



AMCC

DEC 07 2023

Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> 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: 2024/2025 General Renewal Application**

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than January 2, 2024 per AS 04.11.270, 3 AAC 305.050, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by February 28, 2024 will be expired per AS 04.11.540, 3 AAC 305.050(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the mandatory fees and all documents required, or the application will be returned without being processed, per AS 04.11.270.
- 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**

Doing Business As:	Kito's Kave Bar & Liquor	License #:	589
If your mailing address has changed, write the NEW address below:			
Mailing Address:		State:	ZIP:
City:			

**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:	Diane Otness	Contact Phone:	425-971-1652
Contact Email:	kitoskave@gci.net		

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:	Attorney Jana Weltzin and Staff	Contact Phone:	907-231-3750
Contact Email:	jana@jdw counsel.com, brenda@jdw counsel.com, randi@jdw counsel.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 2024 and/or 2025? If so, you will need to apply for a Shipping Endorsement here:  
<https://accis.license365.com/#>

YES  NO

**Section 4 - Ownership Structure Certification**

Did the ownership structure of the licensed business change in 2022/2023?

YES  NO

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 2022 or 2023.

*[Signature]*

RECEIVED  
MAR 11 2024



# Alaska Alcoholic Beverage Control Board Form AB-17: 2024/2025 License Renewal Application

## Section 5 – License Operation

Unless you operated more than 240 hours in 2022 or 2023, check ONE BOX for EACH CALENDAR YEAR that best describes how this alcoholic beverage license was operated as set forth in AS 04.11.330:

- |   | 2022                     | 2023                     |
|---|--------------------------|--------------------------|
| 1. The license was <b>only operated during a specified time</b> each year. (Not to exceed 6 months per year)<br><i>If your operation dates have changed, list them below:</i><br>_____ to _____   | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><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"/> |
| 3. 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> | <input type="checkbox"/> | <input type="checkbox"/> |

## Section 6 - Violations and Convictions

- |  | YES                                 | NO                                  |
|--|-------------------------------------|-------------------------------------|
| Have any Notices of Violation been issued for this license in 2022 or 2023?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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 2022 or 2023?<br><i>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.</i> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

## 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 305, 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.
- 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 305.700.
- 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.

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DEC 07 2023




Alaska Alcoholic Beverage Control Board

# Form AB-17: 2024/2025 License Renewal Application

Diane Otness

Printed name of licensee

  
Signature of licensee

- 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>

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FOR OFFICE USE ONLY

License Fee:	\$ 25 00	Application Fee:	\$ 300.00	Misc. Fee:	\$
				Total Fees Due:	\$ 28 00

#100736358



# 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: 11/16/22

Licensee: Kito's Kave, Inc

DBA: Kito's Kave Bar & Liquor

License #/Type: 589

Beverage Dispensary

Address: 200 Chief John Lott, Petersburg, AK 99833

AMCO Case #: AM 22-1869

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.

AMCO enforcement was advised by the Petersburg Police Department on 10/23/2022 at approximately 0020 hours Officer Ayriss conducted a bar check at Kito's Kave Bar & Liquor. During the bar check Officer Ayriss observed an individual he knew to be 18 years old, later identified as Clayten Martinsen, sitting at the bar with a bright mixed drink in front of him.

Officer Ayriss took Clayten outside and interviewed him. Clayten admitted to drinking alcohol in Kito's Kave but stated he did not know who was buying him drinks. Officer Ayriss returned to the bar and interviewed the bartenders on duty, Mara Lenz and Priscilla Chim. Lenz stated that Martinsen came in with a group consisting of Phillips, Wikan, and another individual. Lenz stated that she did not check his ID because she thought he was someone by the name File, who is over 21. Chim stated that she did not serve him, and Lenz served the group. Lenz additionally stated that Martinsen never directly ordered drinks from her and that she just made drinks for the group sitting at the bar.

Continued on 2nd page.

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. 7<sup>th</sup> Ave, Suite 1600

Anchorage, Alaska 99501

[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: S. Johnson

SIGNATURE:



Delivered VIA: Email

Received by:

SIGNATURE:

AMCO

Date:

DEC 07 2023

# Notice of Violation

(3AAC 304.525)

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

Continued...

Officer Ayriss then interviewed the Captain of the fishing vessel Clayten works on Jeb Phillips. Phillips stated that he did not purchase, provide, or bring Martinsen to the bar. Phillips stated that he knew Martinsen was in the bar with them, but it was not his establishment or responsibility to tell Martinsen to leave due to being a minor.

Clayten was cited for Consumption by a person under 21 on licensed premises and for person under 21 on licensed premises.

The above are violations of:

AS 04.16.052(2) & (3) Furnishing of alcoholic beverages to persons under the age of 21 by licensees  
AS 04.16.150 Licensee responsible for violations.

