



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

May 10, 2017

Maurice L. Anderson, Director
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Phone: 530 251-8269
Fax: 530 251-8373
email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

TO: Board of Supervisors
Agenda Date: May 16, 2017

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

SUBJECT: Consideration of Liquor License Approval for Shell Gas Station in Doyle, CA.

ACTION REQUESTED:

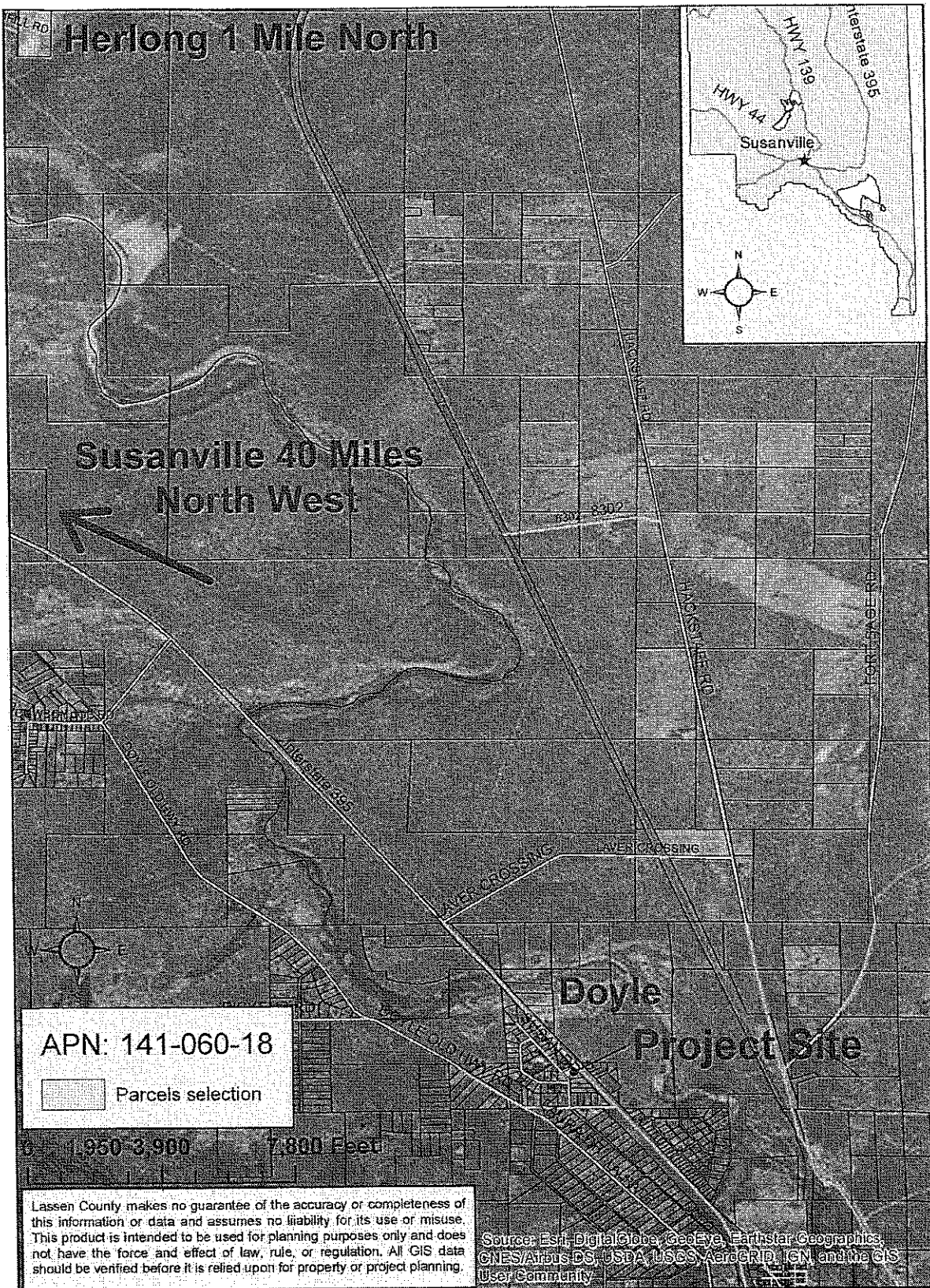
1. Adopt resolution; and/or
2. Provide direction to staff

SUMMARY:

The intent of this Board letter and attached resolution is to allow the Board of Supervisors to determine if the "public convenience or necessity" would be served by the sale of liquor at the Doyle Shell Gas Station (745-750 Rachel Drive, Doyle CA 96109). An application has been submitted to the California Department of Alcoholic Beverages Control (ABC) for a license to sell liquor at this location. Before said license can be issued by the ABC, the Board must determine that "public convenience and necessity is served" by the issuance of the license.

