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## Your newsletter has a new look!

By Tom Zdunich

You may have noticed that your newsletter has a new name and format. We know your time is valuable so we are making the newsletter **short and to the point**. You will still find important information about Utah liquor laws and how they apply to your business. You will also find the other vital information you have come to expect in the newsletter. We encourage you to **share the newsletter with your staff and use it in your training**. We hope you like the changes and find the newsletter helpful. Remember that this and past issues may be found on our website at:

[http://www.alcbev.state.ut.us/license\\_permit/newsletter\\_main.htm](http://www.alcbev.state.ut.us/license_permit/newsletter_main.htm)

## License Renewals

by Neil Cohen

Public liquor licenses fall under **four** categories; full service restaurant, limited service restaurant, airport lounge, and on-premise banquet. These licensees will receive a renewal application in early September. The renewal documents and fees are due on Thursday, September 30, 2004.

### Full Service Restaurants

**Renewal fees** are based on the annual cost of liquor, wine, and heavy beer purchased from the DABC state store system (gross cost of liquor). Renewing licensees in previous years have submitted this figure to the DABC on the "Form E - Financial Spreadsheet" under "cost of sales - liquor". This is the figure the DABC will use to determine renewal fees for this year.

For a restaurant that is renewing for the first time, the DABC will calculate the renewal fee based on the projected cost of liquor from any financial statements that have been provided to the DABC or from data in the state store system.

### Limited Service Restaurants

Limited restaurant licensees will receive a renewal packet with forms that need to be filled out and submitted with the renewal fee of \$300.

### Airport Lounges

Currently licensed airport lounges will receive a renewal packet with forms that need to be filled out and submitted with the renewal fee of \$5000.

### On-Premise Banquet Licensees

The renewal fee for an on-premise banquet license is \$500. Licensees will receive a renewal notice from the DABC in early September.♦

The Alcoholic Beverage Control Commission usually meets on the the fourth Friday of each month. Meeting dates and times are subject to change.

The regular August meeting is scheduled for **Thursday, August 26<sup>th</sup>** at 9:00 a.m.

The meetings are open to the public and are held in the board room at the DABC office building: 1625 S 900 W, Salt Lake City.

## Licenses will not be renewed unless tax delinquencies are cleared

By Abe Kader

Two clubs lost their licenses last June because they didn't clear their tax delinquencies. Even though we sent their "Not In Good Standing Notice" in May, they didn't respond in time and their licenses were not renewed. If your license is due for renewal in September (see previous "License Renewals" article), don't let this happen to you.

The DABC will receive a list of tax or contribution delinquencies from the following agencies:

- Utah Tax Commission for sales tax and payroll withholding
- Utah Labor Commission, Division of Industrial Accidents for workers compensation coverage

- Utah Department of Workforce Services for unemployment insurance tax requirements

The DABC wants to help you stay in business and comply with the renewal requirements, so we will notify you if you have a tax delinquency and the date by which it needs to be cleared. Please don't call the DABC. Call the agency contact at the phone number listed on the notice.

When you clear the delinquency, the agency will send a letter of good standing to the DABC. Without this letter of clearance from the agency, your license can not be renewed.♦

## Violations and Penalties – Restaurant Liquor and Limited Service Restaurants

by Chris Johnson

Below is a list of the most recent violations and penalties assessed for restaurant liquor and limited service restaurants. Please review the violations listed below with your staff to prevent similar violations from occurring in your own establishment. As you can see by the number of alcoholic violations listed, law enforcement agencies have been very active. PLEASE BE CAREFUL!!

RE = Restaurant Liquor

RL= Limited Service Restaurant

\* = Prior Violation History

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
RE	Tiburon Fine Dining, Sandy	1. Improper or no labeling 2. Open bottles not attached to metering system 3. Unlocked storage	Merged counts 1 & 2. Fine of \$550.00 3. Written warning
RE	Chili's, Salt Lake and Jamie Gregg	1. Free-pouring	1. 5 day suspension and a fine of \$500.00
RE	Grecian Gardens, Murray and Scott Russell and Jim Maroudas	1. Sale to minors 2. Minor selling to minors	1. 6 day suspension 2. 6 day suspension
RE	Charlie Chow's Dragon Grill, Salt Lake	1. Sale to A/B at unauthorized times 2. No ID badge	1. Fine of \$100.00 2. Written warning
RL	Hunan Garden, Salt Lake	1. Sale of A/B before noon 2. No ID badge *	1. Fine of \$250.00 2. Fine of \$125.00
RL	Samurai Sushi, Murray and Yong H Schelin	1. Sale to minors	1. 5 day suspension
RL	Yamasaki Fusion Cuisine, Murray and Kimberly Larkin	1. Sale to minors	1. 5 day suspension
RL	Sizzler, Salt Lake and Marisol Gil and Judith Pierce	1. Sale of A/B at unauthorized times * 2. no ID badge	1. 3 day license suspension and a fine of \$100.00

