



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Constitution Hall – 525 W. Allegan, Lansing, MI 48933
Mailing Address: PO Box 30005, Lansing, MI 48909
Toll Free 866-813-0011 – www.michigan.gov/lcc

New On-Premises Development District (DDA) License – MCL 436.1521a(1)(b)
Requirements & General Information

- A license issued under MCL 436.1521a(1)(b) may be a Class C, Tavern, B-Hotel, or A-Hotel license. For details on the specific permits and permissions for these licenses, please visit the MLCC's [Retail Licensing Information website](http://www.michigan.gov/lcc).
- **The building shall be a restoration or rehabilitation of an existing building and cannot be a brand new building.**
- The proposed licensed premises must be located in one of the development districts or areas listed in MCL 436.1521a(1)(b):
 - Tax Increment Finance Authority Act (TIFA) District under Part 3 of Public Act 57 of 2018 (formerly Public Act 450 of 1980)
 - Corridor Improvement Authority Act Development Area under Part 6 of Public Act 57 of 2018 (formerly Public Act 280 of 2005)
 - Downtown Development Authority (DDA) District under Part 2 of Public Act 57 of 2018 (formerly Public Act 197 of 1975)
 - Principal Shopping District under Public Act 120 of 1961
- The total investment in real and personal property within the development district or area shall not be less than \$200,000.00 over a period of the preceding five (5) years.
- The building that will house the proposed licensed premises must have at least \$75,000.00 expended for the rehabilitation or restoration of the building over the preceding five (5) years or a commitment for a capital investment of at least \$75,000.00 in the building that must be expended before the license is issued.
- The licensed business must be engaged in activities related to dining, entertainment, or recreation.
- The licensed business must be open to the general public and have a seating capacity of not less than 50 persons.
- The initial enhanced license fee for a license issued under this section is \$20,000.00.
- Pursuant to MCL 436.1521a(8) a license issued under MCL 436.1521a(1)(b) cannot be transferred to another location and if the licensee goes out of business the license issued under MCL 436.1521a(1)(b) shall be surrendered by the licensee to the Commission and the Commission will terminate the license.

How to Apply

All applicants requesting a new license under MCL 436.1521a(1)(b) must submit the following:

- **Application Form** - [Retail License & Permit Application \(Form LCC-100\)](#)
- **License Questionnaire** – [New On-Premises Redevelopment or Development District License Questionnaire \(Form LCC-109b\)](#)
- **Inspection Fee** - A \$70.00 nonrefundable inspection fee is required for each license requested in an application. For example, if an applicant has requested a new Class C license under MCL 436.1521a(1)(b) that has a Specially Designated Merchant (SDM) license in conjunction, the inspection fee would be \$140.00.
- **License & Permit Fees** – The annual renewal fees vary by the type of on-premises license. Additional fees will vary based upon whether additional licenses and permits are requested in conjunction with the on-premises license. An initial enhancement fee of \$20,000.00 will be required prior to issuance of the license if the development district license is approved.
- **Livescan Fingerprints** – Applicants that have never been licensed through the Michigan Liquor Control Commission must submit fingerprints through the Livescan fingerprinting process - [Livescan Fingerprint Background Request Form](#).
- **Local Governmental Unit Approval** – [Local Governmental Approval Form \(Form LCC-106\)](#). The city, village, or township must approve the new redevelopment license with a recommendation for the issuance of a “new Class C* license issued under the provisions of MCL 436.1521a(1)(b)”. The resolution must specifically state the applicant’s name and the proposed licensed address. **You may substitute other license types, such as Tavern, B-Hotel, or A-Hotel licenses, as applicable.*
- **Resolution from local governmental unit establishing the development district or area which specifically references the statute under which the area was established:**
 - Part 3 of Public Act 57 of 2018 (formerly Public Act 450 of 1980) for Tax Increment Finance Authorities
 - Part 6 of Public Act 57 of 2018 (formerly Public Act 280 of 2005) for Corridor Improvement Authorities
 - Part 2 of Public Act 57 of 2018 (Formerly Public Act 197 of 1975) for Downtown Development Authorities
 - Public Act 120 of 1961 for Principal Shopping Districts

