



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

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In the matter of)) MOTHERLAND NITE SHIFT LOUNGE, LLC) D/B/A MOTHERLAND NITE SHIFT LOUNGE,) LLC) 1820 Forty Fourth) Wyoming, Michigan 49509)) Kent County) <hr style="width: 100%; border: 0.5px solid black;"/>	Request ID No. 811714 Business ID No. 238661
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At the September 8, 2015 hearing of the Michigan Liquor Control Commission (Commission) in Lansing, Michigan.

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

LICENSE REVOCATION ORDER

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with 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.

Motherland Nite Shift Lounge, LLC, d/b/a Motherland Nite Shift Lounge, LLC (licensee) currently holds a 2015 Class C license with Sunday Sales Permits (A.M. & P.M.), Dance Permit and 2 Bars at the above-noted location. The license and permits were issued on March 23, 2015.

On August 17, 2015, the Wyoming City Council adopted Resolution No. 25222 in which the City of Wyoming requests the Commission to revoke the subject Class C license under the provisions of MCL 436.1501(2).

After considering the Wyoming City Council Resolution requesting revocation of the license, the Commission provided proper notice to the licensee and held a hearing on September 8, 2015 at the Lansing office of the Commission to determine whether the license should be revoked under MCL 436.1501(2). Attorney Ocheiko Obande represented the licensee at the hearing. Representing the City of Wyoming at the hearing was Attorney Paul Van Gessel.

After hearing arguments, reviewing the MLCC file and exhibits presented, and discussion of the issue on the record, the Commission finds that on August 17, 2015, the Wyoming City Council adopted Resolution No. 25222 requesting revocation of the Class C license and permits held by the licensee at the subject location.

The Commission further finds that under MCL 436.1501(2), upon request of the local legislative body after due notice and proper hearing by the local legislative body and the Commission, the Commission shall revoke the license of a licensee granted a license to sell alcoholic liquor for consumption on the premises or any permit held in conjunction with that license.

The Commission concludes that the subject license should be revoked under MCL 436.1501(2) for reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The 2015 Class C license with Sunday Sales Permits (A.M. & P.M.), Dance Permit and 2 Bars held by Motherland Nite Shift Lounge, LLC, d/b/a Motherland Nite Shift Lounge, LLC at 1820 Forty Fourth, Wyoming, Kent County, shall be REVOKED under MCL 436.1501(2) based on the August 17, 2015 Resolution of the Wyoming City Council requesting revocation of the license.

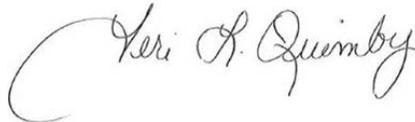
B. Under MCL 436.1907(1), any and all privileges conferred by the license shall be forfeited and the Commission shall seize any and all alcoholic liquor found in the possession of the licensee.

C. Under MCL 436.1907(2), the Commission shall remit to the licensee the purchase price less 10% paid by the licensee to the Commission for all alcoholic liquor seized. All other alcoholic liquor seized shall be disposed of in accordance with the law and no payment shall be made for that alcoholic liquor.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed:

tlc