

Charter Township of Clinton



CLASS C Liquor License Transfer Application Instructions (Effective 04/01/2016)

OFFICERS:
Robert J. Cannon
Supervisor
Kim Meltzer
Clerk
William J. Sowerby
Treasurer

TRUSTEES:
Paul Gielegem
Kenneth Pearl
Dean J. Reynolds
Jenifer (Joie) West

A **one-thousand-eight hundred fifty dollar (\$1,850.00)** non-refundable Application Fee **made payable to the Charter Township of Clinton** is required at the time you submit a completed application. Township departments including Police, Fire, Building, Planning and Clerk's Office are involved in the processing, review, investigation and recommendation of each application. The application process expends considerable amounts of employee resources and taxpayer dollars.

INSTRUCTIONS

Read every question carefully and answer each question accurately. The information that you provide in this application form will be used in an investigation to determine if your character and financial ability to operate a liquor establishment meet the requested standards set forth by the Michigan Liquor Control Act and Rules and the Charter Township of Clinton Ordinances.

It is requested that you type the answers on the application form, however, if access to a typewriter is not possible, please print the answers neatly in ink (the answers **must** be legible). If the space provided is insufficient for a complete answer, please use additional sheets of paper, but please follow the same format that is used in the application form. If a question is not applicable to you, answer with N/A (Not Applicable). Each question **must** have some type of answer.

Submit an original application form, one for each member, partner or shareholder to the Township Clerk's office.

Sworn notarized statements are required at the conclusion of each part/section.

All statements and documents are subject to verification and any deliberate inaccuracies, falsifications or incomplete statements and documents may result in a denial of your request for a liquor license.

CRITERIA

The Township recommendation considers the following criteria:

1. Whether the applicant and any entity the applicant is associated with and whether the business to be transferred, including the real estate upon which it is located, has timely paid all real and property taxes for the previous three (3) years.
2. Whether Ordinance or Code Violations have been issued and if so, how they were resolved or whether they are outstanding for businesses in which the applicant has had an interest in the Township for the past three (3) years and for the business to be acquired.
3. Verification of the usable floor space devoted to dining and entertainment activity.
4. The suitability of the premises and surrounding area for proposed entertainment, if any.
5. The financial ability of the applicant including previous business history and financial capability.
6. Previous criminal history, if any, including violations that relate to the operation of a liquor license premise, assaultive behavior, alcohol related offenses and felonies.
7. Proposed alcohol server training.

CIVIC CENTER

40700 Romeo Plank Road • Clinton Township, Michigan • 48038 -2900
Phone: (586) 286-8000 • Fax: (586) 228-1770

REQUIRED DOCUMENTATION

The following documents **must** be attached to the application and **clearly marked as exhibits**. *(The list below is not meant to be an all inclusive list for your application and is given as an example. Please review the application for **ALL** required documents relevant to you.)*

1. Credit Report (Applicant)
2. If borrowing money for the liquor license transaction, copies of "Statement of Money Lender" forms from any lender.
3. Provide copies of all bank statements demonstrating source of funds.
4. Site Plan including photos or drawings of each of the sides of the structure; drawing and/or layout of facility. If there are any changes to be made in the existing building, explain all the changes, including design, color, landscaping, etc. Present prints of all changes.
5. Evidence of interest in the property (deed, lease, option to purchase or lease).
6. Purchase agreement of license and proof of funds if transfer.
7. Bank statements verifying the source of funds.
8. Complete Purchase Agreement with all attachments.

