

Policy – Liquor License – Ordinance 926

Purpose: To establish standards and procedures for the review and input of the City of Ypsilanti on the issuance, renewal, transfer, revocation or modification of a Liquor License.

Process:

- A. Application for a license to sell beer, wine, or spirits shall be made to the City Council by filing with the City Clerk a written application, signed by the applicant, along with the application fee payment.
1. The application shall be completed and filed with the City Clerk's office, and shall include the following:
 - Name, age and address of the applicant and all partners of the applicant. If the applicant is a corporation, a copy of the articles of incorporation and current corporation records disclosing the identity and address of all directors, officers, and shareholders.
 - The location and legal description of the premises or place of business at which the liquor license will be utilized, and the name and address of the owner, if different from the holder of the liquor license, and written evidence of the applicant's right to possession of the premises.

A zoning permit or similar clearance from the zoning administrator verifying the proposed use of the location at which the liquor license will be utilized is in compliance with the zoning ordinance.
 - A certificate of occupancy or similar clearance from the building inspector verifying the structure and premises at which the liquor license will be utilized is in compliance with building, property maintenance, and all other applicable local code provisions.
 - Certification or other written evidence from the City Treasurer demonstrating that all real and personal property taxes and City utility bills associated with the premises at which the liquor license will be used are paid to date, and that all real and personal property taxes, City income taxes and City utility bills in the name of the applicant are paid to date.
 - Specific personal information on the applicant, partners, directors and shareholders as required by the Ypsilanti Police Department to run a criminal history or similar record check.
 - A statement that the applicant will not violate any of the laws of the State of Michigan or the ordinances of the City of Ypsilanti in conducting the business in which the liquor license will be used, and that a violation on the premises may be cause for objecting to renewal of the license, or for requesting revocation of the license.

- A statement that the applicant understands that the City of Ypsilanti has an ordinance prohibiting public nudity, and a violation of the ordinance on the premises where the liquor license is used will be cause for objecting to renewal of the license, or for requesting revocation of the license.
2. Liquor License Transfers. Applications for liquor license transfers shall be submitted to the City Clerk on a form required by the City Clerk and signed by both the current license holder and the proposed license holder. The application shall contain, at a minimum, the information and statements required in an application for a new license.
 3. Restrictions on Licenses. The City Council shall not approve, grant, of recommend the issuance or transfer of a liquor license:
 - a) Without a fully completed application that meets the requirements listed above for the contents of an application for a license and the payment of the requisite fee:
 - b) To an applicant who has had a liquor license revoked under this Ordinance or by the LLC;
 - c) To a corporation with a manager, officer, director, or shareholder who would be ineligible under this Ordinance or LLC regulations to receive a liquor license;
 - d) Where the proposed location is not readily accessible to police, fire and EMS vehicles.
 4. Term of License Approval. The City Council's approval or positive recommendation to the LCC concerning a proposed liquor license shall be for a period of not more than one year. Any required remodeling or new construction for the use of the license shall be completed within six (6) months of the LCC's approval or issuance of the license, unless a specific allowance of up to two (2) additional months is granted by the City for good cause.
 5. Discretion. The City Council shall exercise its discretionary authority in reviewing and acting on applications for liquor licenses, and liquor license transfers.
 6. Public Hearing. The City Council may hold a public hearing on any application for a new liquor license or a transfer of a liquor license.
 7. Applicant's Presentation. The application shall be allowed a reasonable opportunity to make a presentation to the City Council in support of the application for a new liquor license or a transfer of an existing liquor license.
- B. 6-44. Objections to Renewal, Requests for Revocation.

1. Objection to Renewal. The City Council may object to the renewal of a liquor license by filing a resolution describing the basis of the objection with the LCC along with all substantiating documents, not later than March 31st, to be considered for a renewal effective April 30.
2. Request for Revocation. The City Council may request revocation of a liquor license at any time by filing a resolution describing the basis of the request, along with all substantiating documents.
3. Procedure. Before filing an objection to a license renewal or a request for revocation of a license with the LCC, the City Council shall conduct a hearing on the subject. The City Council shall serve the license holder with notice of the hearing by first class mail, mailed at least ten (10) days prior to the hearing. The notice of hearing shall contain:
 - a) Notice of proposed action;
 - b) Reasons for the proposed action;
 - c) The date, time and place of the hearing; and
 - d) A statement informing the license holder that he or she may confront adverse witnesses, and may present witnesses, evidence and arguments.
4. At the close of the hearing, while in open session, the City Council shall make factual findings and any determination necessary for a resolution objecting to a license renewal or requesting revocation of a license. The City Council shall submit a written statement of its findings, determinations and resolution to the license holder and the LCC within fifteen (15) days of the hearing.
5. Criteria for Non-renewal or Revocation. The City Council may recommend to the LCC non-renewal or revocation of a liquor license based upon a determination that a preponderance of the evidence presented at the hearing indicated the existence of:
 - a) A failure to meet the conditions or maintain compliance with the standards established by this ordinance in reference to applications for a new license or the transfer of an existing license; or
 - b) One or more violations of state law or local ordinance on the premises; or
 - c) Maintenance of a nuisance on the premises; or
 - d) A demonstrated history of excessive calls for public safety (police, fire, and EMS) services originating from the premises.

City Clerk's Office Procedure

1. Upon receiving notification from the State LCC that the applicant has applied for a Liquor License (transfer, entertainment etc.), the Clerk's Office staff will notify the following departments for investigation/follow-up.
 - Building & Ordinance Enforcement Department
 - Ypsilanti Police Department
 - Ypsilanti Fire Department
 - City Attorney Office
 - Treasurer's Office
 - Assessor's Office
2. Each of the above respective departments will conduct an investigation on the applicant character, building, taxes, licenses, outstanding fire/police issues etc. Upon the completion of their investigations, the department directors will send the City Clerk a memorandum or a copy of the correspondence to the applicant regarding the outcome of the investigation.
3. Once the City Clerk's Office has received notification, the City Clerk will send a letter to the applicant requesting that an "official application" will need to be filed with the Clerk's Office, and any outstanding issues with the respective department be addressed before the application can be taken to City Council for action.
4. The City Clerk will prepare a Request for Legislation describing the type of liquor license that is being request, and whether there are any outstanding issues.
5. The City Clerk will prepare a public hearing notice to inform the public and Council that the applicant has applied for a liquor license (new, transfer or entertainment etc.).
6. The City Clerk will prepare a resolution for determination of Council's action on the application for the next regular City Council Meeting.
7. Once Council approves the application, the applicant is notified by letter and will receive a certified copy of the resolution approving the request. Also, the LCC will receive a certified copy of the resolution as well.
8. Should Council not approve the request, the applicant will be notified by letter from the City Clerk's office of the decision by City Council. A copy of that letter will be sent to the LCC for their file.
9. Communication from the LCC will be routed to the following departments when affected: Building & Ordinance Enforcement, Fire, Police, City Attorney, Treasurer, Assessor, DDA, and Zoning.

Downtown Depot Town Association Application Process

**Contact the DDA Director for assistance.

Time frame to Process a Liquor License Request

The processing of a liquor license request could possibly range from 30 to 90 days depending on whether the owner(s) have completed the above before the City Clerk brings legislation forward for Council to consider the request.