



## Legislation Text

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**File #:** 13-0283, **Version:** 1

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Resolution Accepting Annual Renewal Recommendation of Liquor Licenses for Ann Arbor Burgers, Inc., M.P.B, Inc., Z Squared, Inc. and Banfield A.C., Inc.

The Council Liquor License Review Committee completed its annual review process required by Chapter 109 of the Ann Arbor City Code of all on-premises liquor licenses in the City of Ann Arbor and forwarded it to City Council on February 19, 2013. Those recommendations were approved by Council and enacted as Resolution R-13-043.

As part of those recommendations, a request to set hearings for non-renewal for the following license holders was approved:

- Liquor License No. 5492-2012 held by Banfield A.C., Inc. (d/b/a Banfield Bar & Grill) (Business ID 3579)
- Liquor License No. 9146-2012 held by M.P.B. Inc. (d/b/a Aut Bar) (Business ID 5964)
- Liquor License No. 173380-2012 held by Ann Arbor Burgers, Inc. (d/b/a Bagger Dave's Legendary Burgers & Fries) (Business ID 202774)
- Liquor License No. 107579-2012 held by Z Squared, inc. (d/b/a Café Zola) (Business ID 139888)

Licensees were served with Notice of the Hearing date, time and location, a Violation Report and the Licensee's due process rights, excepting Ann Arbor Burgers, Inc., who had satisfied the inspection requirement on 2/22/13 (the same date as the Notice).

Prior to the date of the Hearing M.P.B., Inc. (d/b/a Aut Bar), and Z Squared, Inc. (d/b/a Café Zola) submitted to the required inspection of their respective premises and the objection of the Building Official to renewal was withdrawn.

On March 6, 2013, a hearing was held pursuant to the provisions of Section 436.1501(2) of the Michigan Compiled Laws, and in accordance with the provisions of Chapter 109 of the Ann Arbor City Code on the objections to renewal of the License for Banfield A.C., Inc. Banfield A.C., Inc. appeared at the Hearing on March 6, 2013, acknowledged failure to timely paid its personal property tax and permit the required inspection. Within the time allotted by the City's Hearing Officer, all taxes were paid in full and the inspection completed and the objection of the Building Official to renewal was withdrawn.

This resolution recommends approval of the renewal of the on-premises liquor licenses for Ann Arbor Burgers, Inc., M.P.B., Inc., Z Squared, Inc. and Banfield A.C., Inc.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Sponsors: Liquor License Hearing Officer Lumm  
Council Liquor License Review Committee

### **..Body**

Whereas, The grounds for objection to the renewal of the on-premises licenses of Ann Arbor Burgers,

Inc. (Bagger Dave's Legendary Burgers & Fries), M.P.B., Inc (d/b/a Aut Bar), Z Squared, Inc.(d/b/a Café Zola), have been acknowledged by each of the Licensees and all required inspections have now been completed by all the parties

Whereas, All violation of Chapter 109 of the City Code having been satisfied , the objections of the Building Official and the City Treasurer were withdrawn prior to the scheduled date for a Hearing on the Objection to Renewal as to all named Licensees;

Whereas, An administrative hearing was conducted on March 6, 2013, on the Objection to Renewal of the Liquor License held by Banfield A.C., Inc. (d/b/a Banfield Bar & Grill) (No. 5492-2012);

Whereas, Proper notice of the Hearing having been given to the Licensee, and the Licensee being fully informed of the Liquor Administrative Hearing Rules governing the hearing and its due process rights including notice of the grounds for the objection, the ability to examine and present evidence, confront adverse witnesses and be represented by an attorney;

Whereas, Banfield A.C., Inc. appeared at the Hearing, acknowledged the specific grounds for the City's objections, naming failure to timely pay personal property taxes and to submit to an inspection of the premises and requested time to take corrective action which was granted by the Hearing Officer; and

Whereas, Banfield A.C., Inc. has subsequent to the close of the Hearing, paid all delinquent obligations and submitted to the required inspection all as ordered by the Hearing Officer and thereby satisfied the requirements for renewal of their license;

**RESOLVED**, That City Council approve the annual renewal of the following on-premises liquor licenses:

- Liquor License No. 5492-2012 held by Banfield A.C., Inc. (d/b/a Banfield Bar & Grill) (Business ID 3579)
- Liquor License No. 9146-2012 held by M.P.B. Inc. (d/b/a Aut Bar) (Business ID 5964)
- Liquor License No. 173380-2012 held by Ann Arbor Burgers, Inc. (d/b/a Bagger Dave's Legendary Burgers & Fries) (Business ID 202774)
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