



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: March 2, 2021

To: Mayor and City Council Members

From: Mark F. Miller, City Manager
Lori G. Bluhm, City Attorney
Frank Nastasi, Chief of Police
Aileen Dickson, City Clerk

Subject: Liquor Violation Hearings

Troy City Council has traditionally scheduled hearings for all Troy liquor licensees that sold alcohol to minors in the previous year. These hearings are usually scheduled in March to allow for the City to take any justifiable action against a violating licensee before the new liquor license year. For on-premises licensees (alcohol is consumed on site, such as restaurants and hotels), state law authorizes the City to object to a violator's liquor license renewal. This past year, due to closures and other COVID reasons, there were no restaurants or other on-premises violators.

The other type of liquor license is an off-premises license, where alcohol is purchased at a store or gas station and taken home or consumed somewhere else. State law limits the powers municipalities can take against these off-premises licenses unless there are three or more violations in a calendar year. Although there were three off-premises licensees with liquor license violations in 2020, none of the licensees meet this threshold. Two of the violations used decoys, and the third violation was observed during regular patrol, as follows:

The Kroger Co. of Michigan (dba Kroger Store #464)- 2105 South Blvd;
1/2/2020 Sale to Minor (Compliance Test); no priors within past 5 years.

The Kroger Co. of Michigan (dba Kroger Store #487)- 31 E. Long Lake;
1/2/2020 Sale to Minor (Compliance Test); no priors within past 5 years.

7-11- 3982 Crooks Rd- 3/25/2020 Sale to Minor;
1 prior violation on 12/10/17 (After Hours Alcohol Sale)

The Michigan Liquor Control Commission was notified of each of these violations, and will likely impose fines for each of these licensees, assuming that the violations are uncontested or otherwise proven in a due process hearing. In addition, the Troy Police Department issued civil infraction tickets to all of the clerks that sold alcohol to minors, as authorized under the law.

City Council is not required to hold annual liquor license hearings, especially where the powers of the City are limited. Unless otherwise directed by the Troy City Council, City Administration does not plan to schedule liquor hearings for these three 2020 violations. In the absence of City Council hearings, City Administration will notify each of the three violators that additional liquor sales training will be required, and will require proof of the training completion to be provided to the Troy Police Department.