



**APPLICATION FOR SPECIAL LICENSE
for SALE OF BEER AND WINE ONLY and/or BEER, WINE AND SPIRITS
for CONSUMPTION ON THE PREMISES**

(Authorized by MCL 436.1500)

City of Zilwaukee
319 Tittabawassee Rd
Zilwaukee, Michigan 48604
Phone (989) 755-0931
Fax (989) 755-2202

GENERAL INSTRUCTIONS

NOTICE: PROCESSING REQUIRES AT LEAST TEN (10) WORKING DAYS

These general instructions apply to PARTS I AND II of the Application for a Special License and PARTS III AND IV, when required. Each part of the Application for a Special License also has more specific instructions which must be followed.

**The Licensing Process;
Deadline**

To ensure timely processing of this application, please double-check all required information. The Commission **REQUIRES AT LEAST 10 WORKING DAYS** to process the application. The Commission's offices are open to the public for application processing from 8:00 a.m. to 11 a.m. and from 1:00 p.m. to 3:30 p.m., Monday through Friday, except holidays.

**Qualifying Organizations;
Applicants**

A special license is issued only to non-profit organizations. If your organization has not previously been approved by the Michigan Liquor Commission (MLCC), or is not presently licensed by the Commission, you must submit proof of your non-profit status (for example, your charter, by-laws, articles of incorporation, etc.) with this application.

No organization, including its auxiliaries, may receive more than 5 Special Licenses during a calendar year. Applicants for a Special License must be at least 21 years old.

License Period

ONE DAY- A Special License is good for one day. The license will contain the time period for which it is granted. One Application and one Bond are acceptable for consecutive days of an event at the same location. However, a separate license fee is required for each day of the event.

**Location; Restrictions;
Diagram Required**

There are restrictions on the location where a Special License may be issued.

CHURCH OR SCHOOL- No Special License may be issued on the premise of, or within 500 feet of, a church or school without the applicant obtaining approval from the authorized representative of the church or school. Part 1 of the application contains the approval space.

MILITARY INSTALLATION- No Special License may be issued for locations on a military installation without the approval of the Armory Board of Control and the legislative body of the local governmental unit. Applicants who secure this approval must also agree to comply with all the rules and regulations of the Department of Military Affairs in addition to those of the Liquor Control Commission.

**Location; Restrictions;
Diagram Required (Cont.)**

DIAGRAM REQUIRED- Applicants must provide a detailed diagram of the area to be licensed to both the MLCC and to the local law enforcement office (whose approval must be obtained on Part I of the Application for Special License). The diagram must show a clearly marked area for sales and consumption of alcoholic beverages. If the area is a park, mall, fairground, church grounds, arena, campus, parking lot, vacant lot, etc., the diagram must show the actual dimensions and indicate how the area is to be contained (such as rope, fence, etc.) and indicate how the area will be policed.

License Fees

For organizations established less than one year: \$50.00 for each separate, consecutive day of the event. If the event is held on a Sunday, an additional \$7.50 Sunday Sales fee is required.

For organizations established one year or more: \$25.00 for each separate, consecutive day of the event. If the event is held on a Sunday, an additional \$3.75 Sunday Sales fee is required.

The fees must be paid by certified check or bank/postal money order (made payable to "State of Michigan/MLCC"). DO NOT MAIL CASH.

Required Forms and Documents; Approvals; Signatures

APPLICATION (PART 1)

This form is always required before the MLCC will consider an organization for a Special License. The application must be completed by the President and Secretary of the organization, witnessed by two other people, and notarized.

The local police or sheriff must approve the Application for Special License before it is sent to the Commission for consideration. This approval is to certify that the proposed licensed premises meet all local health and sanitation requirements. ALLOW SUFFICIENT TIME FOR CONSIDERATION OF THE APPLICATION BY THE LOCAL LAW ENFORCEMENT AGENCY. Remember to submit a diagram with the application.

Enclosures

Diagram- The MLCC must receive a diagram (described on the preceding page) with the Application before it will be considered for approval.

Non-Profit Organization- If the organization is not a local chapter of a national organization or one that previously has been approved by the Commission, please attach a copy of the proof of non-profit status (with by-laws, articles of incorporation, etc.) to Part 1 of the Application for Special License.

Check- Attach a certified check or bank/postal money order.

BOND (PART 2)- A 60-day acceptable bond is required with each application. This Bond section is to be completed by a bonding/insurance agency. Attach a copy of the bond (with Power of Attorney form) to PART 1 of the application. The bonding company should keep a copy and the applicant organization should also keep a copy.

