



Legislation Details (With Text)

**File #:** 14-0448      **Version:** 1      **Name:** 3/17/14 Banfield Liquor License Renewal Objection Withdrawal

**Type:** Resolution      **Status:** Passed

**File created:** 3/17/2014      **In control:** City Council

**On agenda:** 3/17/2014      **Final action:** 3/17/2014

**Enactment date:** 3/17/2014      **Enactment #:** R-14-097

**Title:** Resolution to Withdraw Objection to Renewal of the Class C Liquor License and Permits (Liquor License No. 5492-2013) Held by Banfield A.C., Inc. d/b/a Banfield Bar & Grill (Business I.D. 3579) and Approve the Application for Renewal for the 2014-2015 License Year

**Sponsors:** Jane Lumm, Council Liquor License Review Committee

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/17/2014	1	City Council	Approved	Pass

Resolution to Withdraw Objection to Renewal of the Class C Liquor License and Permits (Liquor License No. 5492-2013) Held by Banfield A.C., Inc. d/b/a Banfield Bar & Grill (Business I.D. 3579) and Approve the Application for Renewal for the 2014-2015 License Year

The attached resolution requests approval of the renewal of Liquor License No. 5492-2013 ((Class C) held by Banfield A.C., Inc. d/b/a Banfield Bar & Grill (Business I.D. 3579).

On February 25, 2014, an administrative hearing was held pursuant to the provisions of Section 436.1501(2) of the Michigan Compiled Laws, and in accordance with Chapter 109 of the Ann Arbor Code of Ordinances on the City Treasurer’s objection to renewal of the License based on Section 9:79(1)(b) of the Ann Arbor City Code (delinquent taxes Tax Year 2012).

On March 3, 2014, City Council accepted and adopted the Findings and Recommendations of the Hearing Officer that City Council object to and recommend that the Michigan Liquor Control Commission not renew the liquor license of Banfield A.C., Inc. unless the entire outstanding delinquency amount, including all interest accrued, is received on or before 5:00 p.m., March 13, 2014.

The City Treasurer has now confirmed the delinquent obligations have been paid in full. Renewal of the License is recommended.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney  
Sponsored by: Councilmember Lumm, Liquor License Hearing Officer  
Council Liquor License Review Committee

Whereas, An administrative hearing was conducted on February 25, 2014, regarding the Liquor License No. 5492-2013 ((Class C) held by Banfield A.C., Inc. d/b/a Banfield Bar & Grill (Business I.D. 3579)

Whereas, Proper notice of the hearing was given to the Licensee, and the Licensee being given its

due process rights including notice of the allegations, the ability to examine and present evidence, confront adverse witnesses and be represented by an attorney;

Whereas, The grounds for objection to the renewal was:

Violations of Chapter 109, Liquor, of the Ann Arbor City Code, being:

Section 9:79(b) Failure to timely pay all personal property taxes and all real property taxes and all other obligations due and payable to the City or have outstanding any personal property tax or real property tax or obligation due and payable to the City as of the date of the annual review.

Whereas, As of the date of the annual review Licensee was delinquent in its personal property taxes for 2012;

Whereas, Licensee subsequent to the hearing paid in full the delinquency; and

Whereas, There being no other grounds for objection to renewal made by the City Administration or the City Liquor License Review Committee under Section 9:79 of the Ann Arbor City Code;

RESOLVED, That the City Council approves renewal of Liquor License 5492-2013 ((Class C) held by Banfield A.C., Inc. d/b/a Banfield Bar & Grill (Business I.D. 3579)