

**SUPERIOR CHARTER TOWNSHIP
REGULAR BOARD MEETING
SUPERIOR CHARTER TOWNSHIP HALL
3040 N. PROSPECT, YPSILANTI, MI 48198
SPECIAL MEETING, DECEMBER 14, 2010
4:00 p.m.
AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF AGENDA
5. APPROVAL OF MINUTES

6. CITIZEN PARTICIPATION

7. REPORTS

8. COMMUNICATIONS

9. UNFINISHED BUSINESS

10. NEW BUSINESS
 - a. Resolution to Ban Sales of Alcoholic Beverages on Sundays From 7:00 a.m. to 12 noon

11. PAYMENT OF BILLS

12. PLEAS AND PETITIONS

13. ADJOURNMENT

David Phillips, Clerk

3040 N. Prospect, Ypsilanti, MI 48198

734-482-6099

David Phillips

From: William McFarlane
Sent: Friday, December 10, 2010 3:20 PM
To: David Phillips; Brenda McKinney
Subject: Special Meeting of the Superior Township Board of Trustee's

December 10, 2010

Clerk Phillips I am calling for a special meeting of the Superior Township Board of Trustee's for December 14, 2010 at 4:00 P.M.

The reason for the Special meeting is for the Board of Trustee's to consider a resolution to prohibit Sunday Liquor sales prior to Noon.

Respectfully William McFarlane, Superior Township Supervisor

NOTICE OF SPECIAL MEETING

Superior Charter Township Board of Trustees

Date of Meeting: Tuesday, December 14, 2010
Time of Meeting: 4:00 p.m.
Place of Meeting: Superior Township Meeting Room,
3040 N. Prospect Rd., Superior Twp., MI 48198

Purpose of Meeting: The State of Michigan Legislature recently amended Section 1111 and Section 1113 of the Michigan Liquor Control Code of 1998. These amendments allow for the sale of alcoholic beverages between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday. Currently, establishments cannot sell alcoholic beverages until 12:00 noon on Sunday. The Legislature has provided an opportunity for governmental units to continue to ban the sale of alcohol from 2:00 a.m. to 12 noon on Sundays. In order to implement this ban, the Township must adopt a resolution to ban such and forward a copy of the adopted resolution to the State of Michigan, Liquor Control Commission by 5:00 p.m. on Wednesday, December 15, 2010. The purpose of this meeting is for the Township Board of Trustees to consider continuing the ban on the sale of alcoholic beverages between 2:00 a.m. to 12 noon on Sundays.

This notice is posted in compliance with the Open Meetings Act, Public Act 267 of 1976, as amended, MCL41.72a(2) and (3) and the Americans With Disabilities Act.

The Superior Charter Township Board will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals at the meeting upon three business days notice to the Superior Charter Township Board.

Individuals with disabilities requiring auxiliary aids of services should contact the Superior Charter Township Board by writing or calling the following:

David Phillips, Clerk
3040 N. Prospect Rd.
Ypsilanti, MI 48198
(734) 482-6099

Posted on: December 10, 2010

Signature of Township Clerk David M. Phillips

A copy of this notice is on file in the Clerk's Office

**SUPERIOR CHARTER TOWNSHIP BOARD
WASHTENAW COUNTY, MICHIGAN
DECEMBER 14, 2010**

**RESOLUTION TO BAN THE SALE OF BEER, WINE AND SPRIRITS WITHIN
SUPERIOR TOWNSHIP EACH SUNDAY, BETWEEN THE HOURS OF 7:00 A.M. AND
NOON**

At a regular meeting of the Township Board of Superior Charter Township, Washtenaw County, Michigan, held at the Superior Township Hall, Ypsilanti, Michigan, on the 14th day of December, 2010, at 4:00 p.m., Eastern Standard Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, the Township is authorized by Sections 1111 and 1113(5) of the Michigan Liquor Control Code to ban Sunday sales of beer and wine and spirits within the Township; and

WHEREAS, the Township Board deems that it would be in the best interest of the public health, safety and general welfare to ban Sunday morning sales of beer and wine and spirits as allowed by law.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Superior Charter Township, Washtenaw County, Michigan, as follows:

1. The Township Board hereby bans the sale of beer and wine and spirits within Superior Charter Township each Sunday between 7:00 a.m. and noon.
2. The Township Clerk shall immediately direct a copy of this Resolution to the Michigan Liquor Control Commission.
3. All prior resolutions inconsistent herewith are hereby rescinded.

ADOPTED:

Yeas: _____

Nays: _____

David Phillips

From: MTA Legislative Dept. <legislation@michigantownships.org>
Sent: Wednesday, December 08, 2010 1:58 PM
To: David Phillips
Subject: MTA Alert: New Developments on Sunday Morning Liquor Sales



FYI

MTA Alert
New Developments on Sunday Morning Liquor Sales
Wednesday, Dec. 8, 2010

The Michigan Townships Association has been informed that the Liquor Control Commission will now accept resolutions and ordinances that prohibit Sunday morning sales of alcoholic beverages. If they receive the resolution or ordinance, they will hold it in abeyance until the Legislature provides clearer instruction on how to handle this situation.

During the interim, the commission will not issue Sunday morning permits to establishments within communities that have provided resolutions or ordinances in opposition to Sunday morning sales. This practice went into effect late yesterday afternoon.

