



Rochester Hills Master Report

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File Number: 2005-0256

File Number: 2005-0256	File Type: License	Status: Consent Agenda
Version: 2	Reference:	Controlling Body: City Council
Requester: Clerk's Office	Cost:	Introduced: 03/31/2005
File Name: Local Control Liquor License Resolution to State		Final Action:

Title: Adoption of Resolution to the State of Michigan in support of Local Control of Liquor License

Notes:

Code Sections:	Agenda Date:
Indexes: Liquor License	Agenda Number:
Sponsors:	Enactment Date:
Attachments: Agenda Summary.pdf, Orion Sample Resolution.pdf, RH Proposed Resolution.pdf	Enactment Number:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1	Administration and Information Services Committee	04/05/2005	Recommended for Approval	City Council			Pass
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Notes: **Committee discussed Local Control Liquor License Resolution to State**

Committee reviewed the Charter Township of Orion's resolution regarding the Liquor Licenses through the State.

Ms. Hill was in favor of the Orion Township Resolution and suggested it be moved on to Council for approval.

Ms. Leslie noted that the change was adopted to ammend the resolution so that City's with populations of 190,000 but under 300,000 would have a say in Local Liquor License Control.

** It was asked whether or not an issued Liquor License stays within the community if this law is passed.*

** Liquor License stays with the owner applicant that the license has been issued to.*

** If business remains closed for more than thirty days, applicant is required to put the Liquor License into escrow with Lansing and License remains in escrow to the applicant and the business location.*

** Liquor License owner has the option to transfer license to a new owner/applicant outside of the City.*

Aye: Hill, Dalton, Holder and Verschueren
Absent: Kirksey

Text of Legislative File 2005-0256

..Title

Adoption of Resolution to the State of Michigan in support of Local Control of Liquor License

..Body

Whereas Michigan liquor law allocates quota liquor licenses to municipalities based on population figures derived from the latest census; and

Whereas quota liquor licenses are awarded by the Liquor Control Commission (LCC) following adoption of a resolution by a local municipality indicating approval or disapproval of the request for a license; and

Whereas applicants are awarded quota liquor licenses for which they have paid no monies to the local municipality, except for an application processing fee; and

Whereas current Michigan liquor law allows for the recipient of a quota liquor license to use the license and realize the profits from the sale of alcoholic beverages; to place the license in escrow with the LCC; to sell the license; or to transfer the quota license to another entity in or out of the local municipality; and

Whereas cities, villages, and townships are the local governmental bodies wishing to retain local control over matters such as business development, including the award of quota liquor licenses, in their communities; and

Whereas allowing a quota liquor license to be transferred from a local municipality in which it was originally issued without the consent of that municipality has the effect of weakening the economic viability of that municipality and being counter-productive to the best interests of the State of Michigan; and

Whereas the City of Rochester Hills is a growing community desirous of deciding how and to whom quota liquor licenses are to be issued in the interest of promoting a healthy business climate and to ensure the health, safety, and welfare of the local citizenry; and

Whereas the City of Rochester Hills is a local government that has lost local control of several quota liquor licenses no longer in use in the City of Rochester Hills through placement into escrow or transfer to another municipality.

Now, Therefore, Be It Resolved that the Rochester Hills City Council supports the principle of local control by local municipalities of quota liquor licenses; and

Be It Further Resolved that the Rochester Hills City Council petitions the State legislature to enact an amendment to Michigan liquor law that would ensure local control of liquor licenses through the requirement that any and all quota liquor licenses be returned to the quota for a particular local municipality, whether city, village, or township, when no longer in use, for whatever reason, in conjunction with the viable business to which it was originally issued; and

Be It Further Resolved that copies of this resolution, once certified, be forwarded to the Liquor Control Commission; Craig De Roche, the Speaker of the House; Ken Sikkema, Majority Leader of the State Senate; Senator Michael Bishop, Senator Gilda Jacobs, State Representative John Garfield, Governor Jennifer Granholm, and to each of the municipalities in Oakland County.