



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

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In the matter of the request of) P&P PARTY STORE, LLC) 33091 W. Jefferson) Brownstown, Michigan 48173)) Brownstown Township Wayne County) _____)	Request ID No. 558065
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At the January 17, 2013 hearing of the Michigan Liquor Control Commission (Commission) in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On April 6, 2010, P&P Party Store, LLC (applicant) filed a request for a new SDD license and new Sunday Sales Permit (P.M.), to be held in conjunction with an existing SDM license with Sunday Sales Permit (A.M.) at the above-noted location.

At a meeting held on October 17, 2012, the Commission denied this request under administrative rule R 436.1133 because there is an existing SDD licensee located within 2,640 feet of the proposed location (Patio Market, Inc.) and the applicant does not qualify for a waiver under administrative rule R 436.1133 relative to that licensed outlet.

Sole member, Lorri Proudlock submitted a timely request for an appeal in this matter and represented the applicant at the January 17, 2013 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or MLCC Administrative Rules. Specifically, the applicant does not qualify for a waiver under administrative rule R 436.1133. For the reasons stated on the record, the previous order is affirmed.

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).

THEREFORE, IT IS ORDERED that the denial order of October 17, 2012 issued in this matter is AFFIRMED.

MICHIGAN LIQUOR CONTROL COMMISSION

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____