- **Affidavit from the Assessor** – The affidavit from the assessor must be certified by the city, township, or village clerk and must state the following:
 - The total amount of public and private investment in real and personal property within the development district or area over a period of the preceding five (5) years (must specifically state start and end dates for the investment, e.g. January 1, 2011 to December 31, 2015).
- **Legible map of the development district or area which clearly labels all street names.**
- **Proof of Attempt to Secure Escrowed License** – Applicants requesting new license under MCL 436.1521(a)(1)(b) must submit documentation that demonstrated they have contacted all holders of escrowed licenses within the same county and have been unable to secure a readily available escrowed license for use at their proposed location. Escrow responses must follow these guidelines:
 - MCL 436.1521a(9) requires that the individual signing the application for a license issued under MCL 436.1521a shall state and demonstrate that the applicant attempted to secure a readily available on-premises escrowed license or unissued quota license issued under Section 531 and that, to the best of his or her knowledge, an on-premises escrowed license or quota license is not readily available within the county in which the applicant proposes to operate.
 - Applicant will be provided a Licensee Listing Report from the MLCC which lists all on-premises escrowed licensee for the county. Applicant is required to contact all licensees on the report effective as of the date the application is filed with the MLCC.
 - Applicant should send certified letters of inquiry as to the availability of the license to each licensee either at the business address or escrow contact address listed on the report.
 - Applicant should submit copies of the letters sent, certified tags, signed certified return receipts, copies of any envelopes returned by the USPS, and copies of any correspondence received from the licensees.
 - Applicant should provide dates, the name of the person contacted, and a synopsis of the conversation, if escrowed licensees are contacted by telephone.
 - Applicant should provide documentation regarding the fair-market value of the license based on where the applicant will be located, if determinable, the size and scope of the proposed operation, and/or the existence of mandatory contractual restrictions or inclusion attached to the sale of the license when indicating to the MLCC that purchase of a license is not economically feasible or the license is not readily available.
 - Applicant should provide a notarized affidavit outlining all attempts and responses (or lack thereof) to secure a readily available license.
- **Property Document** – Applicants must provide documentation that demonstrates they will have control over the property that comprises the proposed licensed premises. Property documents include deeds, land contracts, and lease agreements.

- A provision to reassign the license in the event of a default on a land contract or termination of a lease agreement may be included, but may only provide for the reassignment subject to Commission approval.
- If the applicant is a company and its members or stockholders own the real estate as individuals or under another company, a lease agreement is needed.
- If the applicant is an individual and he or she owns the real estate with a spouse or someone else who will not be named on the license, a lease between the applicant and the owners of the real estate is needed.

In addition to the documents required by all applicants:

Corporations must submit the following information per Administrative Rule R 436.1109:

- Copy of current, filed Articles of Incorporation.
- Current Certificate of Good Standing from the state where incorporated and Certificate of Authority to Do Business in Michigan, if incorporated outside of this state.
- Certified copy of the minutes of a meeting of its board of directors or a statement signed by an officer of the corporation naming the persons authorized by corporate resolution to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)

Limited Liability Companies (LLC) must submit the following information pursuant to Administrative Rule R 436.1110:

- Copy of Articles of Organization and copies of any amendments to the Articles of Organization.
- Current Certificate of Authority to Do Business in Michigan, if the LLC is a non-Michigan LLC.
- Copy of Operating Agreement entered into by members.
- Copy of most recent annual statement filed with the Corporations Division, if an existing LLC.
- Statement signed by a manager of the limited liability company or by at least 1 member if management is reserved to the members naming the person authorized to sign the application and other documents required by the Commission (or Part 3 of Form LCC-301).
- [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)

Partnerships must submit the following information per Administrative Rule R 436.1111:

- Partnership Agreement, if a Limited Partnership.
 - [Report of Stockholders/Members/Partners \(Form LCC-301\)](#)
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Licensing Process

