



## Administration Department

**DATE:** May 28, 2024

**FROM:** Jason Tomanek, City Administrator

**ITEM:** Public hearing for a new Class I-2: Complementary Alcohol License

**REQUEST:**

Public hearing on a request for a new Class I-2: Complementary Alcohol license for Rainbow Nails & Spa, LLC at 722 South 26th Street, Units A & B.

**BACKGROUND INFORMATION:**

Rainbow Nails & Spa, LLC is requesting the issuance of a new Class I-2: Complementary Alcohol license at 722 South 26th Street, Units A & B.

Class I-2. To an applicant for the complementary provision of “on-sale” only beer, wine, and liquor, subject to the following conditions:

- A. The applicant must be a business with a permanent location within the City of Bismarck.
- B. The dispensing of alcohol is only to customers on the licensed premises without any additional charge for the alcoholic beverage.
- C. The license is for “on-sale” only, and “off-sale” is not permitted. A cessation of business at a licensed location for a period of ninety days or longer shall constitute cause to revoke such license pursuant to Section 5-01-09.
- D. Once a license has been established at a particular location, the license may not be transferred to another location.
- E. A licensee may not obtain an event permit pursuant to Section 5-01-13 except on real property owned in the name of the licensee.
- F. The licensee must obtain and keep in effect off-premises alcohol liability insurance and provide the City proof of insurance with its license application.

**RECOMMENDED CITY COMMISSION ACTION:**

Hold a public hearing on the request for a new Class I-2, Complementary Alcohol, from Rainbow Nails & Spa, LLC at 722 South 26th Street, Units A & B, and approve the new license.

**STAFF CONTACT INFORMATION:**

Whitnie Olsen, Senior Administrative Assistant, [wolsen@bismarcknd.gov](mailto:wolsen@bismarcknd.gov)

**ATTACHMENTS:**

1. Rainbow Nails & Spa Application

### License Type\*

Please select the type(s) of license(s) you are applying for.

- Class A: Nationally Organized Fraternal Order or Club - \$3,700
- Class B-1: Operator of the Beverage Concession at the Airport Terminal Building - \$650
- Class B-2: Concession at the Bismarck Municipal Country Club - \$650
- Class B-3: Commercial passenger vessels on the Missouri River - \$650
- Class B-3: Commercial passenger vessels on the Missouri River - \$650
- Class B-4: Sale of Beer & Wine at the Bismarck Event Center - \$650
- Class B-5: Sale of Beer & Wine at Bismarck Parks and Recreation Locations - \$650
- Class B-6 : Commercial Airline - \$650
- Class C-1: Hotel or Motel Full Service - \$3,800
- Class C-2: Hotel or Motel - \$1,000
- Class D: Sale at Retail of Alcoholic Beverages - \$4,100
- Class E: Sale at Retail of Beer Only - \$800
- Class F-1: Restaurant - Alcoholic Beverages - \$3,500
- Class F-2: Restaurant - Beer & Wine Only - \$1,100
- Class G: Catered Retail Beer, Wine, & Liquor - \$650
- Class H-1: Domestic Winery - \$800
- Class H-2: Domestic Brewery - \$800
- Class H-3: Domestic Distillery - \$800
- Class I-1: Senior Living Community - \$350
- Class I-2: Complimentary - \$350

### Location Information:

**Legal Business Name:\***

RAINBOW NAILS & SPA LLC

**Doing Business As (DBA) Name, if Applicable:\***

RAINBOW NAILS & SPA LLC

**Date of Incorporation:\***

03/21/2022

**State of ND Liquor License No.:**

If out of state corporation, is corporation registered in North Dakota?

- Yes
- No
- N/A

Location Address:\*

722 S 26TH ST UNIT A&B

<b>City:*</b>	<b>State:*</b>	<b>Zip:*</b>	<b>Phone No.:*</b>
BISMARCK	NORTH DAKOTA	58504	[REDACTED]

Name and Title of Person Completing Form (must be the person listed in ownership information or manager):

ERIC TRINH (PARTNER)

Contact Information (Where correspondence is to be sent):

<b>Primary Contact:*</b>	<b>Email Address:*</b>
Ann Nguyen	[REDACTED]

<b>Mailing Address:*</b>	<b>City:*</b>
722 S 26TH ST UNIT A&B	BISMARCK

<b>State:*</b>	<b>Zip:*</b>	<b>Phone No.:*</b>
NORTH DAKOTA	58554	[REDACTED]

<b>Manager's Name:*</b>	<b>Date of Birth:*</b>	<b>Percentage of Ownership:*</b>
ANN NGUYEN	[REDACTED]/1975	50%

<b>Driver's License No.:*</b>	<b>State Issued:*</b>	<b>Gender:</b>	<b>Race:</b>
[REDACTED]	NORTH DAKOTA	FEMALE	ASIAN

Home Address:\*

4720 MELLOWSUN DR

<b>City:*</b>	<b>State:*</b>	<b>Zip:*</b>	<b>Phone No.:*</b>
BISMARCK	NORTH DAKOTA	58503	[REDACTED]

Occupation:\*

\_\_\_\_\_  
NAILS TECHNICIAN

Title:\*

\_\_\_\_\_  
MANAGER

Email Address:\*

\_\_\_\_\_

.....  
**List all officers, directors, and stockholders of corporation and percentage of ownership:**

Name:\*

\_\_\_\_\_  
ERIC TRINH

Date of Birth:\*

\_\_\_\_\_/1987

Percentage of Ownership:\*

\_\_\_\_\_  
50%

Driver's License No.:

\_\_\_\_\_

State Issued:\*

\_\_\_\_\_  
NORTH DAKOTA

Gender:

\_\_\_\_\_  
MALE

Race:

\_\_\_\_\_  
ASIAN

Home Address:\*

\_\_\_\_\_

City:\*

\_\_\_\_\_  
BISMARCK

State:\*

\_\_\_\_\_  
NORTH DAKOTA

Zip:\*

\_\_\_\_\_  
58503

Phone No.:

\_\_\_\_\_

Occupation:\*

\_\_\_\_\_  
NAILS TECHNICIAN

Title:\*

\_\_\_\_\_  
CEO

Email Address:

\_\_\_\_\_

Name:

\_\_\_\_\_

Date of Birth:

\_\_\_\_\_

Percentage of Ownership:

\_\_\_\_\_

Driver's License No.:

\_\_\_\_\_

State Issued:

\_\_\_\_\_

Gender:

\_\_\_\_\_

Race:

\_\_\_\_\_

Home Address:

\_\_\_\_\_

City:

\_\_\_\_\_

State:

\_\_\_\_\_

Zip:

\_\_\_\_\_

Phone No.:

\_\_\_\_\_

Occupation:

\_\_\_\_\_

Title:

\_\_\_\_\_

Email Address:

\_\_\_\_\_

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**Name:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_ **Percentage of Ownership:** \_\_\_\_\_

**Driver's License No.:** \_\_\_\_\_ **State Issued:** \_\_\_\_\_ **Gender:** \_\_\_\_\_ **Race:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **Phone No.:** \_\_\_\_\_

**Occupation:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Email address:** \_\_\_\_\_

**Please submit all officers that will not fit on this form.**

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**The undersigned states that the following information is true and correct.**

**1. Are manager and partners legal residents of the United States and the State of North Dakota, and are all officers or directors legal residents of the United States?\***

- Yes
- No

**If no, please explain:**

**2. Have any of the persons listed above been convicted of any crime within the past five years? \***

- Yes
- No

**If yes, list all convictions and the dates, locations and sentence of disposition of each:**

**3. Does the building meet all state and local sanitation and safety requirements?\***

- Yes  
 No

**4. Has applicant, or any of the persons listed above, within the past five years had any license to engage in sale of alcoholic beverages revoked or suspended? \***

- Yes  
 No

**If yes please, give details:**

**5. If new application, have you ever engaged in the sale or transportation of alcoholic beverages previously?\***

- Yes  
 No  
 N/A

**If yes please, give details:**

**6. Has applicant, or any of the persons listed above, within the past five years, had an application for any federal or state or local license of any type rejected or denied? \***

- Yes
- No

**If yes please, give details:**

**7. Is there any agreement or understanding, or proposed agreement or understanding to obtain the license for another, or to operate the business for another, or as an agent for another?\***

- Yes
- No

**If yes please, give details:**

**8. Has the business been sold or leased, or is there any intention to sell or lease the business to another?\***

- Yes
- No

**If yes please, give details:**

**9. Has the applicant, or any of the persons listed above, shown interest in whatsoever, directly or indirectly, any other license liquor establishment within or without the State of North Dakota?\***

- Yes
- No

**If yes please, give details:**

**10. Will the applicant, or any of the persons listed above, be engaged in any other business other than the sale of liquor under the license applied for?\***

- Yes
- No

**If yes please, give details:**

**11. Have all property taxes and special assessments currently due been paid?\***

- Yes
- No

**If not please, explain why:**

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### **Special Requirements:**

All Class F-1, F-2, C-2, & G license holders shall file with the application for license renewal a copy of their report of food and alcoholic beverage amounts that they have filed with the State of North Dakota for their state alcohol permit for the immediately preceding calendar year prior to renewal. The Board of City Commissioners may, at its discretion, require the licensee to provide such additional proof of the licensee's compliance with this section as the commission deems necessary.

**Upload Gross Food Sales Report:**

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Select Language ▾

Go [gle](#) [Translate](#)

**Liquor License Site Diagram Requirements:**

- Site diagrams are to be submitted on a plain sheet of paper, 8½ x 11-inch size.
- The agency name shall be included on the diagram.
- The direction "North" shall be included on the diagram.
- The interior design of the licensed area shall be represented. This should include entrances, exits, interior doors, windows, tables, coolers, storage offices and room dividers.
- The diagram may be hand drawn, but it must be neat and reasonably accurate.
- If the licensed site is part of a larger complex such as a restaurant, areas such as mixing, serving and storage must be identified.

**Upload Site Diagram:\***

[Choose File](#) no file selected

**Upload Site Diagram: is required.**

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**Liquor License Transfers****Download Required Form for License Transfer:**

[Alcoholic Beverage License Transfer Form](#)

**Upload Notarized Alcoholic Beverage License Transfer Form**

[Choose File](#) no file selected

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**I agree that I will not transfer or sell this license, if granted, without the prior approval of the governing body and in accordance with applicable ordinances,\***

I agree

**I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform city officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership or management during the period of the license, prior approval of the Board of City Commissioners is required.\***

I agree

**I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.\***

I agree

**Signature of Applicant:\***

Eric trinh

**By checking this box I acknowledge that I am electronically signing this liquor license application.\***

**Date:\***

04/24/2024

Electronic Signature

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### Payment Options:\*

Check By Mail

**NOTE: This application must be accompanied by required fees.**

The \$200 application fee is due when the application is submitted. (Fee does not apply to renewal applications)

#### Credit Card

[Credit Card Authorization Form](#)

#### Upload Credit Card Authorization Form

[Choose File](#) no file selected

#### Mail Payments To:

City of Bismarck Administration, 221 North 5th Street, Bismarck, ND 58501

Receive an email copy of this form.

#### Email address

ericbaotrinh@gmail.com

This field is not part of the form submission.

**Submit**

**Submit and Print**

\* indicates a required field