## November 2nd, 2004 is a Statewide General Election Day

By Al Potvien

On **Tuesday, November 2nd, 2004** a statewide general election will be held, which means that **NO liquor, wine and heavy beer may be sold, served or furnished until after the polls are closed.** This restriction applies to all DABC licensed private clubs, full-service restaurants, limited restaurants, on premise banquet facilities, single event permit holders and package agencies. State liquor stores will be closed all day.

Also, no wine may be brought ("brown-bagged") onto the premises of clubs or restaurants for consumption until after the polls are closed.

The Alcoholic Beverage Control Act states that

Use the following chart as a reference:

### ELECTION DAY CLOSURES

**State Stores:** Closed all day.

**Package Agencies:** Closed until after polls close.

**Restaurants (full service):** NO liquor, wine, or heavy beer sales until after the polls close. (Beer sales are regulated by local ordinances.)

**Restaurants (limited):** NO wine, or heavy beer sales until after the polls close.

(Beer sales are regulated by local ordinances.)

**Private Clubs:** NO liquor, wine, or heavy beer sales until after the polls close.

(Beer sales are regulated by local ordinances.)

**Single Event Permit Holders:** NO alcoholic beverage (liquor, wine, heavy beer, or beer) sales until after the polls close.

**On & Off Premise Beer Retailers and Temporary Special Event Beer Permit Holders:**

(Beer sales are regulated by local ordinances.)

**On Premise Banquet facilities:** NO alcoholic beverage (liquor, wine, heavy beer, or beer) sales until after the polls close.

**Airport Lounges:** No election day restrictions for sale of alcoholic beverages.

## Violations and Penalties – On-Premise Beer and Taverns

by Chris Johnson

Below is a list of the most recent violations and penalties assessed for on-premise beer licensees and taverns. Please review the violations listed below with your staff to prevent similar violations from occurring in your own establishment. PLEASE BE CAREFUL!!

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
BE	Main Street Deli, Park City and Julie Taracena	1. Sale to minors	1. 5 day suspension
BE	La Villita De Mele, Murray and Meliton J Sanchez	1. Sale to minors	1. 5 day suspension
BE	Cilantro's, Midvale and Carlos A Martinez	1. Sale to minor	1. 5 day suspension

## A big thanks to licensees who have taken the DABC training

By Stephne Hanson

**A**s a licensee, you have access to a great resource for information...DABC training!! Many licensees wisely use this free liquor law training as a resource that could give them a significant edge in preventing violations. It is a golden opportunity to get your questions answered and to get management and staff "on the same page". We can do a training session at your business location and tailor it to meet your needs and your employees' schedule.

Whether you are a private club, restaurant, on-premise beer, tavern, or banquet licensee, your compliance specialist can plan a training on the laws that apply to your specific license. We can also cover topics such as how to obtain temporary beer permits and single event permits. In 2003, we held 103 training sessions with a total of 1,887

attendees!!! Some licensees have their compliance officer train their staff every year!!

This is your training, and we want you and your staff to get the most out of it. That is why we allow plenty of time for a question and answer period so your staff can raise issues and share the answers as a group. Chances are, they may have worked at different places and have different ideas about complying with the liquor laws. From this training, we hope that your staff takes with them an enhanced understanding and knowledge of the liquor laws.

If knowledge is power, you'll want to take advantage of this opportunity to reduce your risk of getting a violation by keeping your staff current with the liquor laws. Contact your compliance specialist today to schedule your next free training.♦

## KUDOS TO THE FOLLOWING LICENSEES!!

We want to recognize these licensees and the 817 owners, managers, and employees who have attended DABC training so far this year:

