



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

In the matter of)	
)	
C B'S BAR INC.)	Business ID No. 184314
D/B/A CB'S BAR)	
200 State)	
Charlotte, Michigan 48813)	
)	
Eaton County)	
_____)	

At the December 2, 2014 hearing of the Michigan Liquor Control Commission (Commission) in Lansing, Michigan.

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

CORRECTED
PENALTY HEARING ORDER

Under MCL 436.1903(1), the Commission shall impose a suspension or revocation of the 2014 Class C and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.) and Outdoor Service (1 area) held by C B's Bar Inc., d/b/a CB's Bar (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 February 13, 2013, November 17, 2013 and October 25, 2013.

The penalty hearing was held on December 2, 2014 at the Commission's Lansing office. Representing the licensee at the hearing was Attorney Anthony Kogut, Attorney Howard Goldberg and sole stockholder, Charles Bahr.

After reviewing the record of the three (3) violations within a consecutive 24-month period which necessitated the penalty hearing, and hearing arguments from Attorneys Kogut and Goldberg, as well as from the licensee, Mr. Bahr, the Commission finds that a suspension of the licenses is required, as the licensee has demonstrated reasons to order a suspension in this matter for the following reasons:

- The Commission finds that since issuance of the licenses to Charles Bahr as an individual on December 12, 1978 until incorporating to C B's Bar Inc. on February 17, 2010, with Charles Bahr as sole stockholder, the licensee has been cited and found responsible for multiple violations of the Michigan Liquor Control Code and Administrative Rules as follows:
 - Allowing gambling and gambling devices on the licensed premises.
 - Allowing marijuana on the licensed premises.
 - Allowing the sale, service and consumption of alcoholic liquor after the legal hour.
 - Allowing the premises to be occupied after the legal hour.
 - Allowing fights on the licensed premises.
 - Failure to cooperate with law enforcement officials.
 - Several violations of allowing the sale of alcoholic liquor to intoxicated patrons; and allow intoxicated patrons to consume and loiter on the licensed premises; one which resulted in the death of another intoxicated patron; one which resulted in severe bodily injuries to an extremely intoxicated patron; and one which resulted in an extremely intoxicated individual being incapacitated and requiring emergency medical assistance.
- The Commission finds that the licensee failed to demonstrate policies and procedures for prevention of selling to intoxicated patrons.
- The Commission finds that the licensee has not demonstrated the ability or willingness to ensure control over the establishment and its employees, and ensure compliance with the code and rules, and prevent future violations.

Under MCL 436.1903(1), the Commission shall issue a penalty of suspension or revocation in this matter. After hearing arguments, reviewing the MLCC file, and discussion of the issues on the record, the Commission finds that an IMMEDIATE SUSPENSION is warranted for the reasons stated on the record. However, Commissioner Quimby stated she would only support a license revocation and would not be in support of only a suspension.

The Commission further finds that the licenses should remain suspended until such time that the licenses are transferred, revoked or otherwise cancelled.

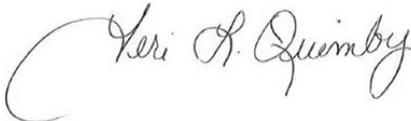
THEREFORE, IT IS ORDERED that:

- A. The Class C and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.) and Outdoor Service (1 area) held by C B's Bar Inc., d/b/a CB's Bar at the subject location are IMMEDIATELY SUSPENDED and shall remain suspended until transferred to an entity approved by the Commission, revoked, or otherwise cancelled.
- 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



Teri L. Quimby, Commissioner (dissenting)



Dennis Olshove, Commissioner

Date Mailed: _____

tlc