MLA:km
Attachment

Shell Gas Station, Doyle CA APN: 141-060-18



RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA

WHEREAS, sale of liquor at convenience stores throughout California is a highly regulated affair administered by the California Department of Alcoholic Beverage Control (ABC); and

WHEREAS, prior to being legally able to sell liquor at a convenience store one must apply to and be approved for licensure by the ABC; and

WHEREAS, there are limitations imposed by law on how many licenses may be issued by the ABC dependent on population, crime statistics, ect; and

WHEREAS, application has been made to the ABC to open for an "off-sale" liquor at the Shell Gas Station located at 745-750 Rachel Drive, Doyle California (Assessor's Parcel Number 141-060-18-11); and

WHEREAS, the parcel on which the Doyle Gas Station is located is zoned A-1 (General Agriculture District) and;

WHEREAS, according to assessor and planning department records, the Shell Gas Station was established in 1983 and therefore is not subject to the Ordinance 467-J § 2 requirement that a use permit first be secured for the use; and

WHEREAS, ABC has notified the applicant that licensure may not be granted unless the applicant complies with Business Professions Code section 23817.7(a); and

WHEREAS, Business Professions Code 23817.7(a)(3) requires that no such license may be granted unless "the local governing body of the area in which the applicant premises are located...determines that public convenience or necessity would be served by the issuance."

NOW, THEREFORE, IT BE RESOLVED THAT the Lassen County Board of Supervisors has considered the application of Baba Ram Ji Corporation and hereby determines that public convenience and necessity would be served by the sale of, among other things, liquor at the Doyle Shell Gas Station.

Resolution _____

The foregoing resolution was adopted at a regular meeting of the Lassen County Board of Supervisors of the County of Lassen, State of California, held on the _____th day of _____, 20____ by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman of the Board of Supervisors
County of Lassen, State of California

ATTEST:
JULIE BUSTAMANTE, Clerk of the Board

BY _____
MICHELE J. YDERRAGA, Deputy Clerk of the Board

RESOLUTION NO. _____

I, MICHELE J. YDERRAGA, Deputy Clerk of the Board, of The Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the _____ day of _____, 20____.

Deputy Clerk of the County of Lassen
Board of Supervisors

RECEIVED

APR 20 2017

Lassen County Department of
Planning and Building Services

Doyle Payless Shell

Fax

To:	County Planning Department	From:	Sunny Singh
Fax:	530-251-8373	Pages:	11
Phone:	530-251-8269	Date:	04/24/2017
Re:	Liquor License Approval for Business		
cc:			
<input checked="" type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

Comments:

Hello,

We are looking to get an approval to carry liquor in our business which is a Shell Gas Station located in Doyle, CA (745-750 Rachel Dr. Doyle, CA 96109). Part of the approval process is to take a section of the form we have received to the planning department for approval. Per my conversation with a representative, I am faxing all the paperwork for a preliminary review. The part that must be completed and approved by the planning department can be found on "Section 23958.4 Part 3". Please let me know if you have any questions or concerns. You can reach me via email Amandeep5@sbcglobal.net or phone 775-240-3686. And if needed, I'll be happy to arrange a time to come by the office for approval.

Department of Alcoholic Beverage Control
INVESTIGATION CHECKLIST

State of California
www.abc.ca.gov

Instructions to Applicant(s):

Thank you for filing your application. The application will be assigned to a representative for investigation. After the application is initially reviewed, the representative will notify you if additional information is necessary for the investigation. ***Failure to respond to the requests for additional information will be considered an abandonment of the application and it will be administratively withdrawn.*** The items needed for our investigation are check below. Please furnish them to this office as soon as possible to avoid delays or denial of your application. When completing forms, print in ink or type. For questions or help, please call and ask to speak with your assigned investigator or licensing representative at (530) 224-4830.

DATE: <u>April 7, 2017</u>
LICENSE TYPE & NUMBER: <u>21-580305</u>

- ☒ Post your premises with Form ABC-207, Public Notice...(white poster), or ABC-207B, Public Notice...(yellow poster). Your 30-day statutory waiting period begins when you post the notice. Make sure to date the notice.
- ☒ ABC-298, Affidavit of Posting - Sign, date and return.
- ☐ ABC-207-A, Notice of Application - Publish one time in a newspaper of general circulation in the city where the licensed premises will be located. If none, publish in a newspaper of general circulation in the city nearest the premises.
- ☐ ABC-207-C, Notice of Application to Sell Alcoholic Beverages - Publish once a week for three consecutive weeks. Publish in a newspaper of general circulation in the city where the licensed premises will be located. If none, publish in a newspaper of general circulation in the city nearest the premises.
- ☐ ABC-207-D, Notice of Application for Change in Ownership of Alcoholic Beverage License - Publish one time in a newspaper of general circulation in the city where the licensed premises will be located. If none, publish in a newspaper of general circulation in the city nearest the premises.
- ☒ ABC-528, Instructions to Applicants...Section 23985.5, 500' aw.
- ☒ ABC-207-E, Notice of Intention to Engage in the Sale of Alcoholic Beverages - Mail to certain addresses within 500' of the premises. Follow instructions on Form ABC-528.
- ☒ ABC-207-F, Declaration of Service by Mail (Section 23985.5 500 law). Complete, sign, date and return to ABC with a copy of the ABC-207-E.
- ☐ Copy of Conditional Use Permit - Obtain from your city or county planning department.
- ☒ ABC-208-A/B, Individual Personal/Financial Affidavit - The following person(s) must complete the form:

Manga Singh
- ☐ LiveScan (fingerprints) for the following person(s) - Please provide second copy of BCII 8016 signed by Live Scan operator:
- ☐ Re-record and provide certified copy of ABC-227 or ABC-227-A, Notice of Intended Transfer, to include corrections:
- ☐ ABC-245, Information and Instructions re: Section 23958.4 (Public Convenience or Necessity).
- ☐ ABC-282, Declaration re Temporary Permit - Required if applicant is not available to sign ABC-280, Temporary Retail Permit.
- ☐ ABC-283, Information Concerning Temporary Permit - Information only, please read.

