



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

In the matter of)
)
BLARNEY CASTLE OIL CO.) Business ID No. 16984
D/B/A NORTON SHORES E-Z MART)
3416 Henry)
Norton Shores, Michigan 49441)
)
Muskegon County)
_____)

At the May 12, 2015 hearing of the Michigan Liquor Control Commission
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Dennis Olshove, Commissioner

PENALTY HEARING ORDER

Under MCL 436.1903(1), the Commission shall impose a suspension or revocation of the 2015 Specially Designated Merchant license with permission for motor vehicle fuel pumps under MCL 436.1541(6) and Sunday Sales Permit (A.M.) held by Blarney Castle Oil Co., d/b/a Norton Shores E-Z Mart (licensee) at the above-noted address, as the licensee was found liable for three (3) violations of MCL 436.1801(2) on different occasions within a 24-month period. Those violations occurred on April 3, 2013, April 8, 2014 and August 14, 2014.

The penalty hearing was held on May 12, 2015 at the Commission's Lansing office. Representing the licensee at the hearing was Attorney Fred Lovejoy.

After reviewing the record of the three (3) violations within a consecutive 24-month period which necessitated the penalty hearing, hearing arguments from Attorney Lovejoy, and review of the MLCC file with exhibits presented, the Commission finds that

revocation of the license is not necessary in this matter. However, the Commission further finds that a suspension of the license is required, and the licensee has demonstrated reasons to order a suspension in this matter for the following reasons:

- The Commission finds that the license was originally issued to the licensee on November 2, 1990. The minors were 19 and 20 years of age. All three (3) selling clerks involved in the sale(s) were immediately terminated.
- The Commission finds that the licensee has represented that a standard operating procedure and policy exists for disciplinary action taken against employees who do not adhere to the policies and procedures for prevention of selling to minors.
- The Commission finds that the licensee has security cameras in place to aid in monitoring that employees adhere to the policies and procedures for sales of age restricted products.
- The Commission finds that the licensee has new management in place and regular employee meetings are conducted.
- The Commission finds there was no failure to cooperate with law enforcement or with the Commission.

Under MCL 436.1903(1), the Commission shall issue a penalty of suspension or revocation in this matter. The Commission finds that a one (1) day suspension is warranted for the reasons stated on the record, to be served on May 27, 2015.

THEREFORE, IT IS ORDERED that:

A. The 2015 Specially Designated Merchant license with permission for motor vehicle fuel pumps under MCL 436.1541(6) and Sunday Sales Permit (A.M.) held by Blarney Castle Oil Co., d/b/a Norton Shores E-Z Mart is **SUSPENDED** for one (1) day, to be served on May 27, 2015.

B. The suspension is to run consecutively and not concurrently with any other suspension ordered by the Michigan Liquor Control Commission for this licensee.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Dennis Olshove, Commissioner

Date Mailed:

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