



## Legislation Text

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**File #:** 20-0780, **Version:** 1

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### Resolution to Approve Outdoor Sales, Service and Consumption of Alcoholic Beverages During the COVID-19 Pandemic

The attached resolution will provide City Council approval for Ann Arbor on-premise liquor license holders to sell on city owned property adjacent to their premises including city streets if they have authorization from the Michigan Liquor Control Commission (MLCC). In response to the reopening issues, the MLCC has created a new application form for "Limited Permanent Outdoor Service Area Permission" that will facilitate this type of vending as a means for local businesses to expand their serving area to achieve social distancing during the pandemic and preserve the viability of their businesses.

MLCC authorization of outside service requires the local unit of government and the police to indicate their approval of the permit application, and this resolution will provide City Council's approval subject to police approval. Other MLCC requirements may affect whether authorization for outside service is granted. However, applicants would still be subject to local permitting and police review of the application and would still be subject to enforcement of the applicable liquor laws.

Local businesses will only be allowed to extend premises into City Streets that have already been approved for closure by the City Council. This resolution does not propose to extend or alter the closure of any portion of any city streets beyond what has been approved by other actions of the Council.

This legislative action will be forwarded to the Michigan Liquor Control Commission by the City Clerk for review and final approval, along with other materials and reviews provided by city staff, at the time the local business makes their application to the MLCC for extension of premise.

Prepared by: John Fournier, Assistant City Administrator

Reviewed by: Kristen Larcom, Assistant City Attorney

Approved by: Tom Crawford, Interim City Administrator

Whereas, The Michigan Liquor Control Commission (MLCC) requires evidence of approval of City Council for occupation of any City owned or controlled property by an on-premise licensee as part of its application for outdoor service;

Whereas, Applications by holders of on-premise liquor licenses have been or will be submitted to the MLCC for expanded temporary outdoor service areas or for authorization of limited permanent outdoor service areas during COVID-19 pandemic;

Whereas, Each liquor licensed establishment applying for outdoor services will be subject to review by the Ann Arbor Police; and

Whereas, Downtown Ann Arbor Area Associations have voiced strong approval of this measure so as to foster a business and social environment downtown that will encourage a healthy business environment, and strong social distancing measures to prevent the spread of the novel Coronavirus

during a time when physical distancing is mandated by the Governor;

RESOLVED, That the request of the establishments on the attached "Business Name and Address List" that hold on-premises liquor licenses to authorize outdoor service during the novel Coronavirus pandemic be approved and granted, effective upon receiving approval of the Ann Arbor Police, on dates and times to be determined for the remainder of calendar year 2020; and

RESOLVED, That the City Clerk be authorized to provide a certified copy of this Resolution to the above applicants whose applications to the MLCC receive approval from the Ann Arbor Police, or to the MLCC as evidence of local governmental unit authorization of occupancy of City owned or controlled property for the purpose stated in their applications for authorization of outdoor service.

Sponsored by: Mayor Taylor and Councilmembers Lumm and Ramlawi