To unsubscribe to the *MTA Alerts*, click reply and enter "unsubscribe" in the subject line.

Thank you.

MTA Legislative Department
Michigan Townships Association
512 Westshire Drive, Lansing MI 48917
PH: 517-321-6467; FAX: 517-321-8908
E-mail: legislation@michigantownships.org

David Phillips

From: MTA Legislative Dept. <legislation@michigantownships.org>
Sent: Thursday, December 02, 2010 2:33 PM
To: David Phillips
Subject: MTA Alert: Sunday Liquor Sales
Attachments: SUNDAY SALES AM NOTIFICATION.PDF

FYI



MTA Alert
Sunday Morning Liquor Sales
Thursday, Dec. 2, 2010

Attached is a letter from the Michigan Liquor Control Commission (LCC) regarding the implementation of Sunday morning sales of beer, wine and spirits. The letter is being sent to all local units of government by the LCC to remind them of their ability to control Sunday sales. If your community wishes to prohibit Sunday sales, the LCC is asking for verification of this position. Otherwise, no action by the township is necessary.

It is important to point out that the law does not give the township the right to decide whether alcoholic beverages can be sold on Sunday mornings in your community, which beginning Dec. 1 is allowed for licensees who pay an additional fee for this privilege. Instead, the township is given the right to decide whether alcoholic beverages may be sold at any time on Sundays.

As pointed out in the letter from the LCC, the commission is going to delay issuing the new Sunday morning permits until after Dec. 15 to give time for communities to notify the LCC of their intentions to prohibit Sunday sales. This does not mean that if you do not act by that date that your township may not prohibit Sunday sales in the future. It does mean that a local establishment may be allowed to sell on Sunday mornings, if they apply for and receive a permit, until such time the community votes to prohibit Sunday sales.

If a township has an ordinance or resolution in place prohibiting Sunday sales, it would be appropriate to send a copy of this ordinance or resolution to the LCC. If the township currently prohibits Sunday sales, but can't identify the source document, MTA recommends that the township pass an ordinance or resolution to clarify and document the township's position on Sunday sales. This power is provided for in MCL 436.2113(5). MTA makes this recommendation because some communities are "dry" on Sunday because sales were never authorized since the repeal of prohibition and in some cases they are "dry" because sales were prohibited. This difference creates different outcomes under the newly enacted law and may explain a lack of documentation. In some cases, the township is "dry" because of actions at the county level.

For those townships that currently allow Sunday sales but are concerned regarding the extension of sale hours into Sunday morning, the only option offered to the township is to prohibit sales all day on Sundays. MCL 436.2111 specifies that townships may prohibit the sales of beer and wine on Sundays through an action of the township board or through a citizen petition and vote. This would still allow for the sale of spirits on Sundays. MCL 436.2113(5) allows a township board to prohibit all sales of beer, wine and spirits on Sunday, however there is no language that would allow for the citizens to petition and vote under this option.

It should be noted that MCL 436.2113(5) also allows townships to prohibit alcoholic sales on holidays, and election days. The law also allows counties to prohibit Sunday sales. If the county commission votes to prohibit Sunday sales, or if the citizens of the county vote to prohibit Sunday sales, the decision is binding on all establishments within the county.

MTA Legislative Department
Michigan Townships Association
512 Westshire Drive, Lansing MI 48917
PH: 517-321-6467; FAX: 517-321-8908
E-mail: legislation@michigantownships.org

JENNIFER M. GRANHOLM
GOVERNOR



NIDA R. SAMONA
CHAIRPERSON

STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
ANDREW S. LEVIN, ACTING DIRECTOR

FYI

December 1, 2010

Dear Clerk:

This letter is in reference to the recent action taken by the Legislature that amended Section 1111 and Section 1113 of the Michigan Liquor Control Code of 1998, being MCL 436.2111 and MCL 436.2113. These amendments allow for the sale of spirits, mixed spirit drink and beer and wine between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday.

MCL 436.2111 allows for the sale of beer and wine between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday unless the local legislative body has prohibited such sales.

MCL 436.2113 allows for the sale of spirit and mixed spirit drink between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday, unless the legislative body of a county or the local legislative body has prohibited such sales.

If your governmental unit or county chooses to prohibit the sale of spirits, mixed spirit drink and/or beer and wine between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday, please submit your resolution or ordinance prohibiting such sales to this office by 5:00 p.m. on December 15, 2010. If we do not receive a response from you by this deadline, we will assume that you currently have no resolution or ordinance that would prohibit the sale of alcoholic liquor between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday. You do retain the right in the future to prohibit Sunday Sales.

Unless we hear from you concerning this matter, it is our intent to begin issuing the early morning Sunday Sales Permits to our licensee's on December 16, 2010 in those governmental units that currently authorize Sunday Sales.

If you have any questions regarding this matter, please feel free to contact this office at (517) 322-1400 or toll free at 1-866-813-0011.

Very truly yours,

MICHIGAN LIQUOR CONTROL COMMISSION

A handwritten signature in cursive script that reads "Sharon Martin".

Sharon Martin, Director
Licensing Division

DLEG is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Michigan Liquor Control Commission
7150 Harris Drive • P.O. Box 30005 • Lansing, Michigan 48909-7505
www.michigan.gov/dleg • (517) 322-1345 Lansing Office