



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

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In the matter of the request of)
SULLIVANS MIRROR LAKE MARKET INC.)
2450 S. Lapeer) Request ID No. 332456
Lapeer, Michigan 48446)
Lapeer Township Lapeer County)
_____)

At the April 16, 2013 hearing of the Michigan Liquor Control Commission
(Commission) in Lansing, Michigan.

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

LICENSING APPEAL ORDER

On February 7, 2013, Sullivans Mirror Lake Market Inc. (licensee) filed a request for an extension of time beyond five (5) licensing years in which to renew the 2012 SDD and SDM licenses with Sunday Sales Permit (P.M.) and Living Quarters Permit under administrative rule R 436.1107, at the above-noted location.

On March 6, 2013, the Commission denied the licensee's request under administrative rule R 436.1107 because the licensee failed to demonstrate good cause to grant an extension of time.

Sole stockholder, Jack Sullivan submitted a timely request for an appeal in this matter and represented the licensee at the April 16, 2013 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that good cause is shown through the applicant's active pursuit of a sale of the licenses.

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).

The licensee is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f)(g), the licensee may sell beer, wine, mixed spirit drink for consumption off the premises only.

The licensee's request for an extension of time beyond five (5) licensing years under administrative rule R 436.1107 is granted to April 30, 2014 for reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 6, 2013 issued in this matter is reversed, and the escrow period for the 2013-2014 licensing year is APPROVED until April 30, 2014 under administrative rule R 436.1107, subject to the following:

1. The licensee shall submit executed renewal form(s) and payment of the statutory license fees for the SDD and SDM licenses with Sunday Sales Permit (P.M.) and Living Quarters Permit for the 2013-2014 licensing year by April 30, 2013. Failure to submit the statutory license fee shall result in the licenses and permits being terminated pursuant to the provisions of administrative rule R 436.1107, without further order of the Commission.

B. Under administrative rule R 436.1107(6), the licensee shall be responsible for providing the Commission with current contact information, in writing, for all correspondence, which includes the name, mailing address, and telephone number.

C. This order is the only notice that will be provided notifying of the expiration of the licenses and permits on April 30, 2014 pursuant to the approval contained in this order.

MICHIGAN LIQUOR CONTROL COMMISSION

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide
Date Mailed: _____