



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** September 21, 2023

Staff Contact: Hope Sullivan, Planning Manager

Agenda Title: For Possible Action: Discussion and possible action (1) regarding a proposed Order to Appear and Show Cause why Business License BL-005136-2020 issued to Remedys Bar LLC, dba Remedys, located at 306 East William Street, Carson City, Nevada should not be suspended, cancelled or revoked pursuant to Carson City Municipal Code ("CCMC") 4.04.210(1) for continued operation of the business in violation of the CCMC, (2) to fix the time and place for the show cause hearing, and (3) to direct staff to serve notice of the Order to Appear and Show Cause. (Hope Sullivan, hsullivan@carson.org)

Staff Summary: Remedys is a bar that serves alcoholic beverages. The business does not currently have a liquor manager as required by CCMC. CCMC 4.04.210 establishes the process for suspending, canceling or revoking a business license based on "good cause," which includes the "commission of, or permitting of any act in the operation of the business which act is made unlawful or is prohibited by any ordinance, rule or law of Carson City, or state or federal government."

Agenda Action: Formal Action / Motion **Time Requested:** 15 minutes

Proposed Motion

I move to authorize the Mayor to sign the Order to Appear and Show Cause as presented which schedules the show cause hearing for October 19, 2023, at 9:00 a.m., and to direct staff to serve the Order and notice of the Order.

Board's Strategic Goal

Quality of Life

Previous Action

N/A

Background/Issues & Analysis

On July 7, 2023, City staff with the Business License Division of the Community Development Department ("Department") spoke to Breonna Shaw, liquor manager for Remedys, to verify she was still occupying the position of liquor manager for the business. Ms. Shaw advised she no longer worked for the business and requested to be removed as a contact.

On July 26, 2023, Department staff sent a letter, via both certified mail and first-class mail, to business owner Michelle Rodriguez advising that because the approved liquor manager Breonna Shaw no longer worked for the business, an application for a new liquor manager should be submitted as soon as possible.

On August 3, 2023, a person who identified herself as the new business owner visited the counter at the Business License Division of the Department and obtained both a business license application and a liquor

license application. The person advised that she would complete the applications and return the next day. To date, this person has not submitted any paperwork.

According to records of the Secretary of State's Office, the managing member of Remedys Bar LLC is Michelle Rodriguez and the entity status is "default."

CCMC 4.13.060 addresses the application requirements for a liquor license. The application is required to include "the name and address of the person or persons to whom the liquor license will be issued and the name of any additional natural person who will serve as the liquor manager." Additionally, the application must "include a sworn affidavit signed by the person listed as the liquor manager which states that all employees serving and/or selling liquor will complete a server training course acceptable to the Sheriff's Office within one hundred twenty days of obtaining a license."

CCMC Chapter 4.04 (Business Licenses), Section 4.04.210 (Suspension, cancellation or revocation of licenses or permits) establishes the circumstances and process for suspending, canceling or revoking a business license. "Good cause" for such an action includes "any act in the operation of the business [that] is made unlawful or is prohibited by any ordinance, law or rule of Carson City." In accordance with CCMC 4.04.210, the procedure provides that the Board of Supervisors "may, on its own motion or initiative, . . . institute proceedings to suspend, cancel or revoke a license. . . ." The required process is as follows:

1. The Board of Supervisors, by motion, directs staff to serve notice of an order to the business owner to appear before the Board for a show cause hearing set by the Board.
2. The Board of Supervisors conducts a "show-cause" hearing to provide the business the opportunity to show cause why the license should not be suspended, canceled or revoked.

Subject business information:

Business Name: Remedys Bar LLC

Business Address: 306 East Williams Street, Carson City, Nevada

Business License No: BL-005136-2020

Staff finds that Remedys Bar LLC is operating in violation of CCMC 4.13: Liquor Board and Liquor Licensing and Sales Generally.

Applicable Statute, Code, Policy, Rule or Regulation

CCMC 4.04.210 and CCMC Chapter 4.13

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: General Fund Business Licenses/1011080-421100

Is it currently budgeted? Yes

Explanation of Fiscal Impact: \$107.60 is budgeted to Business Licenses/1011080-421100. If the business license is revoked, the City will forgo this revenue. The City would also lose any sales taxes generated by the business.

Alternatives

1. Do not initiate show cause proceedings.
2. Initiate show cause proceedings but fix a different date and time for the hearing.

Attachments:

[Remedy's Business License.pdf](#)

[Letter to Michelle Rodrigues dated July 26, 2023.pdf](#)

[Order_to_Appear_and_Show_Cause_clean \(updated 9.11\).docx](#)

Board Action Taken:

Motion: _____ 1) _____
2) _____

Aye/Nay

(Vote Recorded By)