INVESTIGATION CHECKLIST (Cont.)

☐ Copy of Menu

☐ Food Lessee Agreement

☐ Agreement:

☐ Manager

☐ Franchise

Non-retail applicant: Contact U.S. Department of Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB), to find out if a

☐ Federal Basic permit is needed (ABC may also need a copy). Contact TTB at National Revenue Center, 550 Main St, Cincinnati, OH 45202-3263, Phone: (800) 398-2282. Website: www.ttb.gov.

Non-retail applicant: Contact ABC Headquarters, (916) 419 2571, concerning the need for: Malt Beverage price Schedule (ABC-701), Territorial Agreements, Label Approval Application (ABC-412), Certificate of Compliance (ABC-578 and ABC-410), and Out-of-State Distilled Spirits Shipper's Certificate (ABC-413 and ABC-414)

☐ Non-retail applicants, except Types 06, 08, 14, 16, 17, 27 and 29, will be contacted directly by the California Board of Equalization, Excise Tax Division, concerning registration requirements for excise tax due on alcoholic beverages.

Retail applicant: Contact U.S. Department of Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB), (877) 882-3277, about the Special Tax Registration; ATF-5630.6, Annual Tax Registration and Return; ATF-5170.2, Liquor Laws and Regulations for Retail Dealers. Website: www.ttb.gov.

☐ Petition for Conditional License - ABC-172.

☐ ABC-203, Acknowledgement of ABC Laws, Rules or Regulations.

☐ Rule 60(j) or (l) affidavit.

☒ ABC-226, Statement re: Consideration Deposited in Escrow. Escrow holder must sign and mail to ABC.

Date mailed to escrow holder:

☒ You may need to provide verification (proof) of the source of your funds (e.g., bank statements, savings passbooks, loan papers, real estate papers, financial statement, gift/loan letters, etc.).

☒ Sign & return ABC-231 to surrender license 20-435274 when the type 21 issues

☐

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State of California
RECEIPT FOR PAYMENT

Department of Alcoholic Beverage Control

Paid For: BABA RAM JI CORPORATION	Received: April 7, 2017
Received at: REDDING DISTRICT Office	Receipt No: 2421305
	Total Amount: \$1,932.00

Payment Method	ID#	Amount	Paid By
BUSINESS CHECK	15200	\$1,932.00	DOYLE PAYLESS SHELL

Accounting Comment:

Detail Transaction	Job #	Dup	Unit Cost	Quantity	Amount Paid
21 - PERA	580305-170407	0			\$1,250.00
21 - ANNA	580305-170407	0			\$582.00
21 - PRM	580305-170407	0			\$100.00

BY: 

ABC-42 (01/01)

Page 1 of 1

Department of Alcoholic Beverage Control
AFFIDAVIT OF POSTING
ARC 293

State of California

Posting should be accomplished within 5 days from the date of application.

Investigation cannot progress until this completed form, Affidavit of Posting, has been received by this office.

Date of Filing Application: April 7, 2017

Name of Applicant(s): BABA RAM JI CORPORATION

Address of Premises: 745-750 RACHEL DR
DOYLE, CA 96109

License(s) Applied for: 21 - Off-Sale General

I hereby certify under penalty of perjury that pursuant to the provisions of Section 23985 of the Alcoholic Beverage Control Act and Rule 109, Title 4, Chapter 1, California Code of Regulations, after filing an application to engage in the sale of alcoholic beverages at the above-designated premises, I did date the posting notice and on said date did post the notice in a conspicuous place on the premises and said notice shall remain posted for a period of at least 30 consecutive days.

NOTICE DATED AND POSTING: _____

SIGNATURE OF APPLICANT: B. Ram Ji

DATE _____

Please return within five (5) days to:

Department of Alcoholic Beverage Control
1900 CHURN CREEK RD
STE 215
REDDING, CA 96002
(530) 224-4830

Section 23985 and Rule 109.

Section 23985. POSTING NOTICE. After filing an application to engage in the sale of any alcoholic beverage at any premises, notice of intention to so commence shall be posted in a conspicuous place at the entrance to the premises. The applicant shall notify the department of the date when such notice is first posted. No License shall be issued for the premises until the notice has been so posted for at least 30 consecutive days. The notice shall be in such form as the department shall prescribe.

Notice of the application for a license pursuant to Section 24044 shall be posted at the proposed premises after the application is filed and shall remain so posted for at least 30 consecutive days. The applicant shall notify the department of the date when such notice is first posted.

Rule 109. POSTING NOTICE. After filing an application to sell alcoholic beverages at any premises, the applicant shall post on the proposed premises notice of intention to sell alcoholic beverages. The notice shall be at least two feet in length and fourteen inches in width. This notice shall be posted in a conspicuous place which can be readily observed by ordinary passersby at or near the entrance to the premises. In the case of a vacant lot, posting shall be on a post or stake of permanent material, at the midpoint of the largest boundary fronting on a public thoroughfare at a point not more than ten (10) feet from the sidewalk, or roadway in the absence of any sidewalk. This notice must be mounted upon heavy cardboard or wood backing affixed to the post or stake so as to be readily visible from the sidewalk or roadway.

