City Council

Mayor Carla Filkins

200 North Lake Street Cadillac, Michigan 49601 Phone (231) 775-0181 Fax (231) 775-8755



Mayor Pro-Tem Tiyi Schippers

Councilmembers
Stephen King
Robert Engels
Bryan Elenbaas

DOWNTOWN CADILLAC SOCIAL DISTRICT PERMIT APPLICATION

Applicant's Name:			
Permanent Address:			
E-mail Address:		Phone:	
Driver's License No			
Date of Birth:			
Are you the: OWNER	CO-OWNER	OTHER	
	<u>CRIMINAL H</u>	STORY	
Have you ever been convicte	ed of any crime, felony, n	uisdemeanor, or violation of any muni	cipal,
state or federal law? Yes	No		
If Yes, please explain:			
AUTHORIZATION TO RE	LEASE: I hereby authori	ze the release of all criminal history or	n file at
the Michigan State Police Co	entral Records Division th	nat pertains to me. Yes No	_
Date:	Signature:		

(Copy and Submit Additional Pages for Multiple Applicants)

BUSINESS INFORMATION

Name of Business:
Any assumed business names under which you intend to do business? If so, please list:
Business Phone Number:
Business Address:
Nature of business and the goods, wares, merchandise, and/or services for sale or offered (additional
pages may be attached):
☐ Food (Please describe:
☐ Other (Please describe:
Have you ever had a license or permit required by the City of Cadillac or any other state or
municipal authority revoked, suspended, or denied in the last three years?
Yes No If yes, please explain:
Proposed Days of Business/Hours of Operation for alcohol sales to be consumed in the Downtown
Social Zone:
Please describe the nature and character of any proposed advertising for the business:

PROCESS, REQUIRED ATTACHMENTS & SUBMITTALS

Process:

- 1. Upon completion of the City's application and submittal of all required attachments and submittals, the Cadillac City Council must publicly consider a resolution that certifies that your business meets the State's qualifications for operating in a Social District.
- 2. An official copy of the Resolution, if approved by the City Council, will be provided within five (5) business days following the public meeting where it was approved, since the application to the Michigan Liquor Control Commission will require a copy of Cadillac's Resolution.
- 3. After submitting your application to the Michigan Liquor Control Commission, the Commission will provide notice to the applicant approving or not approving the application. Once notice is provided that the Application to the Commission has been approved, that notification must be provided to the City before final approval and issuance of a City of Cadillac Social District Permit.

Required Attachments & Submittals:

The following items must be submitted prior to the City Council considering a Resolution certifying your business is qualified to participate in this program:

- 1. Completed Downtown Cadillac Social District Permit Application
- 2. A copy of a valid current state sales tax license, or if exempt, a copy of a current exemption certificate, if required for goods sold.
- 3. A health card or its equivalent issued by either the county health department or other regulatory agency if food is to be sold.
- 4. A copy of the applicant's liquor license issued pursuant to 1998 PA 58 (Michigan Liquor Control Code, MCL 4361101 et seq.)
- 5. A copy of the completed Michigan Liquor Control Commission Application for a Social

District Permit (See Attachment A). Applications may also be found online at https://www.michigan.gov/documents/lara/LCC208 695497 7.pdf

- 6. A copy of Commercial General Liability Insurance or equivalent for your business, listing the City as being additionally insured.
- 7. A description and visual depiction of each container it intends to use in the Downtown Social District. The containers must not be glass, and must depict all of the following:
 - a. The trade name or logo or some other mark that is unique to the Applicant.
 - b. The City adopted Downtown Social Zone Logo. (See Attachment B)
 - c. The container has a liquid capacity that does not exceed 16-ounces.
- 8. City of Cadillac Application Fee: \$250

By initialing this paragraph and signing this application, the Applicant acknowledges all of the following: that approval of the Applicant's application to the Commission does not constitute approval by the City of the Applicant's request for a social district permit from the City; that final approval by the City of a social district permit shall not be given until the Applicant's application to the Commission is approved; that approval by the Commission does not constitute approval by the City; that approval of a social district permit issued by the City is within the City's discretion notwithstanding any approval by the Commission; that revocation by the Commission of Applicant's social district permit issued by the Commission constitutes automatic revocation of any social district permit issued by the City to the Applicant without appeal as otherwise provided by the Cadillac City Code; that the issuance of a social district permit to the Applicant does not create a vested right in the operation of Applicant's business in a commons area; and that the City may revoke Applicant's social district permit within its discretion at anytime.

