



TO: Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
Susan M. Lancaster, Assistant City Attorney
DATE: August 19, 2008
SUBJECT: Liquor License Ordinance Fees – Chapter 60 Amendment

The recently approved Chapter 101 sets forth the liquor license application procedure. Chapter 101 does not include the amount of fees, however, since these are set forth in Chapter 60 of the Troy City Ordinances.

Enclosed please find the proposed additions to Chapter 60, which codifies the amounts that are currently being charged for liquor license processing. Under this proposed ordinance, applications for new licenses or a change of location are \$1,000, since these applications require significant administrative time and inspection, including background checks, fire department inspections, building inspections, contract preparation, etc. Other changes, such as a change of the name of the corporate licensee or the addition of outdoor service for an existing licensee, require significantly less administrative time, and therefore are only \$300.

In addition to the above referenced fees, there may be additional fingerprinting charges, which are set by the State of Michigan. Although Chapter 101 requires the liquor license applicant to submit to fingerprinting when requested, it is the State of Michigan that determines when such fingerprinting is necessary for a liquor license application. Under the State Liquor Control Act administrative rules, the local unit of government must take the fingerprints when required, and submit payment to the State of Michigan. Currently, the State charges \$35 for fingerprinting, but since this amount could change, the proposed amendment refers to the State of Michigan fee schedule.

The proposed additions to Chapter 60 are recommended for approval. As always, if you have any questions concerning the above, please let us know.

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 60 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 60, Section 60.03, of the Code of the City of Troy.

Section 2. Amendment

Chapter 60, Section 60.03 – Fee Schedule, shall be amended by adding the following items:

ITEM/SERVICE:	FEE:
Liquor License Application and Investigation Fee (New and transfers to different premises)	\$1,000.00
Applications for additions or amendments to existing liquor licenses	\$300.00
Fingerprinting fee (Payable to the State of Michigan)	Michigan State Police Fee Structure

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, ____.

Louise E. Schilling, Mayor

Tonni Bartholomew. City Clerk