CLASS C LIQUOR LICENSE TRANSFER CORRESPONDENCE INFORMATION

Sole Proprietor Partnership Corporation Limited Liability Corporation

Name of Applicant _____

Name and Address of Applicant Business _____

City/State/Zip Code _____

Home Phone _____ Business Phone _____ Cell Phone _____

Name of person submitting APPLICATION forms on behalf of Applicant (if not submitted directly by Applicant)

Name and Title _____

Residence Address _____

City/State/Zip Code _____

Home Phone _____ Business Phone _____ Cell Phone _____

Does an attorney represent Applicant? Yes No Attorney Phone _____

Name _____

Address _____

City/State/Zip Code _____

Do you want your attorney contacted with regard to this Application? Yes No

Is there a designated representative of Applicant, other than attorney, authorized to be contacted regarding this Application? Yes No

Name and Title _____

Residence Address _____

City/State/Zip Code _____

Home Phone _____ Business Phone _____ Cell Phone _____

Signed _____ Title _____ Date _____

Applicant (Sole Proprietor, General Partner, Officer of Corporation)

PART I: BUSINESS DATA QUESTIONNAIRE [Three (3) sections]

BUSINESS OWNERSHIP DATE - Section 1

Corporation/Partnership:

1. Is Corporation/Partnership/LLC delinquent in its taxes? Yes No
Has Corporation/Partnership/LLC ever been delinquent in paying taxes? Yes No

If yes, explain: _____

2. Is Corporation/Partnership/LLC borrowing money for this liquor license transaction? Yes No
Submit completed "Statement of Money Lender" forms from any lender.

PERSONAL DATA QUESTIONNAIRE REQUIRED TO BE COMPLETED BY EACH APPLICANT

BUSINESS MANAGEMENT DATA - Section 2

1. Who will manage this business?

Full Name_____

Residence Address_____

City/State/Zip Code_____

Home Phone_____ Business Phone_____ Cell Phone_____

2. Provide a copy of Management Agreement, if applicable.
3. Are you familiar with the Michigan Liquor Control Act and Rules of the Michigan Liquor Control Commission, the Charter Township of Clinton Ordinances and Health Department requirements that apply to this type of business? Yes No

4. Do any agreements exist for sharing revenues or profits, or will any be used in the future?
Yes No

If so, provide the following:

- a. Name and address of all participants
- b. Telephone numbers of all participants
- c. If any of the participants are partnerships or corporations, please provide names, address and telephone numbers for all partners or shareholders
- d. Provide a copy of such agreement

5. Do any contracts exist for employees or will any be used for any time?
Yes No

If so, provide the following:

- a. A copy of the complete proposed or existing employment agreement
- b. The names, addresses and telephone numbers of all parties to such an employment agreement

6. For each prospective employee provide verification of alcohol server training.

7. Have any of your business employees or prospective employees ever been convicted of a misdemeanor or felony crime?

Yes No

If so, provide details.

BUSINESS DETAILS - Section 3

1. Is this a new or existing business? New Existing

2. Name or proposed name of this business_____

Address_____

City/State/Zip_____

Telephone Number (if in service)_____

Attach a copy of Certificate of Persons Conducting Business Under Assumed Name.

3. Who owns the building and real estate upon which the business will operate?

Full Name of person, business or corporation_____

Address_____

City/State/Zip Code_____

Home Phone_____ Business Phone_____ Cell Phone_____

Terms of lease or mortgage (attach copies)

a. Rent or mortgage payment per month_____

b. How long is lease or mortgage for_____

c. What is the total current property tax_____

Attach a copy of the Purchase Agreement, Mortgage Contract, Deed or Lease Agreement regarding the Real Estate listed above.

4. Describe the building's exterior and provide its exterior dimensions_____

Is there a basement under the building? Yes No

Describe overall condition of the building_____

5. What type of business is to be conducted at the above location?_____

If the business is currently established, what type of business is being conducted?_____

6. Is the establishment connected to sleeping or living quarters? Yes No

If yes, explain_____

Can the living/sleeping quarters be reached from inside the establishment without going outside?

Yes No

If yes, explain_____

7a. Has your location been approved by the Charter Township of Clinton Planning Commission?

Yes No

If yes, list date of approval_____

7b. Provide a copy of the site plan and an interior layout showing the bar, dining area, dance and entertainment areas and any proposed outdoor seating areas.

