers in CBPL: 1/26/2020

Date renewal application received in our office: 12/17/2020

Your attention is referred to AS 04.11.050(a): Reports required of corporations.

Please direct all your questions regarding this notice to alcohol.licensing@alaska.gov.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

AMCO

DEC 02 2022

Hickel Investment Company

939 WEST 5TH AVENUE
ANCHORAGE, ALASKA 99501

EXECUTIVE OFFICES
PHONE (907) 343-2400
FAX (907) 343-2211
hickelinvestment@gci.net

June 7, 2021

Alcohol Marijuana Control Office
550 W 7th Ave Suite 1600
Anchorage AK 99501

RE: Liquor Licensee Hickel Investment Company Change of Officials (5652D)

2290 Crow's Nest
932 Quarterdeck
1224 Whales Tale
2290 Fletchers
742 Voyager Inn

OFFICIAL CHANGE:

Remove:

Walter J Hickel Jr as President

His status as Shareholder and Director remains unchanged.

Donald J Towslee as Secretary

His status as Treasurer is unchanged.

Add:

Donald J Towslee, President

Joseph Hickel, Secretary

Very Sincerely



Donald J Towslee

Direct: 907 343 2232

Business Phone: 907 343 2400

Email: jtowslee@captaincook.com

AMCO

DEC 02 2022

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

LIQUOR LICENSE

1224

ISSUED

02/15/2023

ABC BOARD

2023 - 2024

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2024 (AS 04.11.270(b))

TEMPORARY

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispenser

LICENSE FEE: \$2,500.00

1104

CITY / BOROUGH: Anchorage, Muni. of
Anchorage

D/B/A: Whale's Tail
939 W 5th Avenue
Mail Address:
Hickel Investment Company
939 W 5th Avenue
Anchorage, AK 99501

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 10/20/22)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

LIQUOR LICENSE

1224

ISSUED

02/15/2023

ABC BOARD

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Mailing Address:
Hickel Investment Company
939 W 5th Avenue
Anchorage, AK 99501

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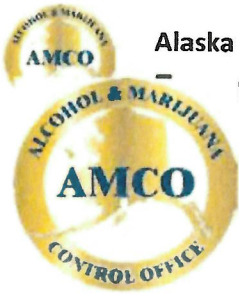
ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 5/9/22)



AB-17: 2023/2024 License Renewal Application

Alcohol and Marijuana Control Office
550 W 7th Avenue,
Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2022 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any application for renewal or any fees for renewal that have not been postmarked by 2/28/2023 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Section 1 - Establishment Contact Information

Licensee (Owner):	Hickel Investment Company	License #:	1224
License Type:	Beverage Dispensary		
Doing Business As:	Whale's Tail		
Local Governing Body:	Anchorage, Muni. of		
Community Council:	Downtown		

If your mailing address has changed, write the NEW address below:

Mailing Address:					
City:		State:		ZIP:	

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

Contact Licensee:	Donald J Towslee	Contact Phone:	907 343 2232
Contact Email:	jtowslee@captaincook.com		

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact:	Kathleen Wall	Contact Phone:	907 343 2233
Contact Email:	kwall@captaincook.com		

Section 3 - for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2022 and/or 2023?

YES NO

AMCO

DEC 02 2022



Form AB-17: 2023/2024 License Renewal Application

Section 4 – Ownership Structure Certification

YES NO

Did the ownership structure of the licensed business change in 2021/2022?

If Yes, and you have **NOT** notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application.

If No, certify the statement below by initialing the box to the right of the statement.

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2021 or 2022.

Section 5 – License Operation

Check **ONE BOX** for EACH CALENDAR YEAR that best describes how this liquor license was operated:

- | | 2021 | 2022 |
|---|-------------------------------------|-------------------------------------|
| 1. The license was operated for more than 240 hours throughout each year. (Year-round) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. The license was only operated during a specified time each year. (Not to exceed 6 months per year)
<i>If your operation dates have changed, list them below:</i>
_____ to _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.
<i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i>
<i>If you have not met the minimum number of hours of operation in 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "Other" and COVID is listed as the reason.</i> | <input type="checkbox"/> | <input type="checkbox"/> |

Section 6 - Violations and Convictions

YES NO

Have **ANY** Notices of Violation been issued for this license?

Has **ANY** person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2021 or 2022?

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.

Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license, and have provided all required documents for any new or changes of officers.

AMCO

DEC 02 2022



Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Signature of licensee: *Donald J. Towse*
 Signature of Notary Public: *Rayli Wilson*
 Printed name of licensee: DONALD J. TOWSE
 My Commission Expires Oct 23, 2023
 Notary Public in and for the State of Alaska
 My commission expires: 10-23-23

Subscribed and sworn to before me this 2nd day of November, 2022.