Enclosures(Cont.)

SUNDAY SALES (PART 3)- If the event is to be held on a Sunday and spirits (alcoholic liquor other than beer and wine) are to be sold, a separate Sunday Sales Affidavit is required to be submitted with Parts 1, 2, and 4. This form must be signed by either the President or the Secretary of the organization and the signature must be notarized.

LOCAL LEGISLATIVE BODY APPROVAL (PART 4)- If the event is to be held on a military installation, the legislative body of the governmental unit wherein the installation is located must also approve the application. Part 4 must be completed and signed by the clerk of the local governmental unit.

Disbursements of Profits- All profits derived from the sale of alcoholic beverages must go to the organization itself and not to any individual.

When having a fund-raiser for another organization (such as the Muscular Dystrophy Association), a letter from that organization must be submitted with this application indicating that it will receive the proceeds. Within 15 days following the event, your organization must file with the Commission an accounting statement

showing receipts and other disbursements in connection with the event.

**Buying Alcoholic Beverages
for Resale; B.Y.O.B.;
Unlimited Quantity**

SPIRITS- All distilled spirits (whiskey, gin, vodka, etc.) must be purchased from a State of Michigan SDD licensee at the established retail price (no discounts).

BEER AND WINE- Beer and wine must be purchased from either a State of Michigan SDM retail licensee or a licensed wholesaler.

B.Y.O.B.- Do not allow B.Y.O.B. (Bring Your Own Bottle) at your event.

UNLIMITED QUANTITY OF ALCOHOL- Do not sell, offer to sell, or advertise the sale of an unlimited quantity of alcoholic beverages at a specific price.

Hours of Operation

WEEKDAYS AND SATURDAYS- Beer, wine, and spirits may be sold from 7:00 a.m. until 2:00 a.m. of the next day provided the sale of spirits is legal in the governmental unit where the license is desired.

SUNDAYS- Legal hours of sale on Sundays are from 12 noon until 2:00 a.m. of the next day provided the sale of alcoholic beverages on Sunday is legal in the governmental unit and the appropriate fees are paid.

**Compliance with Liquor
Laws**

Organizations receiving a Special License must comply with the laws of the State of Michigan and the rules of the MLCC regarding the sale, furnishing, and consumption of alcoholic beverages. Organizations receiving a Special License are responsible for ensuring that all those who will be selling and serving alcoholic beverages are familiar with and will follow the state's liquor laws and rules of the Commission.



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PART 1

Application For Special License For Sale of Beer and Wine Only or Beer, Wine and Spirits For Consumption on the Premises

1. Application for: <input type="checkbox"/> Beer and Wine Only <input type="checkbox"/> Beer, Wine and Spirits	2. Has your organization received a license before? <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Name and Address of Applicant Organization	4. Non-profit Organization (check one only) <input type="checkbox"/> Yes <input type="checkbox"/> No * <small>*If no, you do not qualify for issuance of this license</small> 5. In continuous operation since (date):
6. RESOLUTION OF ORGANIZATION (required): At a meeting of the membership or board of directors, held on (date) _____, the following resolution was passed by a majority vote. RESOLVED: That the organization, through its duly authorized officers, make application to the Liquor Control Commission for a Special License for the sale of either Beer and Wine, or Beer, Wine and Spirits, for consumption on the premises to be in effect on the following days (enter dates) _____, at the following location and address. List name of armory, park, hall, military installation, etc. and address of location: _____ _____ This location is in the (city, incorporated village or township) _____, County of _____.	
7. CHURCH OR SCHOOL APPROVAL: If the proposed location is within 500 feet of a church and/or school then you must have both church and/or school officials approve the application for a special license by filling out and signing this box or attaching an authorizing statement sheet. I, the authorized representative of the named church and/or school, state that we have no objection to the issuance of a special license to the applicant organization, at the location entered on the resolution. Name and address of church and/or school: _____ Signature of authorized church and/or school representative, Phone Number and Date: _____ (Attach additional sheets if necessary.)	
8. MILITARY INSTALLATION: Is the proposed location at a military installation or a facility operated by the military? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES , you must also have the local government complete PART 4 of this application. Military Agreement Number _____ We understand the granting of this license and operation under such license are subject to all regulations of the Department of Military Affairs, the provisions of the Liquor Control Code, and the Rules of the Commission.	