8a. With regard to the premises where the business is being located, please furnish the following:

	Date of Last Inspection	Inspection Results (Approval/Disapproval)	Required Action Requested	Required Action Completed
Building	_____	_____	_____	_____
Electrical	_____	_____	_____	_____
Plumbing	_____	_____	_____	_____
Heating	_____	_____	_____	_____
Fire Marshal	_____	_____	_____	_____

Please identify whether there are any outstanding, uncorrected violation notices or notices to correct in any of the above departments.

Please indicate whether there have been any violation notices or notice to correct issued over the previous five years; and if so, please explain.

8b. Please provide the date any and all construction or other improvements will commence and the date any and all construction or improvements will be completed and the business operations will commence.

9. Has your business, building and facilities been approved by the local Health Department?

Yes No

If yes, list date of approval and agency that issued the approval_____

Attach a copy of your Health Department Certificate.

10. Has your location been approved for occupancy? Yes No

If yes, list date the occupancy permit was issued_____

Attach a copy of Certificate of Occupancy.

11. What is the approved patron capacity of your business premises?_____

If not yet approved, give approximate capacity_____ (Subject to approval by the Clinton Township Fire Department)

12. Do you intend to have dancing or entertainment at your business? Yes No

If dancing, describe size of dance floor _____

If entertainment permit is being sought, answer the following:

Type of entertainment _____

Are dressing rooms required for the type of entertainment being requested? Yes No

Are adequate dressing rooms provided for each sex, other than restrooms, public rooms, kitchens, or other similar areas for the hanging of clothes by the entertainers? Yes No

Are acts secured through a booking agent? Yes No

List the name, address and telephone number of booking agent _____

Give the size and location of the stage (if any) _____

If no stage, in what section of the premises do entertainers perform _____

At any time during the ownership will contests or games be allowed to on the premises?

Yes No

If so, please describe in detail the nature of the contests and games _____

At any time during the ownership will wet t-shirt displays, bathing suits, lingerie, beach attire or other fashion (men's or women's) displays or contests take place? Yes No

At any time during the ownership will mud wrestling contests, squirting liquid contests, or any other type of contest or display occur that involves participants attired in lingerie, beach-type wear, swimwear, exercise wear or dance attire? Yes No

At any time during the ownership will entertainment be offered which involves the display of male or female genitalia or anus, or the female breast, inclusive of any area of the areola?

Yes No

Please advise to whether live or amplified music will be played furnishing the following:

- a. Hours of music.
- b. Location of speakers and/or live act.
- c. Method to control sound.
- d. Description of any sound insulation existing or to be installed, including contractor and proposed date of installation.

ALL APPLICANTS MUST COMPLY FULLY WITH THE APPLICABLE LAWS AND ORDINANCES, INCLUDING BUT NOT LIMITED TO, ZONING ORDINANCES, AND THE CLINTON TOWNSHIP ORDINANCE PROHIBITING PUBLIC NUDITY.

13. Do you plan to have coin-operated amusement devices on the premises such as video games, pool tables, juke boxes, etc.? Yes No

If yes, the Charter Township of Clinton Ordinance #269, must be conformed with regarding the operation of amusement devices. An amusement device license must be obtained prior to displaying any type of amusement device for operation. Information and license applications are available at the Township Clerk's Office.

14. Has this business obtained a Federal Employer Identification Number? Yes No
If yes, list number and provide a copy_____

15. Has this business obtained a Michigan Sales and Use Tax License? Yes No
If yes, list number and provide a copy_____

16. Does this business possess a license from the Michigan Bureau of Lottery? Yes No
If yes, list number and provide a copy_____

17. Does this business possess any other type of license issued by any other government authority?
 Yes No
If yes, list number and provide a copy_____

BUSINESS INVESTMENT DATA - Section 4

1. Provide a written estimate of current capital investment or proposed cost to open the doors of this business, i.e. proposed business plan.

Attach a copy of the Purchase Agreement for the business.

Cost of anticipated equipment, inventories, leasehold improvement. Place the list on separate sheets of paper and attach to this form.

