



MEMORANDUM

TO: Members of the Troy City Council
 FROM: John Szerlag, City Manager
 Lori Grigg Bluhm, City Attorney
 Gary Mayer, Police Chief
 DATE: February 15, 2011
 SUBJECT: Liquor Hearings

Traditionally, the Troy City Council has scheduled due process hearings in February and March for all liquor licensees who violate the liquor laws during the previous year. For 2010, there were 11 Troy establishments that were cited with one liquor license violation this past year and each establishment has indicated that they stipulate to the violation. These include the following *On Premises Licensees*:

Camp Ticonderoga- licensed since 1996 with no previous violations
Embassy Suites- licensed since 2007, previous violation in 2008
Lebanese Grill (Yara)- licensed since 2000- previous violation in 2009
Mr. B's- licensed since 1989 with no previous violations
Picano's- Since 1999, previous violations in 2001, 2003
Red Robin Restaurant- licensed since 2004 with previous violation in 2007

Under Michigan law (MCL 436.1501) and Troy's Ordinance (Chapter 101, Sections 10 – 12), City Council has the right to object to the otherwise automatic renewal of liquor licenses for On-Premises licensees. Prior to any such objection, the licensee should be afforded with a due process hearing, with resolutions required on or before March 31 of each year.

Additionally, the following *Off Premises Licensees* were also cited:

Aldi Inc .- licensed in 2004, with a previous violation in 2008
CVS- 4963 John R. Road- licensed since 1999, previous violations in 2000, 2007, 2008
Kroger- 1237 N. Coolidge- licensed since 2007 with no previous violations
Macy's- 2750 W. Big Beaver Rd.- licensed since 2004, previous violation in 2007
Rite Aid- 2971 W. Maple Rd.- Sale to Minor- licensed since 1966- violations in 2001, 2008

Under Michigan law (MCL 436.1501) and Troy's Ordinance (Chapter 101, Sections 10- 12), City Council also has the ability to hold due process hearings for liquor license violations. However, the Michigan Liquor Control Commission will not take any adverse action against the Off Premises liquor licensee unless there are three violations in each calendar year.

Due to limited City resources and in light of the previous history of each of the cited licensees, City Administration recommends that Council forego the due process hearings for 2010 violations. Absent contrary action or direction by City Council, no hearings will be scheduled and each establishment will be sent a letter from the Troy Police Department indicating the severity of the violation and instructed to update their TIPS/TAMS certification. Please let us know if you have any questions concerning the above.