Aerie Club & Restaurant	Hunan Garden	Rumba Club
American Legion 139	Joes Crabshack	Silver Summit Café
Asuka Japanese Restaurant	La Cocina #4	Sitting Duck Saloon Amelias
Azure	La Hacienda	Sizzlers
Bunny Private Club	Moab Brewery	(Bountiful, Logan, Ogden, Provo, Salt Lake, Sandy, and West Valley)
Burrito Grande	Miguels Baja Grill	Slickrock Café
Café Sabor	Panini Club & Restaurant	Sports Addiction
Castle Creek Winery	Pasta Jays	Teazers
Center Café	Poplar Place	The Homestead
Cowboy Club & Restaurant	Ranch Clubhouse	The Stadium & Sky Box
Cowboy Grill	Red Iguana	Usana Amphitheatre
Eddie Mcstiffs	Red Robin	VFW #3586
Elks #1550 (Price)	Ricardo's Restaurant	Wasatch Broiler & Grill
Fiesta Mexicana	Rio Club	Wooly's Private Club
Franklin Covey Field	Ruby River	Zax
Green Whale	(Provo, Salt Lake, Sandy)	
Hog Wallow		
Hoppers Grill & Brewing		

## White Owl Snares Minor

by Keith Zuspan

**I**n a first for Utah, John Calderwood, owner of the White Owl Bar and Grill in Logan has sued an underage patron for illegally entering his tavern. The White Owl, in efforts to dissuade minors, posted a banner last year warning minors they would be sued for illegally trying to enter the tavern.

This lawsuit stems from the underage patron entering the tavern and attempting to purchase alcohol using a friend's identification. White Owl employees determined the minor's ID was fake. The 20 year old was charged with violating a Logan City Ordinance prohibiting minors in a Beer Hall, and violating Utah's statute 32A-12-209 regarding a

minor misrepresenting the minor's age for the purpose of purchasing alcohol. The minor plead guilty and paid a fine of \$100. In addition to criminal violations, the underage patron and the friend who supplied the identification were named in the civil action.

The suit is asking compensative as well as punitive damages. Mr. Calderwood is seeking to recover the 'bounty' he pays to employees who catch minors with fake identifications, costs for additional security employed to keep out minors as well as punitive damages for trespassing and malicious conduct.♦

## Violations and Penalties – Private Clubs

by Chris Johnson

**B**elow is a list of the most recent violations and penalties assessed for private clubs. Please review the violations listed below with your staff to prevent similar violations from occurring in your own establishment. As you can see by the number of alcoholic violations listed, law enforcement agencies have been very active. PLEASE BE CAREFUL!!

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
CL	Club Halo, Salt Lake	1. Visitor card violation	Written warning
CL	Hideaway Club, Salt Lake and Liz Winters	1. Non-member entry & sale	1. Fine of \$250.00
CL	Liquid Joe's, Salt Lake and Ryan Peterson	1. Sale of A/B after hours 2. Unlocked storage at unauthorized times	Merged counts 1 & 2. Fine of \$300.00
CL	Mulberry Street Club, Park City and Susan Bevins and Thiayo Sousa	1. Sale to minors 2. Non-member entry & sale	1. 6 day suspension 2. Fine of \$250.00
CL	Piper Down, Salt Lake and Anthony Marino and Dusty Waterfall	1. Sale to minors 2. Minors on the premises of a class "D" club 3. Sold a visitor card to minor	Merged counts 1 & 2. 7 day suspension 3. Fine of \$600.00
CL	Dub Club, Salt Lake and Shannon E Barnson and Samuel H Deskin	2 cases Case #1 1. Interfering with law enforcement 2. Selling A/B after hours 3. Unlocked storage Case #2 1. Non-member entry & sale 2. No ID badge	Case #1 1. Surrender of the license and a fine of \$5,000.00 2. Fine of \$500.00 3. Fine of \$200.00 Case #2 1. Fine of \$250.00 2. Dismissed
CL	VFW #3586, Salt Lake and James W Hallum and Kenneth A Marlow	1. Employee under the influence on duty 2. Employee consuming on duty 3. Sale of A/B after hours	1. 12 day suspension 2. 6 day suspension 3. Fine of \$250.00

## Feedback is needed from On-Premise Banquet Licensees

By Neil Cohen

**T**he Utah Legislature approved a pilot study program to determine whether an on-premise banquet license should be made a permanent part of the Utah Alcoholic Beverage Control Act. The program runs from May 5, 2003 through June 30, 2005. However, the Department of Alcoholic Beverage Control must file a report with a legislative interim study committee on or before November, 2004 to report on the success or failure of the program and to recommend whether to make the license permanent as currently structured, modify the license, or let it sunset.

If you are a holder of an on-premise banquet license,

we need your input. Please let us know what works, what doesn't work, and/or what could be improved. The alcoholic beverage control commission would also like to know what your clients think. The commission asked us to include any assessments from the general public who book events using the on-premise banquet license. If you could share those comments with us, we would appreciate it.