Initials	

PERMITTED AND PROHIBITED CONDUCT

By signing below, the Applicant acknowledges they have read and will abide by the following, in addition to all other applicable laws, rules and regulations:

- 1. No business may sell any goods or services, nor operate, conduct, maintain or manage any such business within the Downtown Social Zone without, in addition to the license or permit required under the City of Cadillac Code, also have a Social District Permit issued by the City Manager or his or her designee.
- 2. No business, person or entity shall engage in the sale of alcohol within the Downtown Cadillac Social District and Downtown Social Zone, unless otherwise permitted by the City, and the Michigan Liquor Control Commission.
- 3. Qualified Licensees may only sell alcoholic beverages to be consumed in approved containers in the Downtown Social Zone during open hours of operation of the Downtown Social Zone. Such alcoholic beverages may only be sold within the confines of the premises of the qualified licensee.
- 4. Qualified Licensees may not sell alcoholic beverages to be consumed in the Downtown Social Zone except within approved containers.
- 5. A qualified licensee shall prohibit entry into its licensed premises to any person who has within their possession a container that contains any amount of alcohol that has not been purchased from the qualified licensee.
- 6. Purchasers of alcoholic beverages from a qualified licensee in an approved container may carry and consume open alcohol from that container anywhere within the Downtown Social Zone, except as follows:
 - a. Carrying and/or consumption is prohibited within any public right of way where vehicles are permitted to travel, except within areas marked and/or signaled for pedestrian traffic, and if signaled, only when such signal indicates pedestrian crossing is permitted.
 - b. Carrying and/or consumption is prohibited within a parking lot, whether or not owned or operated by the City, unless otherwise separately authorized by the City Manager or his or her designee under terms and conditions specified in writing by the City Manager or his or her designee.
 - c. Carrying and/or consumption is prohibited within the interior confines of any business located within the Downtown Cadillac Social District, except within the licensed premises from which the approved container was purchased.
- 7. Open alcohol purchased from other than a qualified licensee that has obtained the required social district permits is prohibited within the confines of the Downtown Cadillac Social District and Downtown Social Zone. No person shall operate any sound amplification devices,

- equipment or systems within the Downtown Social Zone other than those systems specifically authorized by the City Manager or his or her designee;
- 8. No person shall install any lighting devices, equipment, or systems within the Downtown Social Zone other than those systems specifically authorized by the City Manager or his or her designee.
- 9. No person shall install any heating devices, equipment, or systems within the Downtown Social Zone other than those systems specifically authorized by the City Manager or his or her designee.
- 10. No person shall cook food within the Downtown Social Zone, except for authorized mobile food vendors or as may be permitted by the City Manager or his or her designee and the Wexford County Health Department.
- 11. Smoking is prohibited in the Downtown Social Zone.
- 12. Hours of the Downtown Social Zone shall be between 10 a.m. and 12 a.m. Sunday through Saturday. The hours are subject to change at the discretion of the City Manager at any time, and when practical, twenty-four hours' notice of change in hours of operation shall be provided to qualified licensees. Upon determination of a change in hours of operation, notice of such change shall minimally be posted by the City Manager, or his or her designee, at City Hall and on the City's website.
- 13. Businesses may utilize outdoor space within the Downtown Social Zone that is adjacent to their respective building and may place tables, chairs and benches upon written approval from the City Manager or his or her designee on their own adjacent property pursuant to the following:
 - a. Tables, chairs and benches shall be separated from parking and vehicular traffic and placed so as not to unreasonably obstruct entrances, sidewalks and other pedestrian pathways;
 - b. Tables, chairs, and benches shall be sturdy, placed in compliance with applicable ADA requirements, and in a manner that does not otherwise constitute a safety hazard
 - c. Tables, chairs and benches shall be placed in a manner that does not obstruct easy access to fire hydrants, and other fire suppression equipment; and shall be placed in a manner that otherwise complies with the applicable fire prevention code;
 - d. Tables, chairs and benches shall be secured daily at the close of business, are the responsibility of the business, and shall be removed should they interfere with a special event or other conflicting activity and upon request from the City Manager or his or her designee;

- e. A request to place tables, chairs and benches shall be in writing and contain a drawn plan depicting the area within which the tables, chairs and benches will be placed. Such a request may accompany the application for a Social District Permit from the City.
- 14. Businesses that obtain a social district permit from the City shall operate in compliance with any and all applicable state and local orders related to COVID-19, including social distancing, party size limitations, masking, etc.
- 15. Emergency vehicle access to all properties within the Downtown Social Zone shall be maintained.
- 16. All other ordinances, rules and laws remain in full force and effect within the Downtown Cadillac Social District and Downtown Social Zone.

