



City Administration

DATE: April 6, 2021
FROM: Jason Tomanek, Assistant City Administrator
ITEM: Bismarck Distillery LLC (dba) Bismarck Distillery New Class U Domestic Distillery Liquor License.

REQUEST:

Introduction of and call for a public hearing on a request for a new Class U Domestic Distillery liquor license for Bismarck Distillery LLC (dba) Bismarck Distillery.

Please place this item on the April 13, 2021 City Commission meeting agenda.

BACKGROUND INFORMATION:

Bismarck Distillery LLC (dba) Bismarck Distillery, is applying for a Class U Domestic Distillery Liquor License for address, 1100 Canada Ave.

Class U.

A Class U license shall authorize the licensee to operate a domestic distillery and to sell spirits produced on the premises by the licensee and spirits produced by other North Dakota licensed domestic distilleries "on-sale" and "off-sale", subject to the following restrictions and conditions:

(1) A Class U license may be issued only to a domestic distillery owner or operator who obtains a domestic distillery license pursuant to NDCC Section 5-01-19 from the State Tax Commissioner allowing for the production of spirits.

(2) A Class U license will authorize the licensee to sell, on the domestic distillery premises, spirits produced by that domestic distillery on the premises and spirits produced by other North Dakota licensed domestic distilleries at on-sale or off-sale, in the amounts listed by state and federal law.

(3) The Class U license shall be governed by all the provisions of this chapter generally applicable to all license classifications.

(4) A Class U licensee who is licensed by the state as a domestic distillery under NDCC Section 5-01-19 and obtains a special event permit under NDCC Section 5-01-19 from the State Tax Commissioner may give free samples of its spirits and sell its spirits by the glass or in closed containers, as allowed by the State Tax Commissioner.

RECOMMENDED CITY COMMISSION ACTION:

Staff recommends approval of the introduction of and call for a public hearing on the request from Bismarck Distillery LLC (dba) Bismarck Distillery, with the public hearing scheduled for Tuesday, April 27, 2021. Staff also recommends approval of the new Class U Domestic Distillery Liquor License.

STAFF CONTACT INFORMATION:

Jason Tomanek | Assistant City Administrator, 355-1300 or jtomanek@bismarcknd.gov

Print

Retail Alcohol Beverage License - Submission #10844

Date Submitted: 3/24/2021

License Information:

Application Type

New License Application ▼

License Type

U-Distillery - \$756.00 ▼

Please select the type of license you are applying for.

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)

Location Information:

Name of Partnership or Corporation:

Bismarck Distillery LLC

Name of business for which license is requested (DBA):

Bismarck Distillery

Date of Incorporation:

1/1/2021

State of ND Liquor License No.:

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

- Yes
- No

Location Address:

1100 Canada Ave

City:

Bismarck

State:

ND

Zip:

58503

Phone No.:

5099545449

Owner of Building or Premises:

Robin/Tim Bopp

Correspondence Information (Where correspondence is to be sent):

Primary Contact:

Chris Fries

Email Address:

bismarckdistillery@gmail.com

Mailing Address:

6446 Reily Rd

City:

Lincoln

State:

ND

Zip:

58504

Phone No.:

5099545449

List all officers or director of corporation or partners and percentage of ownership:

Manager's Name:

Chris Fries

Date of Birth:

08/14/1985

Driver's License No.:

FRI-85-4412

State Issued:

ND

Gender:

Male

Race:

White

Home Address:

6446 Reily Rd

City:

Lincoln

State:

ND

Zip:

58504

Phone No.:

5099545449

Occupation:

Project Manager

Title:

Owner

Email Address:

cpfries@icloud.com

.....

Name:

Date of Birth:

Jordan Everaert

5/29/1988

Driver's License No.:

State Issued:

Gender:

Race:

EVE-88-3856

ND

Male

White

Home Address:

2533 Winchester Dr

City:

State:

Zip:

Phone No.:

Bismarck

Nd

58503

Occupation:

Title:

Email Address:

Brewer

Owner

jordan@bismarckbrew.com

Name:

Date of Birth:

Driver's License No.:

State Issued:

Gender:

Race:

Home Address:

City:

State:

Zip:

Phone No.:

Occupation:

Title:

Email Address:

Name:

Date of Birth:

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.

No file chosen

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

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

If yes please, give details:

Jordan E. owns Bismarck Brewing and distributes and sales beer in the tap room at 1100 Canada Ave.

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:

Jordan owns bismarck brewing and has a license for that business.

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:

Restaurant Requirements:

All applications for Class “F”, Class “I” (restaurants), Class “M” (caterer), Class “P” (event site) and Class “Q” (Restaurant On-Sale and Off-Sale) licenses MUST be accompanied by a sworn statement executed by the licensee and a certified public accountant retained by the licensee certifying that gross food sales and liquor sales for the previous calendar year meet the requirements of Chapter 5-01-04 of the City Code of Ordinances.