- The Licensing Division reviews the application and corresponding documents for completeness and verifies the appropriate fees have been received. If additional documents, fees, or corrections to documents are needed, Licensing will notify the applicant.
- Once all the necessary documents have been received Licensing will submit the request to the Enforcement Division for its investigation. If an applicant has applied for and meets the requirements for a conditional license, the request will be considered by the Commission.
- The Enforcement Division will contact the applicant to schedule an interview with the applicant (and current licensee for license transfers). At this meeting an investigator will review with the applicant documents, including:
 - purchase agreement
 - financial documents
 - property documents
 - other items pertaining to the application
- After the interview, the investigator will prepare a report for the Commission regarding the investigation and submit the request back to Licensing for further processing.
- Licensing reviews the report from Enforcement and any additional documents received during the interview process. The request is prepared for the Commission to consider and placed on a docket for an upcoming licensing meeting.
- The Commission considers the request, including:
 - the liquor license operating history of the applicant (if a current or prior licensee)
 - the arrest and conviction record of the applicant
 - whether the applicant meets the requirements for a license
 - the applicant's financial information
 - opinions of the local legislative body or police department, if received.
- The Commission will approve or deny the request based on these factors. Occasionally, the Commission will request more information from the applicant before making a final decision.
- After the Commission makes a decision on the request, the file is returned to Licensing for final processing.
 - Approval orders are sent to the applicant requesting any final items before the issuance of the license.
 - Denial orders are sent to the applicant and the applicant may appeal the decision.
- When all the final items are received by Licensing, the completed request is forwarded to the Renewal Unit for the issuance of the physical license documents.

- Any changes in financial provisions at the time of closing which do not conform to the terms previously indicated and investigated may require submission of new forms and possible additional investigation.

Churches & Schools

A new application to sell alcoholic beverages at retail may be denied if the proposed location is within 500 feet of a church or school. The Commission may waive the church/school provision if the church or school does not file an objection to the proposed license. If the church or school does file an objection, the Commission shall hold a hearing before making a decision on the issuance of the license.



REDEVELOPMENT DISTRICT LIQUOR LICENSES FACT SHEET

Public Act 501 of 2006 amended the Michigan Liquor Control Code, effective December 29, 2006, to allow the Liquor Control Commission (MLCC) to issue public on-premises licenses, in addition to the population-based quota licenses allowed under the Code, to businesses engaged in activities related to dining, entertainment, and recreation, and located in city development districts.

The City of Pontiac has filed all required documentation for the certification of the development district by the MLCC, the required map reflecting and outlining the designated development district within the boundaries of the City, and an affidavit from the City Assessor, certified by the City Clerk, stating the total amount of investment in real and personal property within the development district during the preceding five years.)

To receive a Redevelopment District Liquor License an applicant must be approved by the City and the MLCC. An application for a license will not be authorized for investigation until the MLCC has received a City resolution which approves the applicant at a specific location.

Applicants must complete a City application and file it with the Planning Division with all required supplemental documentation and the City application fee. Application fees are established by resolution of City Council and the application package can be obtained from the City Planning Division. The City will review the application and make a determination as to whether the applicant is approved at the designed premises. The City may make investigations it considers proper in connection with the approval process or as required by City ordinances.

Upon receipt of the documentation from the City, and all necessary MLCC application forms, other required documents and inspection fees, the application will be authorized for investigation by the MLCC. The initial enhanced license fee for development district licenses is \$20,000.

Applicants for development district licenses must demonstrate, at the time of the investigation by the MLCC, that:

- ☐ The amount expended for the rehabilitation or restoration of the building that houses the licensed premises shall be not less than \$75,000 over a period of the preceding five years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license.
- ☐ That the licensed business is engaging in dining, entertainment or recreation, that is open to the general public, with a seating capacity of not less than 50 persons.

Individuals considering applying for a development district liquor license should be aware of the following restrictions.