AUTHORIZATION FOR RELEASE AND SIGNATURE

(To be completed by ALL applicants, copy & submit additional pages for multiple applicants)

I HEREBY AUTHORIZE THE RELEASE OF ALL CRIMINAL HISTORY ON FILE AT THE MICHIGAN STATE POLICE CENTRAL RECORDS DIVISION THAT PERTAINS TO ME. I ALSO HEREBY SWEAR THAT ALL STATEMENTS MADE FOR THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I AGREE TO OBSERVE ALL CITY OF CADILLAC, STATE OF MICHIGAN AND FEDERAL LAWS AND ORDINANCES THAT PERTAIN TO THE CONDUCT AND OPERATION OF THIS BUSINESS. I UNDERSTAND THAT UPON APPROVAL OF MY APPLICATION FOR LICENSING, ALL PERSONS LICENSED UNDER CHAPTER 10 OF THE CITY CODE, AND EACH AND EVERY ONE OF THEIR AGENTS OR EMPLOYEES SHALL PROVIDE A PHOTOGRAPH OF HIMSELF OR HERSELF, WHICH SHALL BE AT LEAST A TWO-INCH BY TWO INCH PICTURE SHOWING THE FACE OF THE PERSON IN A FORM SUITABLE FOR ATTACHMENT TO THE LICENSE UPON ITS ISSUANCE. THE LICENSE SHALL THEN BE DISPLAYED IN A PROMINENT LOCATION AT ALL TIMES.

Date:	Signature:	
Date.	Signature.	



DOWNTOWN CADILLAC SOCIAL DISTRICT PERMIT APPLICATION

ATTACHMENT A

MICHIGAN LIQUOR CONTROL COMMISSION PERMIT APPLICATION

May also be filled out online at https://www.michigan.gov/documents/lara/LCC208 695497 7.pdf



Michigan Department of Licensing and Regulatory Affairs Liquor Control Commission (MLCC)

Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Social District Permit Information



Local Governmental Approval Required Before You Apply

The city, township, or village where your business is located must have first designated a Social District before you may apply. Your licensed business must be contiguous to the commons area inside the Social District to qualify. Check with your local governmental unit to see if you qualify.

Your licensed business must also be approved individually by the city, township, or village before you apply for a Social District Permit. A local governmental unit approval form is attached to this application.

The governing body of a local governmental unit may designate a Social District within its jurisdiction that contains a commons area in which the patrons of qualified licensees may consume alcoholic liquor (beer, wine, mixed spirit drink, spirits, or mixed drinks/ cocktails) in the commons area.

At least two (2) qualified licensees must have their licensed premises contiguous to a commons area for the area to qualify to be part of a social district.

The local governmental unit must define and clearly mark the commons area with signs. The local governmental unit must establish a management plan, including the hours of operation, for the commons area. These plans must be submitted to the Commission.

A qualified licensee may apply the to Commission for a Social District Permit using the attached application. The licensee must first obtain approval from the governing body of the local governmental unit before applying for the permit.

A licensee that has been issued a Social District Permit may sell alcoholic liquor for on-premises consumption on its licensed premises only, but then customers may remove the alcoholic liquor from the premises to be consumed in the commons area. A licensee must not sell alcoholic liquor in the commons area.

The commons area is not considered part of any licensee's licensed premises. Nevertheless, a licensee that has been issued a Social District Permit must make every effort to ensure that it does not sell alcoholic liquor to a minor or intoxicated person.

Any alcoholic liquor sold to customers for consumption in the commons area by a licensee with a Social District Permit must comply with all of the following:

- The serving container must prominently display the licensee's trade name or logo or some other mark that is unique to the licensee that sold the alcohol.
- The serving container must prominently display a logo or some other mark that is unique to the commons area.
- The serving container is not made of glass.
- The serving container does not have a liquid capacity over 16 ounces.