The notice shall remain posted for at least 30 consecutive days.

Department of Alcoholic Beverage Control
**INSTRUCTIONS TO APPLICANTS RE:
SECTION 23985.5 B&P CODE**

State of California
Edmund G. Brown Jr., Governor

To the Applicant:

Section 23985.5 of the Business and Professions Code requires that you mail notice of your ABC license application to every resident and, in some cases, to every *owner* of real property¹ within a 500-foot radius of your proposed premises. *Form ABC-207-E is the notice.* You must mail the notice as soon as possible to avoid a delay in your license application. A delay could result because the 30-day protest period begins when you post your premises or mail the notice, whichever is later.

Please follow these steps:

Step 1: Measure - Measure the 500-foot radius by straight line from the closest exterior wall of your premises to the other structure(s). You may use a scaled geographical tract map maintained by the city or county for determining the airline distance.

Step 2: Gather Names and Addresses - Gather the addresses of all *residents* of real property within the 500-foot radius. Also gather names of property *owners* within the 500-radius *if your local jurisdiction will provide, free of charge, a list of the names and addresses of the real property owners.*

Step 3: Mail the Form ABC-207-E Notice - Photocopy Form ABC-207-E as needed. Put each in an envelope with proper postage, address, and mail to the residents and, if applicable, property owners within a 500-radius.

Step 4: Complete Form ABC-207-F, Declaration of Service By Mail - Complete Form ABC-207-F. Attach Form ABC-207-E. Return both to the ABC District Office as soon as possible.

Business and Professions (B&P) Code
<p>23985.5. 500 foot notification. (a) Notwithstanding any other provision of this article, in any instance affecting the issuance of any retail license at a premises that is not currently licensed or for a different retail license, the department shall require that the applicant mail notification of the application to every resident and owner of real property within a 500-foot radius of the premises for which the license is to be issued.</p> <p>(b) The department shall require the applicant to provide notification to the owners of real property, as required in subdivision (a), only if the local jurisdiction in which the license is to be issued provides, free of charge, a list of the names and addresses of the owners to the applicant.</p> <p>(c) For the notification required by subdivision (a), the department shall develop bilingual notices in English and Spanish. The notice shall include information on how to obtain the notice information in a minimum of three of the predominant languages other than English or Spanish in the state, according to the most recent United States decennial or special census information.</p> <p>24013. Protests. (a) Protests may be filed at any office of the department at any time within 30 days from the first date of posting the notice of intention to engage in the sale of alcoholic beverages at the premises, or within 30 days of the mailing of the notification pursuant to Section 23985.5, whichever is later. . .</p>

¹ "Real property" is defined as land and anything growing on, attached to, or erected on it. Real property does not include anything that may be severed without injury to the land.

² As a courtesy, the department provides the notice not only in English and Spanish, but also Korean, Chinese, Vietnamese and Arabic. All six languages are contained on one form (Form ABC-207-E).

NOTICE OF INTENTION TO ENGAGE IN THE SALE OF ALCOHOLIC BEVERAGES

ABC-207-E (9/05)

To the Resident or Owner of Real Property Within a 500' Radius:

The applicant(s) for an alcoholic beverage license must mail this notice to every resident of real property within a 500 foot radius of the premises (Section 23985.5 of the Business and Professions Code). The applicant must mail this notice within 15 days of posting the premises. Any protest against the issuance of the license(s) must be received at any office of the Department of Alcoholic Beverage Control (ABC) or Departmental Headquarters within 30 days of the date the premises are posted, or within 30 days of the mailing of this notification, whichever is later. To obtain a copy of the protest form, ABC-510-A, please contact your local ABC office or go online to www.abc.ca.gov.

Date of Mailing: _____ Date Premises Posted: _____

The below-named applicant(s) has applied for a license to sell alcoholic beverages at:

745-750 Rachel Dr.Dovle, CA 98109

Type of license(s) applied for:

Off-Sale General

The name(s) of the applicant(s) is/are:

Baba Ram Ji Corporation

The dba (doing business as) is (if known):

Doyle Payless Shell

Further information regarding this application or filing a protest may be obtained at:

Department of Alcoholic Beverage Control

1900 Churn Creek Rd., Ste 215

Redding, CA 96002

(530) 224-4830

Los residentes o dueños que no hablen inglés por favor vean al reverso para mayor información.

非英語語系の居民或所有人・請參見背面資訊。

영어 구사 불가능 주민/소유주는 내음 확인을 위해 뒤면을 참조하십시오.

Cư dân/sở hữu chủ nào không nói tiếng Anh, xin xem mặt sau để biết chi tiết.

المقيمين/المالكين الذين لا يتكلمون اللغة الإنكليزية، رجاء مراجعة الصفحة الخلفية للحصول على المعلومات.

NOTICE OF INTENTION TO ENGAGE IN THE SALE OF ALCOHOLIC BEVERAGES

ABC-207-E (0105) Reverse

El solicitante de una licencia para bebidas alcohólicas debe enviar este aviso por correo a todos los residentes de bienes inmuebles en un radio de 500 pies del establecimiento (Sección 23985.5 del Código de Negocios y Profesiones). El solicitante debe enviar este aviso antes de 15 días a partir del registro del establecimiento. Toda protesta en contra de la expedición de la(s) licencia(s) debe ser recibida en cualquier oficina del Departamento de Control de Bebidas Alcohólicas (ABC) o en la Oficina Central del Departamento hasta 30 días a partir del registro del establecimiento o hasta 30 días a partir de haber enviado por correo esta notificación, la que sea fecha posterior. Para obtener un formulario de protesta, ABC-510-A, favor de comunicarse a la oficina del ABC de su localidad o conéctese por Internet en www.abc.ca.gov. Si requiere ayuda, haga el favor de comunicarse a la oficina del ABC que se menciona en la parte inferior de este formulario.