- ☐ A licensee may transfer ownership of the license; however, this type of license may not be transferred to another location.
- ☐ If the licensee goes out of business, the licensee must surrender the license to the MLCC. The City may approve another applicant within the development district to replace the licensee who has surrendered the license to the MLCC.
- ☐ The applicant must state and demonstrate that an attempt to secure an appropriate on- premises escrowed license or quota license which may be available within the city in which the applicant proposes to operate.

This fact sheet has been prepared for informational purposes only. Individuals considering applying for a development district liquor license are advised to contact a lawyer for advice on the application process. General informational inquiries can also be directed to the Michigan Liquor Control Commission.

Effective Date: August 2019
Prepared by: City of Pontiac



CITY OF PONTIAC REDEVELOPMENT LIQUOR LICENSE PRE-APPLICATION QUESTIONNAIRE

Instructions to Applicants: If you are applying for a City of Pontiac Redevelopment Liquor License, within the C-2 Downtown Area this form must be completed prior to filling out the City of Pontiac Redevelopment Liquor License Application Form. The new application form will not be accepted without a completed pre-application questionnaire. **Please include copies of two pieces of personal identification.**

Please indicate, by checking YES or NO, if your establishment meets the following criteria.

1. Is the business to be licensed within the geographic boundaries of the City of Pontiac C-2 Downtown District? ☐ **Yes** ☐ **No** (Please indicate proposed location on the attached map.)

Complete name and address of business to be licensed _____
Personal Property ID (for existing businesses) _____

2. Applicants for Redevelopment Liquor licenses, must demonstrate to City of Pontiac and the Michigan Liquor Control Commission (MLCC), at the time of investigation, that the amount expended for the rehabilitation or restoration of the building that houses the licensed premises shall be not less than \$75,000 over a period of the preceding five years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license. At the time of application, can your business demonstrate this requirement?
☐ **Yes** ☐ **No** (Please attach supporting financial information for verification.)
3. Will the licensed business engage in dining, entertainment or recreation, that is open to the general public, with a seating capacity of not less than 50 persons? ☐ **Yes** ☐ **No** (Please attach current or proposed floor plan that supports seating capacity.)
4. Will the licensed business generate 50% or more of its revenue from food and non-alcoholic drink sales?
☐ **Yes** ☐ **No**
5. What type of on-premise sales are you interested in applying for? Check all that apply. (Checking the boxes does not guarantee award of any or all categories.)
☐ **Beer** ☐ **Wine** ☐ **Spirits (hard liquor)**
6. Please describe (on an attached sheet) how your business will do the following, if issued a license:
- Prevent deterioration in the C-2 Downtown district and promote economic growth by:
 - creating new employment opportunities
 - adding new tax value through the purchase of new equipment and/or building improvements
 - Represents a desired land use as determined by the City's area master plan and zoning requirements.
 - Contribute to the mix of dining/drinking, entertainment and recreational existing establishments (describe unique characteristics)

Signature of Applicant _____

Date _____

Printed Name _____

If any of the above questions have been answered NO, the applicant is not eligible to apply for a Redevelopment District License as designated under Michigan State Law (Public Act 501 of 2006). Applicants that cannot meet the minimum criteria will not be considered by the City of Pontiac. Do NOT fill out an application.

If all of the above questions have been answered YES, the applicant is eligible to apply for a Redevelopment Liquor License. The next step in the application process is to fill out the City of Pontiac application form. Attach this completed form to the application and submit with, 47450 Woodward Ave, Pontiac, MI 48342. Phone No. - 248-758-2800.

To inquire about other licensing opportunities, including transfers of existing Class C licenses, please contact the Michigan Liquor Control Commission directly. All transferred licenses begin at the State level. MLCC On-Premises Licensing Division - 517-322-1400.



CITY OF PONTIAC APPLICATION FOR
REDEVELOPMENT LIQUOR LICENSES

Date: _____

Instructions: This application must be completed and returned with a \$150 application fee for each license before it can be considered. All answers must be typed or printed. Sign the completed form in ink and return to the City Clerk, 47450 Woodward Ave., Pontiac, Michigan 48342.