Total dollar amount of the business investment _____

Total down payment _____

How much is financed and at what interest rate? _____

a. Financed by _____

b. Address _____

What is the dollar amount of your investment in this business? _____

What is the dollar amount of your down payment? _____

2. Provide documentation to show origin of all monies that will be spent or have been spent toward the successful opening of the business. Personal or partnership contributions of investments, corporate stock shares purchased or subscribed, loan commitments, promissory notes and financial statements. This origin of money must be documented for the past twelve (12) months.
3. If the money used to finance the business is your own money, you must show documentation of how you obtained that money, where it has been deposited and how long it has been on deposit. If the money is a loan or other financing you must document who is making the loan or other financing. The person making the loan or other financing must document where they obtained the money, where it has been deposited and how long it was on deposit before being remitted to the applicant. This origin of money must be documented for the past twelve (12) months.
4. If you are an existing business, provide all costs related to operation of the business, i.e. capital investments, personnel. Place the list on separate sheets of paper and attach to this form.

Total dollar amount of the business investment _____

How much is financed and at what interest rate? _____

a. Financed by _____

b. Address _____

What is the dollar amount of your investment in this business? _____

Please attach a copy of the Purchase Agreement for the business.

Specify total amount of down payment.

Specify total amount of expected business investment.

Provide copies of all bank statements demonstrating source of funds.

Provide copies of any and all documents for loans and specify the number of loans and amount of each loan

PART I: BUSINESS DATA QUESTIONNAIRE

AFFIDAVIT

State of Michigan)
) SS
County of _____)

On this ____ day of _____, 20____, before me personally appeared _____ who, being duly sworn, deposes and says that he/she has read the foregoing application, by him/her subscribed that he/she understands the contents thereof; that the information as written by him/her is true to the best of his/her knowledge and belief; and that he/she has been informed and understands that any material misrepresentation of facts given by him/her may be cause for denial of license; or if license is approved, it may later be cause for rejection of license renewal.

Any person, firm or corporation who shall knowingly make any false representation in order to obtain approval of the application submitted under the terms of this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor and upon conviction thereof, may be fined a sum not exceeding one hundred dollars (\$100.00) or imprisoned for a term not exceeding ninety (90) days or both; such fine and imprisonment, at the discretion of the court.

(Applicant must sign before a Notary Public)

Notary Public, State of Michigan

County of _____

My Commission expires _____

PART I: BUSINESS DATA QUESTIONNAIRE

CHARTER TOWNSHIP OF CLINTON

MACOMB COUNTY, MICHIGAN

To any person presented with this authorization by an agent of the Charter Township of Clinton.

You, and any person associated with you, are hereby authorized to give to the Charter Township of Clinton, or any authorized representative thereof, any and all information which may be requested regarding my employment and, if requested, to allow them to examine and copy any records which you may have concerning myself or my business.

Signature

Witness

Type or print name

Type or print name

Date

PART II: PERSONAL DATA QUESTIONNAIRE [Three (3) sections]

Required for Individual Sole Proprietor, all Partners, Limited Liability Corporations (LLCs), Private Corporations (not publicly traded), Officers, Directors and Managers.

PERSONAL DATA - Section 1

1. Full Name _____
2. Residence Address _____
City/State/Zip Code _____
3. Home Phone _____ Business Phone _____ Cell Phone _____
4. Date of Birth _____
5. Place of Birth _____
City County State Country
6. Provide a copy of your driver license, passport or Michigan identification.
7. Height _____ Weight _____ Eye Color _____ Hair Color _____
8. How long have you lived at your current address? _____
9. How long have you resided in Michigan? _____
10. How long have you resided in the United States? _____
11. Has your name ever been legally changed? Yes No
If yes, explain _____
12. List any other names you use now or have used in the past. (Aliases, nicknames, etc.)

13. List your maiden name, if applicable _____
14. Are you a citizen of the United States? Yes No
If a naturalized citizen, list where and when naturalization occurred and provide citizenship number

Attach a copy of Naturalization papers.
If you are not a U.S. Citizen, list Alien Registration Card number _____
Attach a copy of card, front and back.