酒精飲料執照的申請人必須將本通知郵寄給在其營業場地半徑 500 呎範圍內設有不動產的每一位居民 (營業與職業法第 23985.5 條)。申請人必須在公告營業場地的 15 天內寄出本通知。如對執照的發放有任何反對意見，必須於公告營業場地的 30 天內或是寄出此通知的 30 天內 (以兩者中較晚的日期為準)，寄達酒精飲料管理局 (ABC) 的任意辦公室或總局。如需反對意見表 ABC-510-A，請與當地 ABC 辦公室聯絡，或造訪 www.abc.ca.gov。如果您需要協助，請與本意見表底部所列的 ABC 辦公室聯絡。

주류취급면허 신청자는 점포 소지 반경 500 푸트 내의 모든 부동산 거주민에게 본 통지서를 우송해야 합니다 (전문직업법 제23985.5항). 신청자는 점포 공고 15일 이내에 본 통지서를 우송해야 합니다. 해당 면허 발행에 대한 이의는 점포 공고 30일 이내 또는 본 통지서 우송 30일 이내 중 늦은 기간 안에 주류관리부(ABC)의 모든 사무소 또는 주류관리본부에 접수되어야 합니다. 이의 제기 양식 ABC-510-A 사본을 받으려면 해당 지역 ABC 사무소에 연락하거나 www.abc.ca.gov를 방문하십시오. 도움이 필요하신 경우, 본 양식 하단에 나열되어 있는 ABC 사무소에 연락하십시오.

(Những) người đang xin giấy phép bán thức uống có rượu phải gửi thông báo này cho mỗi cư dân tại các bất động sản tọa lạc trong phạm vi bán kính 500 feet từ nơi bán (Đoạn 23985.5 Bộ Luật Thương Nghiệp và Nghề Nghiệp). Đơn đăng phải gửi thông báo này trong vòng 15 ngày sau khi công bố địa điểm. Bất cứ trường hợp nào phản đối việc cấp (các) giấy phép đều phải nộp cho bất cứ văn phòng nào của Bộ Kiểm Soát Thức Uống Có Rượu (ABC) hoặc Trụ Sở của Bộ trong vòng 30 ngày sau ngày công bố địa điểm, hoặc trong vòng 30 ngày sau khi gửi thông báo này, tùy theo trường hợp nào xảy ra sau. Muốn xin mẫu phản đối, ABC-510-A, xin liên lạc với văn phòng ABC tại địa phương quý vị hoặc trên mạng tại www.abc.ca.gov. Xin liên lạc với văn phòng ABC ghi ở cuối mẫu này nếu quý vị cần được giúp.

على المتقدم/المتقدمين برخصة لبيع المشروبات الكحولية إرسال هذا الإشعار لكل صاحب ملك على بعد ٥٠٠ قدم حول المحل (الجزء 23985.5 من قانون المحلات التجارية والمهنية). على المتقدم بالطلب إرسال هذا الإشعار خلال ١٥ يوما من عرضه في المحل. يجب استلام أي احتجاج ضد إصدار الرخصة/الرخص من قبل أي مكتب تابع لإدارة مراقبة المشروبات الكحولية (Alcoholic Beverage Control) أو المقر الرئيسي الإداري خلال ٣٠ يوما من تاريخ عرض الإشعار في المحل التجاري، أو خلال ٣٠ يوما من إرسال هذا الإشعار بالبريد، أيهما حدث لاحقا. للحصول على نسخة من نموذج الاحتجاج، ABC-510-A، يرجى الاتصال بمكتب مراقبة المشروبات الكحولية المحلي أو عن طريق الموقع الإلكتروني على الإنترنت www.abc.ca.gov. يرجى الاتصال بمكتب مراقبة المشروبات الكحولية المحلي المبين في أسفل هذا النموذج إذا احتجت للمساعدة.

DECLARATION OF SERVICE BY MAIL

ABC 207E

Complete this form, attach the original Form ABC-207E and return to ABC office listed below.
Refer to Instructions, Form ABC-528, for more information.

ABC District Office:

Department of Alcoholic Beverage Control
1900 CHURN CREEK RD
STE 215
REDDING, CA 96002
(530) 224-4830

Applicant(s) Name(s):

BABA RAM JI CORPORATION

Premises Address:

745-750 RACHEL DR
DOYLE, CA 96109

I, _____, do hereby declare that on _____, I served by mail upon each ☐ Resident of real property ☐ owner of real property within a 500-foot radius of the above-designated premises, by depositing in the United States Mail, with postage fully prepaid, a sealed envelope containing a true copy of the Notice of Intention to Engage in the Sale of Alcoholic Beverages (ABC-207E), a copy of which is attached hereto, giving the name(s) of the applicant(s), the type(s) of license(s) applied for, the address of the premises where the business is to be conducted, addressed to the resident/occupant for each of the following addresses (If more space is needed, use reverse or attach a separate sheet):

ADDRESS

CITY

ZIP CODE

☐ Continued on reverse or on attachment

I declare under the penalty of perjury that the foregoing is true and correct.

