



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

In the matter of)
)
GIPPERSGR LLC) Business ID No. 225358
D/B/A GIPPER'S SPORTS BAR & GRILL)
2929 SE Kraft)
Grand Rapids, Michigan 49508)
)
Cascade Township Kent County)
_____)

At the January 20, 2015 hearing of the Michigan Liquor Control Commission
(Commission) in Lansing, Michigan.

PRESENT: Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

PENALTY HEARING ORDER

Under MCL 436.1903(1), the Commission shall impose a suspension or revocation of the 2014 Resort Class C and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.), Dance-Entertainment Permit, Outdoor Service (1 area), Specific Purpose Permit (Food) and 2 Bars held by Gippersgr LLC, d/b/a Gipper's Sports Bar & Grill (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 November 9, 2012, February 2, 2013 and May 15, 2014.

The penalty hearing was held on January 20, 2015 at the Commission's Lansing office. Representing the licensee at the hearing was Attorney Peter Walsh and sole stockholder, Gary Alden.

After reviewing the record of the three (3) violations within a consecutive 24-month period which necessitated the penalty hearing, hearing arguments from Attorney Walsh and Mr. Alden, and review of the MLCC file and Exhibit presented, the Commission finds that revocation of the licenses is not necessary in this matter.

However, the Commission further finds that a suspension of the licenses is required, and the licensee has demonstrated reasons to order a suspension in this matter for the following reasons:

- The Commission finds that the licenses were originally issued to the licensee on June 1, 2011. The minors were sold or furnished alcoholic liquor in violation of MCL 436.1801(2) within a timeframe of approximately 18 months; and the licensee was assessed fines for the three (3) violations, with a three (3) day suspension ordered as additional penalty in the May 15, 2014 violation. The minors were all 20 years of age, and identification was not requested or shown in any incident.
- The Commission finds that all (3) three employees who made the illegal sales were terminated.
- The Commission finds that the licensee has demonstrated that since the May 15, 2014 violation, a new manager was hired and is involved in the daily operations of the licensed business.
- The Commission finds that the licensee has instituted a policy of “carding” all patrons who appear to be under 30 years of age prior to completing the sale and service of alcohol.
- The Commission finds that the licensee has installed an age identification scanner to aid in the prevention of selling to minors.
- The Commission finds that the licensee has demonstrated that all employees are required to be certified in a Commission-approved alcohol management training course and any future employees will be required to be certified.
- The Commission finds there was no failure to cooperate with law enforcement or with the Commission.

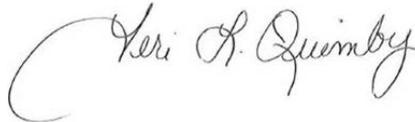
Under MCL 436.1903(1), the Commission shall issue a penalty of suspension or revocation in this matter. The Commission finds that a seven (7) day suspension is warranted for the reasons stated on the record, to be served on February 3, 4, 5, 6, 7, 8 and 9, 2015.

THEREFORE, IT IS ORDERED THAT:

A. The 2014 Resort Class C and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.), Dance-Entertainment Permit, Outdoor Service (1 area), Specific Purpose Permit (Food) and 2 Bars held by Gippersgr LLC, d/b/a Gipper's Sports Bar & Grill are SUSPENDED for seven (7) consecutive days, to be served on February 3, 4, 5, 6, 7, 8 and 9, 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



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed:

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