



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of) HOT ROCK PIZZA, LLC) d/b/a HOT ROCK PIZZA) 1893 E. Big Beaver) Troy, Michigan 48083)) Oakland County) _____)	Request ID No. 662514 Business ID No. 225770
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At the April 25, 2013 hearing of the Michigan Liquor Control Commission (Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

SHOW CAUSE HEARING ORDER

On September 22, 2011, Hot Rock Pizza, LLC (licensee) was issued the subject Resort Class C license issued under MCL 436.1531(2), pursuant to the qualifications in administrative rule R 436.1123(1)(a), and SDM license with Sunday Sales Permit (P.M.) as a result of a transfer of ownership.

On June 19, 2012, an acceptable request was received for a Participation Management Agreement between Muses Taverna, LLC and the licensee (Request ID No. 658657). On June 21, 2012, a request to transfer ownership of the licenses to Muses Taverna, LLC was submitted (Request ID No. 662518). Hot Rock Pizza, LLC failed to provide the Commission’s Enforcement Investigator with the required books and records necessary to determine the true ownership of the business necessary to proceed with the transfer of ownership request of Muses Taverna, LLC.

On March 1, 2013, the Commission issued an Order to Show Cause under administrative rule R 436.1925(1), to determine whether or not the Resort Class C license issued under MCL 436.1531(2), pursuant to the qualifications in administrative rule R

436.1123(1)(a), and SDM license with Sunday Sales Permit (P.M.), should be immediately suspended or revoked.

The Commission held the show cause hearing in this matter on April 25, 2013 at its Southfield office. Representing the licensee at the hearing was Attorney Zachary Eskau. After hearing arguments, reviewing the MLCC file and documents presented, and discussion of the issue on the record, the Commission finds that the applicant sufficiently addressed the concerns of the Commission that necessitated the scheduling of the hearing in this matter, and no further action should be taken to affect the status of the Resort Class C and SDM licenses and permits issued to the licensee at this time.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(b), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption on the premises. Under MCL 436.1537(1)(f), the licensee may sell beer and wine for consumption off the premises only.

THEREFORE, IT IS ORDERED that:

A. No further action will be taken to affect the status of the Resort Class C and SDM licenses and permits issued to the licensee at this time.

B. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before serving or selling alcoholic liquor.

C. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____