Executed at _____, California, this _____ day of _____, 20____

Balinder Kaur
Signature

STATEMENT RE CONSIDERATION
DEPOSITED IN ESCROW

TRANSFEROR YOUNG, MICHAEL RAYMOND TRANSFEROR'S LICENSE NUMBER 553999

SECTION I: APPLICANT'S STATEMENT THAT CONSIDERATION HAS BEEN DEPOSITED IN ESCROW

ESCROW HOLDER NAME AND ADDRESS

CAPITAL TRUST ESCROW

280 S BEVERLY DR

#300

BEVERLY HILLS, CA 90212

APPLICANT NAME AND PREMISES ADDRESS

BABA RAMJI CORPORATION

745-750 RACHEL DR

DOYLE, CA 96109

The above designed applicant states that he is the intended transferee of a retail license, and submits the following statement pursuant to the provisions of Section 24074.3 of the Alcoholic Beverage Control Act:

I hereby state that the purchase price or consideration, as set forth in the escrow agreement required by Section 24074 of the Alcoholic Beverage Control Act is deposited with the escrow holder named above.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed at _____, California,

APPLICANT'S SIGNATURE

X *Brandon Kow*

Applicant(s) hereby instruct(s) the escrow holder to transmit this statement to the Department of Alcoholic Beverage Control when the escrow holder executes Section II of this document. At that time a copy must also be sent to the transferor.

SECTION II: ESCROW HOLDER'S NOTIFICATION TO THE DEPARTMENT THAT LICENSE MAY TRANSFER

To the Department of Alcoholic Beverage Control:

In connection with the transfer of the Alcoholic Beverage license described above, please be advised that the total consideration set forth in the recorded notice has been deposited in escrow and that all cash required by the escrow instructions to be deposited prior to the close of escrow has in fact been deposited, and/or the escrow has the unconditional written assurance of a responsible lender that funds will be deposited in escrow forthwith upon issuance of license.

Escrow holder certifies that disbursement of the consideration provided for in escrow instructions will not establish a preference for any creditor of the transferor except as provided for by Section 24074 of the Alcoholic Beverage Control Act.

ESCROW HOLDER: Mail original and two copies to:

Department of Alcoholic Beverage Control
1900 CHURN CREEK RD
STE 215
REDDING, CA 96002
(530) 224-4830

ESCROW HOLDER SIGNATURE

X

ESCROW NUMBER

DATE SIGNED

SECTION III: DEPARTMENT'S NOTICE TO ESCROW HOLDER THAT LICENSE HAS TRANSFERRED

(For Department use only)

LICENSE NUMBER

DATE SIGNED

This notice, submitted in fulfillment of the provisions of Section 24074 of the Alcoholic Beverage Control Act will serve to confirm that the transferor's license was transferred as shown above.

LICENSING SUPERVISOR SIGNATURE (Department of Alcoholic Beverage Control)

X

ABC-226

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

Baba Ramji Corporation

2. PREMISES ADDRESS (Street number and name, city, zip code)

145-150 Rachel Dr. Dayle, CA 90709

3. LICENSE TYPE

21

4. TYPE OF BUSINESS

Full Service Restaurant

Hofbrau/Cafeteria

Cocktail Lounge

Private Club

Deli or Specialty Restaurant

Comedy Club

Night Club

Veterans Club

Cafe/Coffee Shop

Brew Pub

Tavern: Beer

Fraternal Club

Bed & Breakfast

Theater

Tavern: Beer & Wine

Wine Tasting Room

Wine only

All

Supermarket

Membership Store

☒ Service Station

Swap Meet/Flea Market

Liquor Store

Department Store

Convenience Market

Drive-In Dairy

Drug/Variety Store

Florist/Gift Shop

Convenience Market w/Gasoline

Other - describe:

5. COUNTY POPULATION

30,180

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale

Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1:751

On-Sale

☒ Off-Sale

8. CENSUS TRACT NUMBER

406.00

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

5

On-Sale

☒ Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

5

On-Sale

☒ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

☒ Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

☒ Yes (Go to Item #13)☒ No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

Yes, the total number of offenses in the reporting district equals or exceeds the total number in Item #17

No, the total number of offenses in the reporting district is lower than the total number in Item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both Item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license; an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY
PREPARED BY (Name of Department Employee)

ABC-245 (rev. 01-11)

LICENSE ACTION REQUEST*Read instructions on reverse before completing.***SECTION 1**

1. LICENSEE'S NAME KAUR, BALJINDER	2. LICENSE NUMBER 20-435274
3. DOING BUSINESS AS (DBA) DOYLE PAYLESS SHELL	4. DISTRICT OFFICE REDDING
5. PREMISES ADDRESS 745-750 RACHEL DR, DOYLE, CA 96109	6. LICENSE ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No
7. MAILING ADDRESS PO BOX 668, DOYLE, CA 96109	

SECTION 2**CANCELLATION**

I voluntarily cancel my license because I am no longer in business. I understand my license cannot be reactivated or reinstated.

