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STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
DAVID C. HOLLISTER, DIRECTOR

NIDA SAMONA
LIQUOR COMMISSION
CHAIRPWOMAN

March 16, 2005

City of Troy
Tonni L. Bartholomew, MMC
City Clerk
500 W. Big Beaver
Troy, Michigan 48084

Dear Ms. Bartholomew:

This letter is concerning the three Resolution's received from the City of Troy requesting that the Michigan Liquor Control Commission renew the On-Premise liquor licenses issued to Ichibang Corporation, Inc., Thunderbird Lanes, Inc., and GBD, Inc. with stipulations.

Section 501 of the Michigan Liquor Control Code, which authorizes the local legislative bodies to recommend that the Michigan Liquor Control Commission not renew an On-Premises license. However, MCL 436.1501(2) does not authorize the Michigan Liquor Control Commission to renew an On-Premises license with stipulations based upon a resolution adopted by a local governing board containing stipulations and/or that recommends renewal as the statute specifically states that local approval for renewal is not required.

I would also like to advise you that effective August 1, 2001, mandatory server training requirements for applications obtaining a new On-Premises license or transfer more than 50% interest in an existing On-Premises were implemented by the Liquor Control Commission as required by MCL 436.1501(1), which provides, in pertinent part. . . "Beginning not later than July 1, 2002 and subject to Section 906(2)(3), the Commission shall not issue a new On-Premise license or transfer more than 50% interest in an existing On-Premises license unless the applicant or transferee offers proof acceptable to the Commission that he or she has employed or has present on the licensed premises, at a minimum, supervisory personnel on each shift, and during all hours in which alcoholic liquor is served, who has successfully completed a server training program as further described in Section 906. The Commission may allow an applicant or a conditionally approved licensee at least 180 days, or more upon a showing of good cause, to meet the minimum training requirements of this subsection. The Commission may suspend the license of a conditionally approved licensee for failure to comply with this subsection. . . ."

In implementing the provisions of MCL 436.1501(1), supra, On-Premise licensee's that obtain Liquor Control Commission licensing approval prior to August 1, 2001, are not required to meet the mandatory server training requirement, and are not required to provide such proof of completion of server training as a part of their annual renewal process with this Commission.

However, be advised that a check of the Commission's licensing records reflect that the On-Premise license held by Ichibang Corporation, Inc. was approved on March 9, 2004, and that the mandatory server training requirements provided for in MCL 436.1501(1) have been met.

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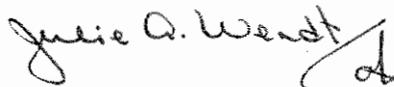
While we understand your reasons for the recommendations in the Resolutions relative to all employees be TIPS and TAMS trained annually and that all new employees will be TIPS and TAMS trained prior to serving liquor, and wholeheartedly support protective measures to reduce sales to persons under the age of 21, the Liquor Control Commission lacks the statutory authority to implement these requirements as part of the license renewal process.

Please express to the Troy City Council our appreciation for their continuing interest and attention to matters related to the regulation of licensed businesses within their community.

Should you need additional information, please feel free to contact this office at (517)322-1408.

Very truly yours,

MICHIGAN LIQUOR CONTROL COMMISSION

A handwritten signature in cursive script that reads "Julie A. Wendt" followed by a stylized flourish.

Julie A. Wendt, Director
Licensing Division

JAW:ab