MAKE ALL CHECKS OR MONEY ORDERS PAYABLE TO THE CITY OF PONTIAC, MICHIGAN.

1. Applicant identification-all applicants	
Name of individual, partnership, corporation or limited liability company who will hold the license:	Contact Person Name:
Business Street Address:	Street Address:
City/State/Zip Code:	City/State/Zip Code:
Township:	Business Phone No. Home Phone No. () ()

2. Nature of Application – (Check all that apply)

- ☐ Retail Applicants
- ☐ Manufacturer or Wholesale Applicants

3. Proposed Licensed Address:

4. Briefly describe the business, for example – Dining, Recreation, Entertainment etc. _____

5. This proposed licensed business will be owned by: (check one)

☐ Me as the individual owner ☐ The named corporation ☐ The named liability company

The following partners (indicate limited partners with an "L" before their name)

Partnership Information: (attach additional sheet if necessary)

Name of Partners	Home Address	Telephone Number

* All partners may be required to complete and submit additional information as part of the application review process, by completing this application applicant agrees to comply with any such requests.

6. Personal Information – Individual Applicants and Partnership Members Only

Date of Birth _____ (required to confirm applicant is over 21 years of age)

If you are not a US Citizen – Are you a registered alien? ☐ Yes ☐ No Or, do you have a Visa? ☐ Yes ☐ No

Full name of spouse: _____

Have you ever legally changed your name? ☐ Yes ☐ No If Yes, from _____ to _____

Have you been known by other names? ☐ Yes ☐ No List Names: _____

Have you ever been convicted of a criminal offense, including alcohol related infractions (exclude traffic citations)?

☐ Yes ☐ No If Yes, please list charge, date of conviction, location and disposition below.

(Use additional sheet if necessary.)

CHARGE	DATE	PLACE	DESCRIPTION
_____	_____	_____	_____
_____	_____	_____	_____

List your former occupations for the past 3 years:

DATE (to/from)	OCCUPATION	EMPLOYER NAME AND ADDRESS
_____	_____	_____
_____	_____	_____
_____	_____	_____

I or my spouse previously held or now hold interest in the following licenses for sale of alcoholic beverages as sole licensee, partner or corporation:

NAME OF LICENSE	TYPE OF LICENSE	LOCATION	DATE
_____	_____	_____	_____
_____	_____	_____	_____

Do you or your spouse hold any law enforcement powers including powers of arrest? ☐ Yes ☐ No

7. Limited Partnership Applicants Only – is the limited partnership authorized to do business under the laws of Michigan?

☐ Yes

☐ No

Date authorized: _____

8. Corporate & Limited Liability Company Applicants Only -

Attach copy filed or proposed Articles of Incorporation, last annual report/statement filed & attach copy of stock options.

Corporate/LLC Name:

Incorporation/Organization date:

Incorporated/Organized in what State?

Michigan Authorization date:

Name, Address, Phone Number of Resident Agent:

(Check one of each)
Corporation

☐

Profit or

☐

Nonprofit

☐

Public or

☐

Private Corporation

Date last annual report/statement filed with Michigan Corporation and Securities:

Corporate Officers	Name	Address	Phone Number
President	_____	_____	_____
Vice-President	_____	_____	_____
Secretary	_____	_____	_____
Treasurer	_____	_____	_____

9. Corporations and Limited Liability Companies – List all persons, companies and other entities that hold or will hold stock interest or membership in applicant entity.

Name	Address	Phone Number	%Interest
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

10. Denial of Application/Revocation of License

(A) Have you, prior to this application, made application(s) for a similar or other license on premises other than described in this application?

☐ Yes ☐ No

If yes, please list date, place and disposition of such application(s).

(B) Have you, prior to this application, been disqualified to receive approval for a license under the laws of the State of Michigan?

☐ Yes ☐ No

If yes, please explain.

(C) Have you ever held a liquor license which has been revoked or not renewed?

☐ Yes ☐ No

If yes, please state reason.

11. Financial Details – All applicants

(A) Source of funds used to establish business, or which will be used to purchase this business, list name, address and amount of all money lenders.

