J-04a

VILLAGE OF ORTONVILLE
RESOLUTION 05-10

ADOPTION OF Resolution 05-10 to the state of Michigan in support of Local Control of Liquor License.

Whereas, Michigan liquor law allocates quota liquor licenses t 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 a 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 Village of Ortonville is a small 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 Village of Ortonville is aware of several local governmental units that have lost local control of several quota liquor licenses no longer in use in the original municipality through placement into escrow or transfer to another municipality.

Now, There, Be It Resolved, that the Village of Ortonville Council supports the principle of local control by local municipalities of quota liquor licenses; and

Be It Further Resolved, that the Village of Ortonville 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 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 DeRoche, the Speaker of the House; Ken Sikkema, Majority Leader of the State Senate; Senator Michael Bishop, Senator; State Representative James Marleau; Governor Jennifer Granholm, and to each of the municipalities in Oakland County.

I, Mary E. Clark, Village Clerk, certify that this is a true copy of Resolution 05-10, passed at a Regular Ortonville Village council meeting held on May 23, 2005 by the following vote:

Moved by Flath seconded by Hanes.

Ayes:	7
Nayes:	0
Absent:	0

Mary E. Clark

Mary E. Clark, Clerk
Village of Ortonville

May 23, 2005
Date