15. List all of your home addresses for the past ten (10) years including dates of residence, excluding your current address.

16. Marital Status _____(Single, married, divorced, separated)

17. List spouse's full name, including maiden name and date and place of birth _____

Is your spouse a U.S. citizen? Yes No

If spouse is a naturalized citizen, list where and when naturalization occurred and give citizenship number _____

Attach a copy of naturalization papers

If not a U.S. citizen, list Alien Registration Card number _____

Attach copy of card, front and back

18. If you have previous marriages, list all of your former spouses' names, dates of birth and present address.

19. If your current spouse has previous marriages, list all of your current spouse's former spouses. Names, dates of birth and present address.

20. Have you or your spouse or previous spouse, or any of your children, ever held an interest in a liquor license, in Michigan or any other state?

Yes No

If yes, provide complete details (name on license, individual, partnership, stockholder or Officer or Director in corporation, member, manager, or participant in limited liability company, type of license, address, and dates).

21. Have you or your spouse ever been convicted of a felony of any kind, or misdemeanor involving alcohol, assaultive behavior, or sexual misconduct, or do you, or they have criminal charges pending?

Yes No

List offenses _____

Give complete record of all arrests and convictions, including dates and places _____

22. U.S. Military Record

Branch _____

Rank at time of discharge _____

Type of discharge _____

Were you ever court-martialed, tried on charges, or were you the subject of a Summary Court, Deck Court, Captain's Mast, Company punishment or any other disciplinary action while in the Military? Yes No

If yes, give details _____

23. What is your present occupation? _____

24. Are you engaged in any business as an owner or partner, other than the business involved in this application? Yes No

If yes, list company or corporation names, along with names and address of all co-owners or partners, etc.

25. List below your complete work history for the past ten (10) years. START WITH YOUR PRESENT POSITION AND WORK BACKWARD ten years. List any periods of unemployment and part-time employment. (Employer name/address and dates of employment)

26. Do you associate with, or have you ever associated with person(s) known to have been involved, charged or convicted of illegal gambling, narcotic or vice activities? Yes No
If yes, explain in detail.

27. Are you an unlawful user of, or addicted to, marijuana or a depressant, stimulant, or narcotic drug? Yes No
If yes, explain below:

28. Have you ever been adjudicated mentally defective or have you ever been committed to a mental institution? Yes No
If yes, explain below:

29. Will there be any "silent partners" or "silent stockholders" or persons other than those listed, and who filled out application questionnaires, who will have a financial interest in the business or share in the profits of the business? Yes No

If yes, provide names and addresses, and obtain additional application questionnaire forms to be filled out and submitted by those persons.

30. Have you ever paid, promised to pay, or given any money, material, service or consideration to any person, directly or indirectly, for any recommendation or influence promised toward procuring your liquor license? Yes No

If yes, explain:

PERSONAL BUSINESS EXPERIENCE - Section 2

1. Have you ever had, or do you currently have, an alcoholic beverage license or interest in an alcoholic beverage licensed business (on-premises or off-premises) in Michigan or any other state (as Sole Proprietor, Partner or Stockholder of a Corporation)? Yes No

2. Have you ever been employed, or are you currently employed as a Manager of an alcoholic beverage licensed business? Yes No

3. If yes to questions 1 or 2, answer the following questions:

Name of license _____

Company or Corporation Name _____

Did business as _____

Type of License _____

Dates of your interest in license (start to finish) _____

Full address of licensed premises _____

4. What was your interest in this business? _____

5. Have you ever been involved in a liquor license violation (if previously licensed by M.L.C.C. as individual licensee, partner, stockholder, Officer or Director in a corporation, or as a "manager", agent, clerk, servant or employee or "silent partner" or "silent owner"), whether convicted or not? Yes No

If yes, explain and provide complete details (license, address, date of violation, violation charge, and disposition)

6. Was the license ever suspended or revoked? Yes No
If yes, explain circumstances

If you had an interest in, or were employed as a Manager in more than one previous alcoholic beverage licensed business, use a separate sheet of paper for each license and follow the above format to answer the same questions.