The "Pilot Study Report Form" that we asked you to fill out and send back to us is due by October 10, 2004. But you may send feedback to us anytime. ♦

## Profiles of Utah Wineries

### Castle Creek Winery

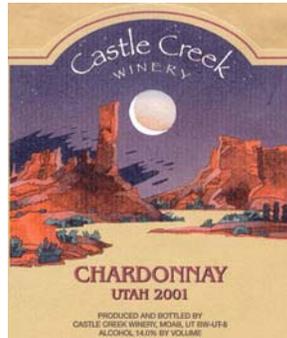
John Wayne made movies years ago on the very same spot that Colin Fryer makes wine today. Colin makes wine at his Castle Creek Winery which is located on the banks of the Colorado River in Moab, Utah.

In John Wayne's day, the location was known as the White Ranch. Today, it is the Red Cliff Ranch. It is a working cattle ranch with 200 head of cattle, 50 horses, and 6 ranch hands.

The Red Cliff Lodge and Resort has a restaurant and movie museum on the east end of the ranch property where the winery is located.

By Abe Kader

The ranch, resort and winery are the fulfillment of Colin Fryer's longtime desire to own a cattle ranch. Colin's vision of the property was inspired when he drove by the place



while on vacation in 1989.

Castle Creek Winery was originally established by Anita and Allen Bradford, Utah winery pioneers, as Arches Winery in Moab in 1989. Colin bought the winery and later moved it to his ranch in 2002.

Castle Creek Winery makes six types of wine, Cabernet Sauvignon, Merlot, Pinot Noir, Chardonnay, Chenin Blanc, and Late Harvest Gewurztraminer. The wine is made from grapes grown in local vineyards and out-of-state grapes that are not available locally. These wines are available for sale at the winery's on-site package agency.

Castle Creek Winery is located 14 miles east of Moab on Highway 128. The phone number is 435-259-2002.♦

### La Caille Winery

Visit the South of France in Sandy, Utah, at the La Caille Winery. The La Caille Winery is the oldest commercial winery in Utah. It is located on a 24 acre estate near the mouth of Little Cottonwood Canyon, which is also the location of the La Caille Restaurant.

The winery started out as a small row of grapes in 1982. Today, it produces white wine from grapes grown exclusively on the property surrounding the restaurant. The wine is sold at the restaurant and at the on-site package agency.

The winery evolved from an idea of the La Caille Restaurant owners, Steven Runolfson, Mark Haug, and David Johnson, to recreate a French villa atmosphere on the grounds of the restaurant, which was established in 1974.



A small vineyard was planted. Since the vines produced good grapes, the restaurant owners decided to experiment with the production of a house wine for the restaurant.

The motivation for planting the grapes was for effect, not for wine making. The owners thought the vineyard's ambiance would complement the cobblestone driveway, sod roofs and inlaid terra cotta tile in the tradition of Southern France.

The owners discovered that the soil, sun, and cool canyon breeze provides a micro climate that is ideal for growing grapes. They were inspired by the success of vineyards in Napa Valley, California, and upstate New York.

Most of the vines at La Caille come from upstate New York because they do well in the local climate. The grapes grown at La Caille are Seyval Blanc, a hybrid used extensively in France.

Planting the vineyards at La Caille improved the ambiance and unexpectedly produced grapes which were worthy of wine production. The next goal of the owners was to produce a "class wine" for their fine dining patrons.♦

### Native Wines Winery

The early pioneers of Sanpete County were avid and industrious wine makers.

They made wine with every type of fruit or berry they could find or grow.

Native Wines in Mount Pleasant, Utah, has revived that



pioneer tradition of wine making. The winery makes wine with a variety of native fruits and berries.

Carolyn Wood owns the winery which is housed in an old smokehouse near downtown Mt. Pleasant. The building was previously used by Bob Sorenson to make furniture. Now he is the wine maker.

Bob is a botanist who's interest in edible plants led him to study wine making with fruits and berries.

Native Wines produces a long list of wines, made from a variety of

fruits and berries, including six meads. They also make fig and rhubarb wines. The list is available on their web site at [www.nativewines.net](http://www.nativewines.net).

The Native Wines web site explains that, "The use of wild fruit is not accidental; only fruit from unsprayed, unpruned, unfertilized and unwatered sources will have sufficient flavor intensity to make a suitable table wine."

The Native Wines Mission

...continued on the next page

## Profiles of Utah Wineries

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Statement describes the non-grape wines made at the winery. "Instead of

limiting choices to a half dozen varieties of grape wines, Native Wines offers an array of wines that span the spectrum from mild fruity whites to massive dry barrel fermented reds."