A customer that purchases alcoholic liquor to be consumed in a commons area must not transport that alcoholic liquor onto the licensed premises of another licensee contiguous to the commons area from which the customer did not purchase the alcoholic liquor. A licensee shall not allow alcoholic liquor purchased from another licensee to be brought onto its licensed premises.

A customer that purchases alcoholic liquor to be consumed in a commons area must not transport that alcoholic liquor outside of the commons area.

Qualified licensees for Social District Permits are:

- A retailer licensee that is licensed to sell alcoholic liquor for consumption on the premises, such as a Class C, Tavern, A-Hotel, B-Hotel, Club, G-1, or G-2. A Special License issued to a nonprofit organization is not a qualified licensee.
- A manufacturer with an On-Premises Tasting Room Permit.
- A manufacturer with an Off-Premises Tasting Room License or a Joint Off-Premises Tasting Room License. For Joint Off-Premises Tasting Room Licenses, all licensees that have licenses at that same location must be approved for and issued a Social District Permit.



Michigan Department of Licensing and Regulatory Affairs Liquor Control Commission (MLCC)

Toll-Free: 866-813-0011 - www.michigan.gov/lcc

3	(For MLCC Use Only)
Request ID:	
Business ID:	

Social District Permit Application

Individuals, please state your legal name. Corporations or Licensee name:				
Address:				
City:	ty: State:		Zip Code:	
Contact Name: Phone:		e:	Email:	
Part 2 - Required Documents & Fees				
Local Governmental Unit Approval Approval from the local governmental unit (cit	y counc	il, township board, village council) is r	equired to b	pe submitted with this application
\$70.00 Inspection Fee (MLCC Fee Code 4036) \$250.00 Social District Permit Fee (MLCC Fee	· Code 408	TOTAL DUE: [37] Make checks payable to State of	Michigan	Leave Blank - MLCC Use Only
Part 3 - Signature of Licensee Under administrative rule R 436.1003, the licen laws, rules, and ordinances as determined by Approval of this application by the Michigan I obtain all other required state and local license liquor on the licensed premises.	the s iquor	tate and local law enforcement Control Commission does not v	s officials vaive any	who have jurisdiction over the licensee of these requirements. The licensee mus
I certify that the information contained in this f requirements of the Michigan Liquor Contro information is a violation of the Liquor Control	l Code	e and Administrative Rules. I als		
The person signing this form has demonstrate proof.	d that	they have authorization to do so	o and hav	e attached appropriate documentation a
Print Name of Licensee & Title		Signature of Licen	isee	Date
P		return this completed form and f		

Michigan Liquor Control Commission Mailing address: P.O. Box 30005, Lansing, MI 48909 Hand deliveries: Constitution Hall - 525 W. Allegan Street, Lansing, MI 48933 Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906 Fax with Credit Card Authorization to: 517-284-8557



Michigan Department of Licensing and Regulatory Affairs Liquor Control Commission (MLCC)

Toll Free: 866-813-0011 • www.michigan.gov/lcc

Business ID:	
Request ID:	
_	(For MLCC use only)

Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiquous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a	meeting of the		council/board
(regular or special)		(name of city, township, or village)
called to order by		on	at
the following resolution was offered:		(date)	(time)
Moved by	and supp	ported by	
that the application from			
	(name of licensee - if a corporat	tion or limited liability company, please :	state the company name)
for a Social District Permit is		by this body for co	onsideration for approval by the
Michigan Liquor Control Commission.	(recommended/not recommended)		
If not recommended, state the reason:			
	<u>Vote</u>		
	Yeas:		
	Nays:		
	Absent:		
I hereby certify that the foregoing is true	and is a complete copy of the re	esolution offered and adop	oted by the
council/board at a	meeting l	held on	(name of city, township, or village)
(regular o	r special)	(date)	
I further certify that the licensed premise	s of the aforementioned license	ee are contiguous to the co	mmons area designated by the
council/board as part of a social district p	ursuant to MCL 436.1551.		
Print Name of Clerk	Sign	ature of Clerk	Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Michigan Department of Licensing and Regulatory Affairs Liquor Control Commission (MLCC) Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Business ID:	
Request ID:	

(For MLCC Use Only)

Coronavirus (COVID-19) State-of-Emergency Compliance Certification

Due to the ongoing Coronavirus (COVID-19) state-of-emergency and pursuant to MCL 436.1925(1), which states that the Michigan Liquor Control Code shall be construed to protect the health, safety, and welfare of the citizens of Michigan, all applicants and licensees that have applied for licenses, permits, permissions, or approvals, must complete the Coronavirus (COVID-19) State of Emergency Compliance Certification form prior to the Commission considering the application submitted by the applicant or licensee. Further, in determining whether an applicant may be issued a license or permit the Commission must consider "[t]he effects that the issuance of a license would have on the health, welfare, and safety of the general public", pursuant to administrative rule R 436.1105(2)(j).