ALL APPLICANTS- We certify that all profits derived from the sale of beer, wine and/or spirits will go to the organization and not to any individual. We further certify that the statements made are true. We further agree to abide by all provisions of the Liquor Control Code and any rules issued by the Commission; that any license issued by the Commission is a contract subject to suspension or revocation at any time by the Liquor Control Commission, that there shall be no liability on the part of the State of Michigan, the Liquor Control Commission, or any of its officers or employees by reason of such suspension or revocation, and that the granting of the license does not create a vested right.

President _____
 (signature must be legible)

Home Address and Phone Number

Secretary _____
 (signature must be legible)

Home Address and Phone Number

Subscribed and sworn on (date) _____
Signature of Notary _____
Print Name _____
Commission expires (date) _____

MAIL LICENSE TO: (You must be 21 years old to sign and receive a license)

Name _____ Phone No. () _____

Address _____

Approval is required of the chief of police or sheriff who has primary jurisdiction where the proposed special license is to be located. The sponsoring organization should prepare a diagram clearly indicating the area for sales and consumption of alcohol with a description of how the area will be policed by the organization. The organization must give a copy of the diagram to the police agency having jurisdiction over the event, and attach the original diagram to this application.

9. SUNDAY SALES (Complete only if application is for sale of **spirits** on Sunday –not beer and wine) :

Will this event be held on Sunday and will spirits be sold? ___ Yes ___ No

If **YES**, complete PART 3 of this application. Attach it to this page and pay the additional Sunday Sales fee. Sunday Sales Permits are granted for the sale of spirits as long as the sale of spirits is not prohibited by local ordinance.

10. APPROVAL OF CHIEF OF POLICE OR SHERIFF:
(Whoever has primary jurisdiction in the local governmental unit where the event is held)

Please review this application and sign only if you approve the issuance of a Special License. If there is a local prohibition against the sale of beer, wine and spirits on Sunday, an application for a license to be in operation on Sunday will not be approved.

Does the proposed establishment meet all local health and sanitation requirements? ___ Yes ___ No

Is the proposed establishment within 500 feet of a church and/or school? ___ Yes ___ No

If YES, please enter the name and address of the church and/or school.

(Church and/or School Name) (Address)

(Pastor and/or Superintendent) (Telephone)

Attach additional sheets if necessary (for example, within 500 feet of a church AND a school or within 500 feet or if there are multiple churches or schools).

I certify that I have investigated the application of this organization for a Special License for the sale of beer and wine or beer, wine and spirits for consumption on the premises and approve the issuance of a license by the Liquor Control Commission.

(Signature of approving officer) (Title) (Date)

11. REQUIRED DOCUMENTS: The following documents are required and must be attached to this application.

- Ž PART 2- a 60 day bond for \$1,000.00.
- Ž PART 3- Sunday Sale affidavit-if the event is held on a Sunday and you are selling spirits.
- Ž PART 4- Military Installation Local Legislative Body Resolution-if event is to be held on a military installation.
- Ž Diagram of Service Area-the diagram must clearly indicate the area for sales and consumption of alcoholic beverages, show the dimensions of the area, and indicate how the area is to be enclosed (fence, rope, etc.) and policed.
- Ž Authorization Letter-from an organization if the event is a fund raiser being held for another organization.
- Ž Proof of non-profit status.

FEES SCHEDULE/PAYMENT:

Ž Organizations established **less than one year:**
\$50.00 for each day of the event
\$7.50 for an additional Sunday Sales Fee

Ž Organizations established for **one year or more:**
\$25.00 for each day of the event
\$3.75 for an additional Sunday Sales Fee

Ž **Certified check, bank or postal money order**-made payable to the **STATE OF MICHIGAN/MLCC**. A separate fee is due for each day of the special license. Additional fees are required for a Sunday Sales Permit. See the fees schedule shown above. **Do not send an uncertified personal check. Do not send cash through the mail.** Cash is taken at the Lansing office of the Commission and a receipt will be provided. The Commission's offices are open to the public from 8:00 a.m. to 11:00 a.m. and from 1:00 p.m. to 3:30 p.m., Monday through Friday, except holidays.

Michigan Liquor Control Commission

**BOND OF SPECIAL LICENSE FOR SALE OF
BEER, WINE & SPIRITS FOR CONSUMPTION ON THE PREMISES**
(Authorized by MCL 436.1801(1)(b))

**NOTICE: Bonding company must attach
power of attorney to this form.**

APPLICANT

Name of Organization _____

Address where event is to be held _____

City _____ Twp. _____ County _____ State _____

KNOW ALL MEN BY THESE PRESENTS, That the above applicant, as principal,

and _____

of _____ Street, City of _____ State of _____

have been authorized to do business in the State of Michigan, as surety, are held and firmly bound unto the People of the State of Michigan in the Sum of One Thousand (\$1,000.00) Dollars, to the payment whereof, well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

Sealed with our seals and dated this _____ day of _____, 20 _____ A.D.