Native Wines is in Mount Pleasant,

Utah, at 72 South 500 West. The wines are for sale at the on-site package agency at the winery. The phone number is 435-462-9261.♦

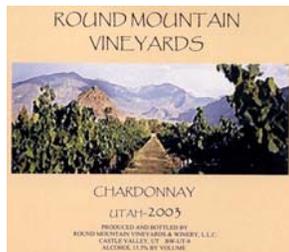
## Round Mountain Vineyard & Winery

The retail price of a bottle of wine made with Round Mountain Vineyard grapes started a revolution in Castle Valley. The price of that bottle sparked the idea to make their own wine, according to Jeff Anderson and Mark Webster, owners of the Round Mountain Vineyard and Winery.

Mark Webster was working at a local restaurant that sold the popular wine made from his grapes. Mark conversed with customers about the characteristics of the grapes he grew and the fine wine made from those grapes.

Mark and Jeff thought it would be feasible to make their own wine. They figured they could make the wine and realize the profits that someone else was making with their grapes.

Mark's experience with retailing wine and Jeff's experience with chemistry he learned while serving in the U.S. Navy,



contributed to the development of their wine making skills.

The Castle Valley location of Round Mountain Vineyard and Winery is where the University of Arizona planted its first test plots for growing grapes in Utah in the 1970's.

Round Mountain Vineyard grows Chardonnay, Cabernet Sauvignon, and Shiraz grapes. Their first vintage of wine, Chardonnay, will be available in August of 2004. Round Mountain Chardonnay will be available at the winery's on-site package agency.

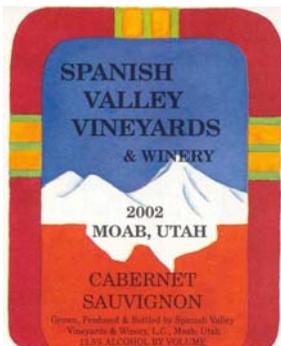
There are two other distinctive characteristics at Round Mountain. The vineyard has the largest number of Chardonnay vines in the state. And, at the winery, the grapes are crushed using a hand cranked grape crusher imported from Italy.

Round Mountain Vineyard and Winery is located near Moab in Castle Valley at 230 Miller Lane. The phone number is 435-259-1927.♦

## Spanish Valley Vineyards and Winery

Former farm workers, Stacy and Cory Dezelsky, have become dedicated wine makers in Moab, Utah. The skill of growing grapes and the art of wine making began in Napa Valley vineyards and Utah Valley fruit orchards.

Stacy learned grape farming in Napa Valley and Cory learned fruit farming in Orem, Utah. Their experiences were useful when they discovered the potential of growing grapes in Moab.



Today, they are struggling to make grape growing and wine making a profitable industry at their Moab farm. Their vineyard is an extension of one of the original test plots planted by the University of Arizona in the 1970's.

The Dezelsky's got into grape growing when Anita and Allen Bradford established Arches Winery in Moab in 1989. Arches Winery created a new market for locally grown grapes.

Vineyards that had been neglected for years were restored and new ones were planted in response to the new demand for grapes. The Bradford's stimulated grape farming which resulted in the establishment of two other local wineries. Spanish Valley Winery and Round Mountain Winery produce wines made from grapes grown at their vineyards.

Later there was no steady

market for the amount of grapes the Dezelsky's produced. Stacy and Cory then decided to make wine, turning their vineyard into an added value agricultural operation.

The Dezelsky's realized that making the finished product, wine, would make their farm more profitable. Spanish Valley grows Gewurztraminer, Riesling, Cabernet Sauvignon, Syrah grapes and produces these varietal wines. The wines can be purchased at the winery's on-site package agency.

Spanish Valley's Cabernet Sauvignon Wine won a Silver Medal at the New World International Wine Competition in Ontario, California in 2004

The winery is located at 4710 South Zimmerman Lane, Moab, Utah. The phone number is 435-259-8134.♦

The Licensing Newsletter is published every four months by the State of Utah, Department of Alcoholic Beverage Control, P.O. Box 30408, Salt Lake City Ut, 84130-0408. Telephone: 801-977-6800, Fax: 801-977-6888, e-mail: [abcmain.hotline@utah.gov](mailto:abcmain.hotline@utah.gov) Website: <http://www.abc.utah.gov>

Governor: **Olene Walker**, Director: **Kenneth F. Wynn**, Newsletter Editor: **Earl F. Dorius**, Newsletter Coordinator: **Neil Cohen**, Contributing Editors: **John Bryant, Keith Zuspan, Stephne Hanson, Chris Johnson, Abe Kader, Tom Zdunich, Al Potvien**.



**THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**  
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