8. CANCELLATION EFFECTIVE <input type="checkbox"/> Immediately <input type="checkbox"/> Upon issuance of <input type="checkbox"/> Other			
9. LICENSEE'S SIGNATURE/PRINT NAME	10. CONTACT PHONE NUMBER	11. DATE BUSINESS CLOSED	12. DATE SIGNED

SECTION 3**SURRENDER - Rule 65**

I voluntarily surrender my license for a period of not more than one year. I intend to ☐ Transfer ☐ Reactivate the license. I understand that (a) the license must be renewed at the time renewal fees are due or the license will be automatically canceled; (b) the Department will proceed to cancel my license after one year if not transferred or reactivated; and (c) I must report any change in my mailing address to the Department.

13. SURRENDER EFFECTIVE <input type="checkbox"/> Immediately <input checked="" type="checkbox"/> Upon issuance of 21-580305	<input type="checkbox"/> Surrender by Dept.	<input type="checkbox"/> Premises abandoned
14. LICENSEE'S SIGNATURE	15. CONTACT PHONE NUMBER	16. DATE BUSINESS CLOSED
		17. DATE SIGNED

SECTION 4**SURRENDER OF PRIVILEGES FOR A SPECIAL EVENT**

18. SPECIFIC ROOM OR AREA WHERE PRIVILEGES ARE TO BE SURRENDERED		
19. DATE TO BE SURRENDERED	20. PERIOD OF SURRENDER (Starting and ending times) AM / PM to AM / PM	
21. LICENSEE'S SIGNATURE	22. CONTACT PHONE NUMBER	23. DATE SIGNED

SECTION 5**REQUEST FOR RETURN OF SURRENDERED LICENSE**

I request the return of the surrendered license described above.

I declare under penalty of perjury that there has been no change in ownership of the licensed business, and the premises possess the same qualifications required for the original issuance of the license.

24. LICENSEE'S SIGNATURE	25. CONTACT PHONE NUMBER	26. DATE LICENSE NEEDED	27. DATE SIGNED
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ABC USE ONLY

<input type="checkbox"/> Letter attached requesting surrender, cancellation or return	DATE LICENSE MAILED BY HEADQUARTER OR RETURNED BY DISTRICT OFFICE
<input type="checkbox"/> Accusation pending (Send copy of ABC-231 for cancellations to HQ H&L if accusation pending.)	

Distribution:

Section 2: Original to HQ Lic; copy to District file
Section 4: Original to District file

Section 3: Original to HQ Lic; copy to District file; copy to suspense file
Section 5: Original to HQ Lic; copy of District file

ABC-231 (10/08)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do not proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☐ Yes

☐ No

☐ See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

ABC-245 REVERSE (rev. 01-11)



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23817.4. The Legislature finds and declares that the public welfare and morals require that there be a limitation on the number of premises licensed for the off sale of beer and wine.

(*Added by Stats. 1997, Ch. 564, Sec. 1. Effective January 1, 1998.*)



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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25702] (*Division 9 added by Stats. 1953, Ch. 152.*)

CHAPTER 5. Restrictions on Issuance of Licenses [23770 - 23827] (*Chapter 5 added by Stats. 1953, Ch. 152.*)

ARTICLE 2. Limitation on Number of Licensed Premises [23815 - 23827] (*Article 2 added by Stats. 1953, Ch. 152.*)

23817.5. (a) (1) The number of premises for which an off-sale beer and wine license is issued shall be limited to one for each 2,500, or fraction thereof, inhabitants of the city or county in which the premises are situated. No additional off-sale beer and wine license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any city or county where the number of premises for which all off-sale beer and wine licenses are issued is more than one for each 2,500, or fraction thereof, inhabitants of the city or county.

(2) The number of premises for which an off-sale beer and wine license is issued in a city and county, in combination with the number of premises for which an off-sale general license is issued in a city and county, shall be limited to one for each 1,250, or fraction thereof, inhabitants of the city and county in which the premises are situated. No additional off-sale beer and wine license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any city and county where the number of premises for which all off-sale beer and wine licenses in combination with off-sale general licenses are issued is more than one for each 1,250, or fraction thereof, inhabitants of the city and county.

(b) (1) Notwithstanding subdivision (a), a retail off-sale beer and wine replacement license may be issued at a premises that was operated under an existing off-sale beer and wine license no less than 90 days prior to the date of application for the replacement license, provided that the existing licensee is subject to a bankruptcy proceeding and the existing licensee has no right to operate at the premises, or has abandoned the premises of that license.

(2) A replacement license shall not be issued if the existing license has been, or is in the process of being, transferred, or if the existing license has been canceled by the licensee or surrendered by the licensee pursuant to department rule.

(3) An application for a replacement license shall be accompanied by a fee of one hundred dollars (\$100) and all conditions imposed upon the existing off-sale beer and wine license at the premises shall be imposed upon the replacement license.

(4) Upon issuance of the replacement license, the off-sale beer and wine license existing at the premises shall be canceled by operation of law. A replacement license shall not be transferred to another premises.

(Amended by Stats. 2012, Ch. 327, Sec. 8. Effective January 1, 2013.)



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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (Division 9 added by Stats. 1953, Ch. 152.)

CHAPTER 5. Restrictions on Issuance of Licenses [23770 - 23827] (Chapter 5 added by Stats. 1953, Ch. 152.)

ARTICLE 2. Limitation on Number of Licensed Premises [23815 - 23827] (Article 2 added by Stats. 1953, Ch. 152.)