Upload Gross Food Sales Report:

No file chosen

Liquor License Site Diagram Requirements:

- Site diagrams are to be submitted on a plain sheet of paper, 8½ x 11-inch size.
- The licensed area shall be identified within the margins.
- 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. Do not submit copies of construction blueprints.
- 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:*

DistilleryFloorPlan with tasting room.pdf

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:*

Chris Fries

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

Electronic Signature

Date:*

3/24/2021

Payment Options:

Check By Mail



Credit Card

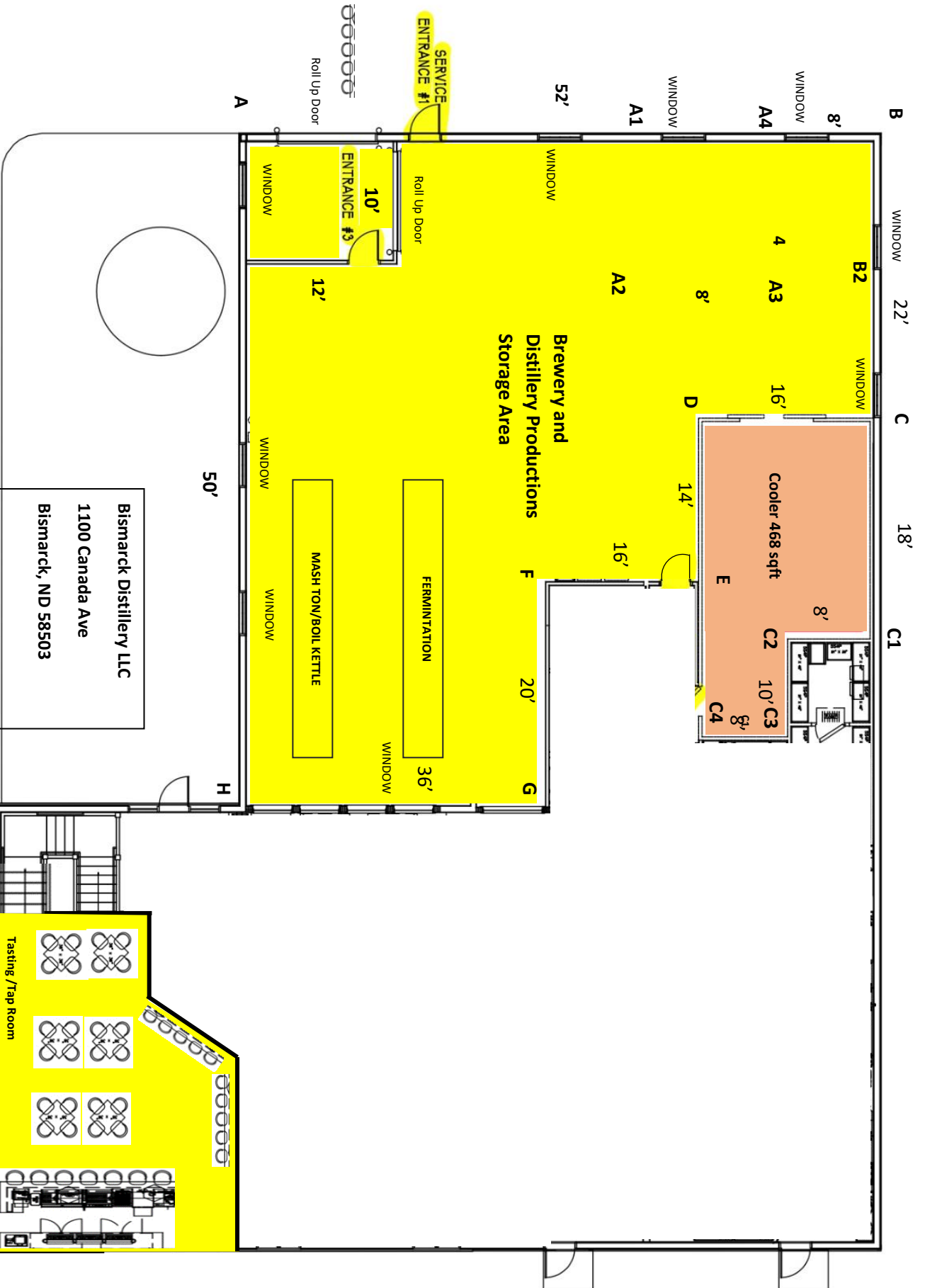
[Credit Card Authorization Form](#)

Upload Credit Card Authorization Form

CCAUTH.pdf

Mail Payments To:

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



Bismarck Distillery LLC
1100 Canada Ave
Bismarck, ND 58503