


# CITY COMMISSION POLICY

<b>GRAND RAPIDS</b>  <b>MICHIGAN</b>	<b>NUMBER:</b> 300-04	<b>HISTORY</b>
	<b>DATE:</b> August 3, 1976	<b>FILE #</b> <b>DATE</b>
	<b>FILE NUMBER:</b> 30570	
	<b>DEPARTMENT:</b> CITY CLERK'S	

**SUBJECT:**      **IMPLEMENTATION OF ANNUAL REVIEW OF ALL CLUB, TAVERN, CLASS B AND CLASS C LICENSES**

- PURPOSE:**
1. To set forth a procedure for review and recommendation to the City Commission concerning areas of excessive concentration of Club, Class B, Class C and Tavern Liquor Licenses.
  2. To establish a means of comparing establishments serving alcoholic beverages in order that those creating public problems may be isolated and dealt with by lawful means, including revocation of license.
  3. To establish means by which offering the opportunity of serving alcoholic beverages may be a means of bettering the quality of the economic and social life within the community.

**STATEMENT  
OF THE PROBLEM:**

The Michigan Liquor Control Commission restricts the number of certain types of alcoholic beverage licenses which may be granted in any community. The quota for Class C Liquor Licenses is one for each 1,500 of population. Early in 1976, it was found that Grand Rapids has 19 taverns, 123 Class C Licenses and 4 Class B Licenses, for a total of 146 alcoholic liquor licenses, of which 141 are active and 5 are in escrow. There are also 28 Club licenses, which are not a part of the quota system.

On June 12, 1962, in City Commission File No. 12598, it was decided that the City Commission would review all alcoholic beverage licenses annually, commencing three months prior to the succeeding license year. It is now the consensus of the City Commission that this practice should be further refined to provide a more frequent and more detailed review as to the geographic location of the licenses and the practices and conditions of the establishments.

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## POLICY:

1. Each January, and more frequently as the City Commission directs, the City Manager shall report to the Committee on Ordinances, Licenses and Appointments the number of licensed establishments serving alcoholic beverages within the City. The Manager's report shall also indicate the number of such licensed establishments in each of the City's wards, in each of the City's neighborhoods (as defined by the Neighborhood Profile published by the Planning Department – see attached map) and on each of its major thoroughfares. This data shall be displayed on a map of the City with each different type of license indicated by a different color.
2. The Committee shall review the report and shall determine which areas of the City may have an excessive concentration of licensed establishments or which have a total absence of licensed establishments. The Committee shall also review the report and determine which licensed establishments have caused or been the scene of unusual problems.
3. The Committee shall report to the City Commission the following:
  - A. Areas with no licensed establishments
  - B. Areas and thoroughfares with excessive concentrations of licensed establishments
  - C. Licensed establishments which are the scene of unusual problems
4. For each area listed in 3.B. above, the City staff shall furnish a report which contains the following information:
  - A. The number and type of licensed premises within each area or on each major thoroughfare
  - B. The name and address of each such licensed premises
  - C. Information on each licensed premises, including but not limited to the following:
    - 1) The dollar amount of sales of alcoholic beverages of each of the following types:
      - a. Alcoholic liquor
      - b. Beer
      - c. Wine

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- 2) Kitchen space, if any, for the preparation of food, including:
    - a. Area of such kitchen space
    - b. Equipment
    - c. Health Department rating
  - 3) The dollar amount of sales of food or other merchandise in each of the following categories:
    - a. Take Out – prepared on the premises
    - b. Table Service
    - c. Food for consumption off the premises – packaged or not otherwise prepared on the premises
    - d. Non-alcoholic beverages
    - e. Other merchandise
  - 4) The number of employees in each of the following categories:
    - a. Bartenders
    - b. Waiters and Waitresses
    - c. Cooks
    - d. Other employees
  - 5) The type and area of premises under the licensee's control at the licensed location of each of the following types:
    - a. Restaurant Space
    - b. Bar Space
    - c. Parking Space
    - d. Lodging Space
    - e. Bowling Alley Space
    - f. Billiard Space
    - g. Dance Floor Space
    - h. Other (specify)
- D. Geographic data, including:
- 1) The distance between establishments in the area, measured along the streets
  - 2) The number of establishments in adjoining areas or on intersecting streets
  - 3) The relative residential, commercial and industrial character of the area or street

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- 4) The name and location of any social service agencies dealing with alcohol problems in the area and their proximity to licensed establishments
5. For each establishment in 3.C. above, the City staff shall furnish a report which contains the following information:
  - A. All information required in No. 4.
  - B. Public health, safety and welfare information, including but not limited to:
    - 1) Violations of Federal, State, or Local laws, ordinances and regulations, including, but not limited to, laws, ordinances and regulations concerning:
      - a. Fire safety
      - b. Health
      - c. Noise
      - d. Liquor Control
    - 2) Reported problems, including those:
      - a. Reported by the management and employees of the establishment
      - b. Reported by patrons
      - c. Reported by third parties
    - 3) Reported crimes occurring on the premises
      - a. Number and type reported by management and employees
      - b. Number and type reported by patrons
      - c. Number and type reported by third parties
6. The Committee on Ordinances, Licenses and Appointments shall consider the reports required by this Policy and any other evidence that it deems relevant. The Committee will then report its findings and recommendations to the full City Commission. The report shall include, but not be limited to:
  - A. Areas and major thoroughfares with no licensed establishments
  - B. Areas and major thoroughfares with no significant number or concentration of licensed establishments
  - C. Areas and major thoroughfares with a significant number or a significant concentration of licensed establishments which have no significant public health, safety or welfare problems

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- D. Areas and major thoroughfares with a significant number or a significant concentration of licensed establishments which do have significant public health, safety or welfare problems. In reporting this category, the Committee shall indicate what the problems are and how, if at all, they are related to the concentration of licensed establishments
  - E. Individual establishments which are the site of significant public health, safety or welfare problems. In reporting this category, the Committee shall include relevant evidence showing whether or not the public health, safety or welfare problems reported are caused or exacerbated by the existence or operation of the licensed establishment.
7. The report of the Committee on Ordinances, Licenses and Appointments shall contain a recommendation as to the renewal of each license in an area studied by the Committee and each establishment studied by the Committee. The Committee may recommend:
- A. Renewal of the license
  - B. Renewal of the license with notice to the owner that a change in location of the establishment is advisable
  - C. Renewal of the license with notice to the Michigan Liquor Control Commission that the City Commission believes that the license should be transferred to a different person
  - D. Renewal of the license with notice to the Michigan Liquor Control Commission in the form of a disciplinary letter that:
    - 1) Violations of Federal, State or Local laws or regulations exist which are attributable to the licensed premises
    - 2) There are delinquent taxes on the premises
  - E. Non-renewal of the License. If non-renewal is recommended, the Committee shall state its reasons for such recommendation
8. A public hearing before the City Commission, sitting as a Committee of the Whole, shall be afforded to each licensee who is a subject of the Committee's report. The licensee shall have full access to the information upon which the committee's recommendation is based and each licensee shall be allowed to comment upon the recommendation. All other interested persons shall also be allowed to comment upon the recommendations.

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9. The City Commission may adopt the Committee recommendations or may itself make such other determination, based on the information presented, as it sees fit.
10. The City Commission shall act with regard to each license renewal by resolution. Copies of each resolution shall be forwarded by the City Clerk to the Michigan Liquor Control Commission. The City Manager and the City Attorney shall take such action as is necessary to implement the City Commission's decision through appropriate legal means.