NOW THEREFORE THE CONDITION OF THIS OBLIGATION is such that if the principal shall well and truly keep and perform all and singular the terms and conditions of this contract of license and/or permit and permits, and any modifications thereof, together with all and singular the obligations imposed by the Michigan Liquor Control Code of 1998, as amended, and will comply with all the rules and regulations promulgated by the Liquor Control Commission, and will pay all fines, costs and /or penalties that may be imposed upon him for violations of this Act and/or for violations of the rules and regulations promulgated by the Liquor Control Commission, and

CONDITIONED FURTHER, that if the said principal will not directly or indirectly, by the principal, clerk, agent or servant of the principal at any time sell, furnish, give or deliver any alcoholic liquor to a minor, nor to any adult person who is at the time visibly intoxicated, and that if the said principal will pay all actual damages that may be adjudged to any person or persons for injuries inflicted upon such person or persons either in person or in property of means of support or otherwise, by reason of the said principal, selling, furnishing, giving or delivering any such alcoholic liquor, then this obligation shall be void; otherwise to remain in full force and effect.

AND THE OBLIGORS, for themselves, their heirs, executors, administrators, successors and assigns do further covenant and agree with the State of Michigan, as follows:

1. That this bond shall be effect for a period commencing at 7:00 a.m. on the _____ day of _____ 20 _____ A.D., if accepted by the Liquor Control Commission, and shall remain in full force and effect until 60 days after the date of receipt by the Michigan Liquor Control Commission at Lansing of the expired license, at which time it shall terminate as to all acts on the part of the principal subsequent to said date, excepting as may be set forth in this bond, or otherwise limited by law and the rules and regulations of the said Liquor Control Commission. If the effective date of the bond is not filled in, the date of execution shall be effective date of the bond.
2. That all rights and liabilities under this bond shall be governed, controlled and fixed by the terms thereof, and by the law and the regulations made pursuant thereto as the same now exists or may hereafter be modified, amended or supplemented.

WITNESS OUR HANDS AND SEALS this _____ day of _____, A.D. 20 _____

Signature of Special License Applicant

Signature of Special License Applicant

Surety's Name

Surety's Signature

Business Address _____

Telephone _____

Michigan Liquor Control Commission

SUNDAY SALES AFFIDAVIT
(Authorized by MCL 436.2115)

COMPLETE AND RETURN ONLY IF SELLING SPIRITS ON SUNDAY

INSTRUCTIONS FOR COMPLETION OF "SUNDAY SALE AFFIDAVIT"

Issuance of a Sunday Sales Permit authorizes your organization to sell spirits for on-premises consumption only on Sunday. Sales of alcoholic beverages are to be from 12 noon Sunday until 2:00 A.M. of the following day.

This permit will not be granted if there is a local prohibition against sale of spirits on Sunday, either through referendum or local ordinance. If, following issuance of this license, it comes to the attention of the Commission that there is such a prohibition, this permit will be canceled.

1. Fill in the name and address of your organization.
2. Enter date that the Sunday Sales Permit will be used. A Sunday Sales Permit is not required for beer and wine only.
3. Have the president and secretary sign the application in front of a Notary Public, and indicate the office he or she holds.
4. Have this form notarized.

We, _____
(Name of Organization) (Address)

certify that the proceeds received from the sale of other goods and services on

_____, (Date of Event)

will exceed 50% of the total gross receipts. (as required by the Liquor Control Code, MCL 436.2113).

(Officer)

(Position Held)

(Home Address) (Phone)

Subscribed and sworn to before me this _____ day of _____, 20 _____

Notary Public, _____ County

My Commission expires _____

Michigan Liquor Control Commission

PART 4

LOCAL LEGISLATIVE BODY RESOLUTION FOR SPECIAL LICENSES ON MILITARY INSTALLATIONS ONLY

[Authorized by MCL 436.1519]

At a meeting of the meeting of the (regular or special) (township board, city or village council)

called to order by on at P.M.

the following resolution was offered.