- Restaurant and Eating Place** applications must include a completed AB-33: Restaurant Receipts Affidavit
- Recreational Site** applications must include a completed AB-36: Recreational Site Statement
- Tourism** applications must include a completed AB-37: Tourism Statement
- Wholesale** applications must include a completed AB-25: Supplier Certification
- Common Carrier** applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:
<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

FOR OFFICE USE ONLY

License Fee:	\$ 2500	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$ 2800

#100501977

AMCO

DEC 02 2022

Details

ENTITY DETAILS

Name(s)

Type	Name
Legal Name	HICKEL INVESTMENT COMPANY

Entity Type: Business Corporation

Entity #: 5652D

Status: Good Standing

AK Formed Date: 9/10/1962

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2024

Entity Mailing Address: 939 W 5TH AVE, ANCHORAGE, AK 99501

Entity Physical Address: 939 W 5TH AVE, ANCHORAGE, AK 99501

Registered Agent

Agent Name: DONALD TOWSLEE

Registered Mailing Address: 939 W 5TH AVE, ANCHORAGE, AK 99501

Registered Physical Address: 939 W 5TH AVE, ANCHORAGE, AK 99501

Officials

Show Former

AK Entity #	Name	Titles	Owned
	DONALD TOWSLEE	Treasurer, President	
	Jack Hickel	Director, Shareholder	18.67
	Joseph Hickel	Shareholder, Director, Secretary	13.23
	ROBERT HICKEL	Shareholder	13.79
	WALTER J. HICKEL	Director, Shareholder	17.99
	WILLIAM HICKEL	Director, Shareholder	21.85


Filed Documents

Date Filed	Type	Filing	Certificate
8/03/1962	Creation Filing	Click to View	Click to View
3/18/1965	Biennial Report	Click to View	
4/06/1965	Biennial Report	Click to View	
10/20/1967	Biennial Report	Click to View	
1/08/1968	Biennial Report	Click to View	

Date Filed	Type	Filing	Certificate
4/01/1968	Biennial Report	Click to View	
1/13/1969	Biennial Report	Click to View	
5/04/1970	Merger	Click to View	
5/10/1970	Agent Change	Click to View	
4/07/1971	Agent Change	Click to View	
12/13/1971	Agent Change	Click to View	
2/10/1975	Biennial Report	Click to View	
3/14/1977	Agent Change	Click to View	
8/11/1980	Change of Officials	Click to View	
3/26/1981	Change of Officials	Click to View	
12/31/1981	Amendment	Click to View	
4/29/1982	Biennial Report	Click to View	
7/27/1982	Amendment	Click to View	
1/13/1984	Biennial Report	Click to View	
1/13/1986	Biennial Report	Click to View	
1/13/1986	Biennial Report		
1/29/1988	Biennial Report		
1/29/1988	Biennial Report	Click to View	
12/15/1989	Biennial Report	Click to View	
2/05/1990	Biennial Report		
2/04/1992	Biennial Report	Click to View	
2/17/1994	Biennial Report	Click to View	
2/05/1996	Biennial Report	Click to View	
1/05/1998	Biennial Report	Click to View	
12/29/1998	Amendment	Click to View	
6/09/1999	Amendment	Click to View	
1/31/2000	Biennial Report	Click to View	
2/06/2002	Biennial Report	Click to View	
2/02/2004	Biennial Report	Click to View	
1/30/2006	Biennial Report	Click to View	
12/27/2006	Restated (NO AMENDMENT)	Click to View	Click to View
1/25/2008	Biennial Report	Click to View	
2/06/2009	Amendment	Click to View	Click to View
2/06/2009	Change of Officials	Click to View	
2/01/2010	Biennial Report	Click to View	
8/03/2010	Survivor	Click to View	Click to View
11/14/2011	Amendment	Click to View	Click to View
1/23/2012	Biennial Report	Click to View	
3/14/2013	Change of Officials	Click to View	
2/13/2014	Biennial Report	Click to View	
1/20/2015	Change of Officials	Click to View	
3/03/2016	Biennial Report	Click to View	
5/10/2017	Agent Change	Click to View	
6/14/2017	Change of Officials	Click to View	
2/02/2018	Biennial Report	Click to View	

Date Filed	Type	Filing	Certificate
11/18/2019	Restated and Amended Articles	Click to View	Click to View
1/26/2020	Biennial Report	Click to View	
6/04/2021	Change of Officials	Click to View	
1/05/2022	Biennial Report	Click to View	
1/31/2022	Agent Change	Click to View	

[Close Details](#)

 [Print Friendly Version](#)

Department of Commerce, Community, and Economic Development
DCCED RECEIPTING

State of Alaska / Commerce / Intranet / Receipting / Receipt / #100501977

RECEIPT #100501977

Net Total: \$2,800.00

Comment:

Actions

- [Edit Receipt](#)
- [Internal Receipt](#)
- [Customer Receipt](#)
- [Email Receipt](#)

Transaction #1

Type: Check or Warrant

Received: 12/2/2022

Amount: \$2,800.00

Payer The Hotel Captain

Name: Cook

Check #: 983152

Created: 12/2/2022

Owner: soa\sfcarrrell

Close Out 18390

#:

AG #: 12366

Account Item(s)

Type	Amount	Applicant	Ref #
ALC - Renewal Application Fee	\$300.00	Whale's Tail	1224
ALC - Alcohol License Fees	\$2,500.00	Whale's Tail	1224

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

WHALE'S TALE

939 W 5TH AVE, ANCHORAGE, AK 99501

owned by

HICKEL INVESTMENT COMPANY

is licensed by the department to conduct business for the period

December 28, 2022 to December 31, 2024
for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Sande
Commissioner