



108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2105
Hearing Impaired: 711

MEMORANDUM

Liquor License Hearing - Friday, January 6, 2023, 1:30pm

TO: The Hearings Officer
FROM: Natalie Kiel, Business License Specialist
DATE: December 28, 2022

AGENDA ITEM 4.D: For Possible Action: To consider an appeal of the issuance of an administrative citation from M.Y Macias Gomez, LLC dba Rand Avenue Convenience Store (LIQUOR-006730-2021) located at 1800 E William St. #12 & #14, Carson City, NV 89701.

Recommendation: Deny request for an appeal of the \$100 administrative citation issued to M.Y Macias Gomez, LLC dba Rand Avenue Convenience Store with Yahaira A. Wagner as liquor manager located at 1800 E William St. #12 & #14.

Per Carson City Municipal Code (CCMC) 4.13.150, penalties may be imposed on the holder of the liquor license if the Sheriff's Office issues a criminal citation to a person at the business location. First offense administrative citations are \$100, and alcohol server training is required for all employees selling, dispensing, or serving alcohol that have not attended the training or equivalent training within the last year.

Per CCMC 4.13.150(10) a holder of a liquor license may appeal an administrative citation within 10 days of the fine being imposed. Any appeal received for a first offense citation is to be brought before the hearings officer. The hearings officer may sustain the imposing of the fine, or overturn the issuance of the administrative citation. If the hearings officer determines that the administrative citation was not issued to the proper holder of the liquor license for the establishment where the criminal violation occurred or that the holder of the liquor license met the duty required pursuant to CCMC 4.13.170, the hearing officer may overturn the issuance of the citation.

The subject request is to consider an appeal of the issuance of an administrative citation imposed upon M.Y Macias Gomez, LLC, dba Rand Avenue Convenience Store.

The Sheriff's Office issued a criminal citation to Olivia Gomez Choa on November 23, 2022 at 12:55 PM. After the Sheriff's Office notified the Business License Division of the employee's violation of the criminal statute, a first offense administrative citation for \$100 was issued to M.Y Macias Gomez, LLC dba Rand Avenue Convenience Store (LIQUOR-006730-2021) by the Business License Division. The liquor license holder was notified of the citation via Certified Mail. An appeal of the administrative citation was received by the Business License Division on December 10, 2022. The appellant also provided a surveillance video of the liquor sale that resulted in the criminal citation. The video can be viewed at <https://www.carson.org/government/city-meetings-live-broadcast-and-archives/agendas/liquor-hearing/2023-agenda-with-supporting-materials/1-6-2023-agenda-with-supporting-material>



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ADMINISTRATIVE CITATION

(Carson City Municipal Code Section 4.13.150)

Case Number: 22-7319
Business Name: M.Y MACIAS GOMEZ, LLC
Liquor-006730-2021
Business Address: 1800 E WILLIAM ST #14 & #12
Business Licensee: RAND AVENUE CONVENIENCE STORE
1800 E WILLIAM ST #12
CARSON CITY, NV 89701

In the City of Carson City, the following criminal citation was issued to **Gomez Choa, Olivia** on **November 23, 2022 at 12:55 PM** at the business address set forth above.

CCMC Section 4.13.190:1 Unlawful to serve minors.

1. It shall be unlawful for any licensee or his agent or employee to sell, serve, give away, or otherwise provide liquor to any person under the age of twenty-one (21) years or to allow or permit any person under the age of twenty-one (21) years to possess or consume liquor in or upon the licensed premises.

Administrative Citation Fine: \$100.00
Fine is due and payable: December 23, 2022
Make payment to: Carson City Business License
108 E. Proctor St.
Carson City, NV 89701

Carson City Sheriff's Department alcohol server training is required within three months of citation date for all employees selling, dispensing, or serving liquor that have not attended the training or equivalent training within the last year. A list of employees that have attended the training must be submitted to the Business License Division within 30 days of completion of the training. Please contact Partnership Carson City at 775-841-4730 x 201 for training information.

If you wish to schedule a hearing before the Carson City Hearings Officer to appeal this citation, an appeal must be submitted in writing within ten days of the date this citation. For further information contact the Carson City Business License Division at (775) 887-2105.



Carson City Business License Division

108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2105 – Hearing Impaired: 711
buslic@carson.org
www.carson.org/businesslicense

ADMINISTRATIVE CITATION APPEAL FORM

(Carson City Municipal Code Section 4.13.150)

Case Number: 22-7319

Business Name: M.Y MACIAS GOMEZ, LLC - License # Liquor-006730-2021

Business Address: 1800 E WILLIAM ST #14 & #12

Business Licensee: RAND AVENUE CONVENIENCE STORE
1800 E WILLIAM ST #12
CARSON CITY, NV 89701

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In the area provided below, give a detailed explanation as to why the administrative citation that was issued on **November 23, 2022** is being contested.

On 11/23/22 Two individuals entered the store. The male asked the cashier
Olivia Orha for a bottle of Smirnoff vodka located behind a shelf she proceeds
to retrieve the bottle. She scans the bottle. She Olivia asked the male
if he was "21" he nodded his head in a "yes" manner. She finalized
the transaction. We have provided the surveillance footage to
planning@carson.org.

Return completed form to: Carson City Business License
108 E. Proctor St.
Carson City, NV 89701

Once completed form is received, a hearing date will be scheduled to appear before the Carson City Liquor Board.

RECEIVED

DEC 01 2022

CARSON CITY