23817.7. (a) Notwithstanding Section 23817.5, the department may approve an application for an off-sale beer and wine license in areas covered by Section 23817.5, if the applicant shows that public convenience or necessity would be served by the issuance, and where all of the following conditions are found to exist:

- (1) The applicant premises are located in a crime reporting district that is below that specified pursuant to paragraph (1) of subdivision (a) of Section 23958.4. In considering an application, the department may take into account adjacent crime reporting districts, if the applicant premises are located within 100 feet of the boundaries of any adjacent district. The department shall use an average of reported crimes in the crime reporting district in which the premises are located and reported crimes in any adjacent crime reporting district, if the total of crimes reported in the adjacent district or districts is greater than the crime reporting district in which the premises are located.
- (2) The applicant premises are located in an area that falls below the concentration level provided in paragraph (3) of subdivision (a) of Section 23958.4.
- (3) The local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines that public convenience or necessity would be served by the issuance.
- (b) The department may impose reasonable conditions on a licensee as may be needed in the interest of the public health, safety, and welfare regarding signing, training for responsible beverage sales and hours, and mode of sale.

(Amended by Stats. 2001, Ch. 931, Sec. 3. Effective January 1, 2002.)



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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.*)

CHAPTER 6. Issuance and Transfer of Licenses [23950 - 24082] (*Chapter 6 added by Stats. 1953, Ch. 152.*)

ARTICLE 1. Applications for Licenses [23950 - 23962] (*Article 1 added by Stats. 1953, Ch. 152.*)

23958. Upon receipt of an application for a license or for a transfer of a license and the applicable fee, the department shall make a thorough investigation to determine whether the applicant and the premises for which a license is applied qualify for a license and whether the provisions of this division have been complied with, and shall investigate all matters connected therewith which may affect the public welfare and morals. The department shall deny an application for a license or for a transfer of a license if either the applicant or the premises for which a license is applied do not qualify for a license under this division.

The department further shall deny an application for a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4.

(Amended by Stats. 1994, Ch. 630, Sec. 1. Effective January 1, 1995.)



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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.*)

CHAPTER 6. Issuance and Transfer of Licenses [23950 - 24082] (*Chapter 6 added by Stats. 1953, Ch. 152.*)

ARTICLE 1. Applications for Licenses [23950 - 23962] (*Article 1 added by Stats. 1953, Ch. 152.*)

23958.4. (a) For purposes of Section 23958, "undue concentration" means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:

- (1) The applicant premises are located in a crime reporting district that has a 20 percent greater number of reported crimes, as defined in subdivision (c), than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.
- (2) As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises are located.
- (3) As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(1) With respect to a nonretail license, a retail on-sale bona fide eating place license, a retail license issued for a hotel, motel, or other lodging establishment, as defined in subdivision (b) of Section 25503.16, a retail license issued in conjunction with a beer manufacturer's license, or a winegrower's license, if the applicant shows that public convenience or necessity would be served by the issuance.

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt by the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

If the local governing body, or its designated subordinate officer or body, does not make a determination within the 90-day period, then the department may issue a license if the applicant shows the department that public convenience or necessity would be served by the issuance. In making its determination, the department shall not attribute any weight to the failure of the local governing body, or its designated subordinate officer or body, to make a determination regarding public convenience or necessity within the 90-day period.

(c) For purposes of this section, the following definitions shall apply:

- (1) "Reporting districts" means geographical areas within the boundaries of a single governmental entity (city or the unincorporated area of a county) that are identified by the local law enforcement agency in the compilation and maintenance of statistical information on reported crimes and arrests.
- (2) "Reported crimes" means the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.
- (3) "Population within the census tract or census division" means the population as determined by the most recent United States decennial or special census. The population determination shall not operate to prevent an applicant from establishing that an increase of resident population has occurred within the census tract or census division.
- (4) "Population in the county" shall be determined by the annual population estimate for California counties published by the Population Research Unit of the Department of Finance.

(5) "Retail licenses" shall include the following:

(A) Off-sale retail licenses: Type 20 (off-sale beer and wine) and Type 21 (off-sale general).

(B) On-sale retail licenses: All retail on-sale licenses, except Type 43 (on-sale beer and wine for train), Type 44 (on-sale beer and wine for fishing party boat), Type 45 (on-sale beer and wine for boat), Type 46 (on-sale beer and wine for airplane), Type 53 (on-sale general for train and sleeping car), Type 54 (on-sale general for boat), Type 55 (on-sale general for airplane), Type 56 (on-sale general for vessels of more than 1,000 tons burden), and Type 62 (on-sale general bona fide public eating place intermittent dockside license for vessels of more than 15,000 tons displacement).

(C) A "premises-to-premises transfer" refers to each license being separate and distinct, and transferable upon approval of the department.

(d) For purposes of this section, the number of retail licenses in the county shall be established by the department on an annual basis.

(e) The enactment of this section shall not affect any existing rights of any holder of a retail license issued before April 29, 1992, whose premises were destroyed or rendered unusable as a result of the civil disturbances occurring in Los Angeles from April 29 to May 2, 1992, to reopen and operate those licensed premises.

(f) This section shall not apply if the premises have been licensed and operated with the same type license within 90 days of the application.

(Amended by Stats. 2013, Ch. 76, Sec. 6. Effective January 1, 2014.)