Name	Address	Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

(B) Attorney or representative

Name	Address	Phone Number
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12. Premises (Answer either A, B, or C.) Applicant shall attach a building and grounds layout diagram (8-1/2 x 11) showing the entire structure, premises, and grounds, and in particular the specific areas where the license is to be utilized. Plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for screening and notice control.

(A) New Construction

Do you need to build a facility at the residence that will hold the license? ☐ Yes ☐ No

If yes, do you have building permits? ☐ Yes ☐ No

If no, when do you plan to get them? _____

If yes, when do you expect construction will begin? _____

If yes, when do you expect construction to be completed? _____

If yes, what is the estimated cost of construction of the facility? \$ _____

When is your anticipated occupancy date/open for business date? _____

Would you build the facility at this location if you do not get a license? ☐ Yes ☐ No

(B) Existing Facility-No Renovation

Is the facility currently occupied? ☐ Yes ☐ No

If yes, do you intend to be licensed under the existing business at this location? ☐ Yes ☐ No

If yes, do you intend to be licensed under the same management? ☐ Yes ☐ No

How long has the existing business be at the location? _____

Are you currently associated with the business operation on site? ☐ Yes ☐ No

If yes, in what capacity are you associated? _____

If no, will you be purchasing the premises? _____

(C) Existing Facility-Renovation

Do you plan to renovate an existing facility? ☐ Yes ☐ No

If yes, what is the estimated cost of the renovation? \$ _____

If yes, when do you expect construction will begin? _____

If yes, when do you expect the construction to be completed? _____

When is your anticipated occupancy date/open for business date? _____

Is the facility currently occupied? ☐ Yes ☐ No

If yes, are you currently associated with the business operation on site? ☐ Yes ☐ No

If yes, in what capacity are you associated? _____

Will it be necessary to temporarily close the facility for renovation? ☐ Yes ☐ No

If yes, how long will the facility be closed? _____

Are you going to renovate the facility if you do not get a license? ☐ Yes ☐ No

13. Employment – (All applicants must complete either A or B section)**(A) Existing Business**

How large is the current staff? (i.e. 1 full-time bartender)

Number	Full	or	Part-time	Position
_____	☐		☐	_____
_____	☐		☐	_____
_____	☐		☐	_____
_____	☐		☐	_____
_____	☐		☐	_____
_____	☐		☐	_____

Will you be retaining current staffing levels, expanding current staffing levels, or decreasing current staffing levels if you receive the license? Explain. _____

(B) New Business

How large of a staff do you plan to have? (i.e. 1 full-time bartender)

Number	Full	or	Part-time	Position
_____	☐		☐	_____
_____	☐		☐	_____
_____	☐		☐	_____
_____	☐		☐	_____
_____	☐		☐	_____

14. Operating Statement – Attach a general operation statement outlining the proposed manner in which the business for which the license being proposed will be operated, including a schedule of the hours of operation, food services, crowd control, and use of facilities.

15. Personal Statement – (App applicants must complete this requirement)

Please describe how this business will enhance the City of Pontiac community. What special considerations should we take into account in evaluating your application? PLEASE LIMIT YOUR ANSWER TO 200 WORDS OR LESS. Please attach a separate sheet of paper if necessary.

I have read all of the above answers and they are true. I agree to provide all requested information and to fully cooperate with all City Service Areas requesting any and all additional information provided in this application or any attachment thereto. Any changes that occur after the date of this application, applicant will notify the City Clerk, in writing, within 14-days of such change. I understand that the falsification of the information on this form or any false statements made during investigations may constitute grounds for denial of a license.

I warrant that I am not disqualified to receive a liquor license under the ordinances of the City of Pontiac or the laws of the State of Michigan. If granted a liquor license I will not violate any federal or state laws or any ordinance of the City of Pontiac in the conduct of business.

Attested to:

Date of Application

Signature of Applicant
(if applicant is a corporation, include title
of signor)

Name of person completing this
form if not the applicant