Moved by and supported by

that the request from (name of organization)

be considered for (approval or disapproval)

Approval Disapproval

Yeas: Yeas:
Nays: Nays:
Absent: Absent:

It is the consensus of this legislative body that the application be (recommended or not recommended) for issuance.

State of Michigan) SS
County of)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the

at a (regular or special)

meeting held on the (date)

Signed: (township board, city or village clerk)

(address of township board, city or village board)

SEAL



City of Zilwaukee
319 Tittabawassee Rd
Zilwaukee, Michigan 48604
Phone (989) 755-0931
Fax (989) 755-2202

NOTICE TO SPECIAL ONE-DAY LICENSEES

(Authorized by Act 58, P.A. of 1998)

Like any other licensee of the Commission, Special One-Day licensees are responsible for following the Liquor Control Code and the Rules of the Commission. Unfortunately, it is common that organizations and persons who are running the events do not take time to familiarize themselves with the liquor laws and rules that govern the sale of alcoholic beverages-leading sometimes to steep fines and penalties as well as causing dangerous situations to develop.

The following is a synopsis of some important laws and rules. The list is not all inclusive but it will assist you in maintaining a legal and successful operation at your event. Do not take a chance on violating the law or rules. If in doubt about the legality of any activity or function for your event, call your local police department or the closest Liquor Control District Enforcement office (located in Farmington, Lansing, Gaylord, Grand Rapids, and Escanaba).

Questions can also be answered at the MLCC Special License Unit at (517) 322-1400. You may purchase a copy of the Liquor Control Code and Rules by submitting to the address printed above, a check or money order for \$5.00 made payable to the State of Michigan/MLCC. The Code and Rules are also available for download from the MLCC web site at www.cis.state.mi.us/lcc

- | | |
|-----------------------|---|
| PURCHASES | All your alcoholic beverages must be purchased from an MLCC licensee. DO NOT permit BYOB (bring your own bottle) at your event. Do not sell, offer to sell or advertise an unlimited quantity of alcoholic beverages for a single price. |
| PROFITS | Do not permit any person, organization or business entity, other than the licensee, to receive any profit or loss from the sale of alcoholic beverages. |
| GAMBLING/
CONTESTS | Do not allow gambling other than that which is legal under the state lottery laws. You must obtain a license for legalized gambling from the State Lottery Commission. Ensure that any contests are of a legal nature, and they do not violate any State laws. |
| MINORS | Do not allow anyone who is less than 21 years old to purchase or consume alcoholic beverages. Ask for identification and examine it closely. Employment of a minor under the age of 18 must be in accordance with the Youth Employment Standards Act of June 1, 1978. |
| INTOXICATION | Always watch for signs of intoxication and limit sales. Do not allow anyone who is intoxicated to purchase or consume alcoholic beverages , or to loiter or congregate on the licensed premises. |
| LEGAL HOURS | Do not sell alcohol other than beer or wine, on Sunday, unless you have been licensed by the Commission to do so. Do not sell any alcohol between 2am and 7am weekdays and 2am and Noon on Sundays. Do not allow consumption of alcohol between 2:30am and 7am on weekdays and 2:30am and Noon on Sundays. Do not sell alcoholic beverages between 9pm on December 24 th and 7am December 26 th . |
| LICENSED
PREMISES | Control and properly police the area where the alcoholic beverages are being sold and consumed. Do not permit persons to carry their alcoholic beverages outside the area approved for consumption. If your event is near a residential area, make sure your guests do not disturb or intrude on your neighbor's property. |
| OTHER RULES | Comply with all local safety and health regulations which apply to the area in which you are licensed. |
| COOPERATION | Cooperate with all law enforcement officers. Do not allow in or upon the licensed premises any illegal occupation or illegal act. |

PLEASE KEEP THIS NOTICE AND POST IT WITH YOUR LICENSE

REMEMBER...ALL CODES AND RULES WHICH APPLY TO A REGULAR LICENSEE OF THE COMMISSION WHO SELLS ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISE ALSO APPLY TO SPECIAL ONE-DAY LICENSEES. VIOLATIONS OF ANY OF THE CODES AND RULES OF THE LIQUOR CONTROL COMMISSION, OR ANY OTHER REGULATIONS GOVERNING THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES OR THE PROVISIONS OF THE LIQUOR CONTROL CODE MAY RESULT IN A STOP BEING PLACED AGAINST YOUR ORGANIZATION FOR ISSUANCE OF ANY ADDITIONAL SPECIAL LICENSES.

ON THE PREMISE DURING THE HOURS OF OPERATION