Applicant / Licensee Information Individuals, please state your legal name. Corporations or L	imited	Liability Companies, please state your na	me as it appears on your Art	ticles of Incorporation / Organization.
Applicant / Licensee name:				
Licensed Address:				
City:		State:	Zip Code:	
Contact Name:	Phon	e:	Email:	
Under administrative rule R 436.1003, the lice health laws, rules, and ordinances as determi licensee.				
Compliance with R 436.1003 includes all Execurelated to the Coronavirus (COVID-19) stated department orders, and local ordinances, included the masks by staff and customers.	of-em	nergency. The licensee must	comply with all Exec	cutive Orders, local health
Failure by the licensee to comply with R 436.10 the Coronavirus (COVID-19) state-of-emergency				
By checking this box, I attest that the ap zoning, sanitation, and health laws, rules			omply with all state ar	nd local building, plumbing,
By checking this box, I attest that the a Governor, local health department order				
By checking this box, I attest and under revoked if it fails to comply with all E ordinances related to the Coronavirus (Co	xecut	ive Orders issued by the Gover		
I certify that the information contained in this form i of the Michigan Liquor Control Code and Administi Liquor Control Code pursuant to MCL 436.2003. The appropriate documentation as proof.	ative F	Rules. I also understand that provid	ing false or fraudulent	information is a violation of the
Print Name of Applicant / Licensee & Title		Signature of Applicant /	Licensee	Date

Please submit this completed certification form with the application that you are submitting. Michigan Liquor Control Commission Mailing address: P.O. Box 30005, Lansing, MI 48909 Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906 Email to: MLCCRecords@michigan.gov

Fax to: 517-763-0059

Signature of Applicant / Licensee



Michigan Department of Licensing and Regulatory Affairs Finance and Administrative Services Revenue Services

LARA Revenue Services is not a part of the Michigan Liquor Control Commission (see note below).

Credit Card Authorization Form

** FAX COMPLETED FORM TO SECURE FAX LINE: 517-284-8557 ** ** DO NOT EMAIL OR MAIL THIS FORM **

Requests with credit card payments that are not faxed to the above secure fax line will be destroyed along with the credit card authorization in order to ensure the security of applicants' personal credit card numbers.

* *IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED**

Name:	Transaction Amount:
Address:	Card Number:
City:	Check One:
State:	MasterCard Visa Discover
Zip Code:	Security Code/CVV Code:
Phone:	Expiration Date:
Applicant/Licensee Name: Request or Business ID #:	
Payment is for:	Signature
F YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN TEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED. Credit Card Payment Itemization: MLCC Fee Type Fee Amount Fee Code Inspection Fee: 4036 Social District Permit Fee: 4081	LARA Revenue Services is not a part of the Michigan Liquor Control Commission (MLCC). Receipt of payment and application forms by LARA Revenue Services does not constitute receipt of an application by the MLCC. Applications submitted through LARA Revenue Services may take up to two (2) additional business days to be received by the MLCC after receipt by LARA Revenue Services. For requests that require a timely receipt of an application by the MLCC to be processed, such as Special Licenses and temporary requests, please ensure that your application will be received in adequate time to be processed by the MLCC after the payment is received and processed by LARA Revenue Services.



DOWNTOWN CADILLAC SOCIAL DISTRICT PERMIT APPLICATION

ATTACHMENT B

DOWNTOWN SOCIAL ZONE LOGO

Cadillac Downtown Social Zone Logo





DOWNTOWN CADILLAC SOCIAL DISTRICT PERMIT APPLICATION

ATTACHMENT C

DOWNTOWN SOCIAL DISTRICT & ZONE MAP

Downtown Cadillac Social District and Downtown Social Zone