7. Have you ever been refused after applying for an on-premises or off-premises alcoholic beverage license in Michigan or any other state? Yes No

If yes, explain _____

8. Does any member of your family, or close relative, including in-laws, have or had, in the past, an interest in an on premise or off premise liquor license business in the State of Michigan, or any other state.

Yes No

9. Have you ever been fired as an employee of an alcoholic beverage licensed business?

Yes No

Explain circumstances_____

10. Explain what qualifies you as being experienced in management of a liquor licensed business and business management in general. List all pertinent information regarding your experience.

PART II: PERSONAL DATA QUESTIONNAIRE

PERSONAL DATA

AFFIDAVIT

State of Michigan)
) SS
County of _____)

On this ____ day of _____, 20____, before me personally appeared _____ who, being duly sworn, deposes and says that he/she has read the foregoing application, by him/her subscribed that he/she understands the contents thereof; that the information as written by him/her is true to the best of his/her knowledge and belief; and that he/she has been informed and understands that any material misrepresentation of facts given by him/her may be cause for denial of license; or if license is approved, it may later be cause for rejection of license renewal.

(Applicant must sign before a Notary Public)

Notary Public, State of Michigan

County of _____

My Commission expires_____

PART II: PERSONAL DATA QUESTIONNAIRE

PERSONAL DATA

CHARTER TOWNSHIP OF CLINTON

MACOMB COUNTY, MICHIGAN

To any person presented with this authorization by an agent of the Charter Township of Clinton.

You, and any person associated with you, are hereby authorized to give to the Charter Township of Clinton, or any authorized representative thereof, any and all information which may be requested regarding my employment, police contacts, driving or criminal record, physical and/or mental condition and treatment rendered thereof and, if requested, to allow them to examine and copy any records which you may have concerning myself and/or my health and business.

Signature

Witness

Type or print name

Type or print name

Date

PERSONAL FINANCE DATA - Section 3

1. Have you ever had any garnishment, wage assignment or judgment pending against you?
Yes No

If yes, give details _____

2. Have you ever filed bankruptcy? Yes No

If yes, give details _____

3. Have you ever had any personal property repossessed? Yes No

If yes, give details _____

4. Have you ever been refused credit? Yes No

If yes, give dates, names of business firms which refused credit and reasons for refusal _____

5. Have you ever been delinquent in income tax payments or other tax payments? Yes No

If yes, give all details _____

PART II: PERSONAL DATA QUESTIONNAIRE

PERSONAL FINANCIAL DATA

AFFIDAVIT

State of Michigan)
) SS
County of _____)

On this ____ day of _____, 20____, before me personally appeared _____
who, being duly sworn, deposes and says that he/she has read the foregoing application, by him/her
subscribed that he/she understands the contents thereof; that the information as written by him/her is
true to the best of his/her knowledge and belief; and that he/she has been informed and understands
that any material misrepresentation of facts given by him/her may be cause for denial of license; or if
license is approved, it may later be cause for rejection of license renewal.

(Applicant must sign before a Notary Public)

Notary Public, State of Michigan

County of _____

My Commission expires _____

PART II: PERSONAL DATA QUESTIONNAIRE

PERSONAL FINANCIAL DATA

CHARTER TOWNSHIP OF CLINTON

MACOMB COUNTY, MICHIGAN

To any person presented with this authorization by an agent of the Charter Township of Clinton.

You, and any person associated with you, are hereby authorized to give to the Charter Township of Clinton, or any authorized representative thereof, any and all information which may be requested regarding my bank accounts, stock and bond accounts, other financial matters and, if requested, to allow them to examine and copy any records which you may have concerning myself or my financial or business matters.

Signature

Witness

Type or print name

Type or print name

Date

4.12.16