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DEC 07 2023

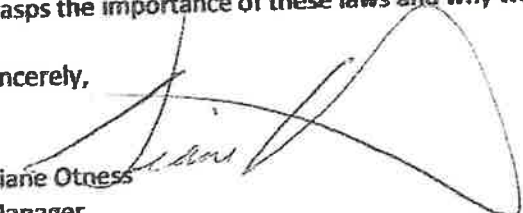
November 19, 2022

Alcohol & Marijuana Control Office  
Attn: Enforcement / Steven Johnson  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501

Dear Mr. Johnson,

Kito's Kave, Inc. understands the severity of furnishing of alcoholic beverages to persons under the age of 21. We strive hard as bar owners to convey to our bartenders and liquor store attendants the importance of making sure this does not happen. We held a staff meeting to convey to our employees that even though this is a small town where we know and trust people to tell us the truth when questioned about ID's that no valid ID means no service of any kind. We plan to hold monthly staff meetings to address AMCO rules and regulations and be sure that each and every one of our employees grasps the importance of these laws and why we need to enforce them.

Sincerely,

  
Diane Otness

Manager

Kito's Kave, Inc.

E-Mail: [kitoskave@eci.net](mailto:kitoskave@eci.net)

Phone: (907) 772-3207

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# Notice of Violation

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Date: 11/16/22

Licensee: Kito's Kave, Inc

DBA: Kito's Kave Bar & Liquor

License #/Type: 589

Beverage Dispensary

Address: 200 Chief John Lott, Petersburg, AK 99833

AMCO Case #: AM222093

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.

AMCO enforcement was advised by Petersburg Police Department of a DUI investigation occurring in the early morning hours of Sunday, October 30, 2022. During the investigation it was found the driver of the vehicle Kaddy Egen was an employee of Kito's Kave Bar & Liquor. During an interview on scene Kaddy informed arresting officer Ayriss that he had consumed a couple of beers and a couple of shots at Kito's Kave. Officer Ayriss noted this incident occurred at approximately 0500 hours and the bar closes at 0300 hours noting consumption after bar hours.

Petersburg Municipal Code 6.04.050 (B) states: It is unlawful for any licensee to sell, offer for sale, give, barter or exchange upon licensed premises any alcoholic beverages or marijuana, or to permit the consumption or removal of any alcoholic beverage or marijuana upon or from a licensed premises from 2:00 a.m. until 10:00 a.m. on weekdays, and from 3:00 a.m. until 12:00 noon on Sundays.

Therefore this is a violation of AS 04.16.010 (d) Hours of sale and presence on licensed premises (standard closing hours) and

AS 04.16.150 Licensee responsible for Violations

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.

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Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: S. Johnson

SIGNATURE: 

Delivered VIA: Email

Received by:

SIGNATURE:

Date:

AMCO

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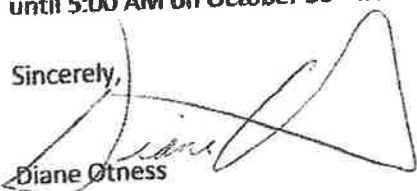
November 19, 2022

Alcohol & Marijuana Control Office  
Attn: Enforcement / Steven Johnson  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501

Dear Mr. Johnson,

In response to the violation allegation that Kito's Kave, Inc. provided alcohol to our employee Kaddy Egen after hours, we plead not guilty. Please see the attached timecard report for Kaddy Egen on the date in question. He clocked out and left the building at 02:58 AM. What Mr. Egen did from 02:59 AM until 5:00 AM on October 30<sup>th</sup> was out of our control and Kito's Kave, Inc. should not be at blame.

Sincerely,



Diane Ottness  
Manager  
Kito's Kave, Inc.

E-Mail: [kitoskave@gci.net](mailto:kitoskave@gci.net)  
Phone: (907) 772-3207

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DEC 07 2022



From: 10/16/22 Thru: 10/31/22

0023-Kaddy 8023

Liquor Store

DATE	TIME IN	TIME OUT	LCH	ADJ	REG	OT1	OT2	HOL	TOTAL
		Sun 11:30p			7.08				7.08
10/16/22		Mon 11:22p			6.05				6.05
10/17/22		Fri 01:30a E			8.00	0.30			8.30
10/20/22		Sun 05:41p			8.00		0.30		8.30
10/21/22		Sun 01:33a			7.03				7.03
10/22/22		Sun 11:50p			6.07				6.07
10/23/22		Mon 11:12p			7.25				7.25
10/24/22		Fri 12:26a			8.00	0.10			8.10
10/27/22		Fri 05:48p			8.00	1.58			9.58
10/28/22		Sun 02:58a			6.40				6.40
10/29/22		Sun 11:32p			7.00				7.00
10/30/22		Tue 12:00a E			86.88	2.28			89.17
10/31/22									
Totals: (Format: Hundredths)					86.88	2.28			89.17

0023-Kaddy 8023 Totals: (Format: Hundredths)

From: 10/16/22 Thru: 10/31/22

AMCO

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