

COUNCIL COMMUNICATION

Manager's Recommendation: Approval of the resolution as follows:

RESOLUTION TO PERMIT THE SERVICE OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AT 114-116 S. HAMILTON

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the vendor, Miller on Hamilton, Inc. requested and was issued an Encroachment Permit from the City Zoning Division for 114-116 South Hamilton to include the installation of a 4' semi-permanent fence in an area on the City's sidewalk directly in front of 114-116 South Hamilton; and

WHEREAS, Miller on Hamilton, Inc. has further requested that it be allowed to serve alcoholic beverages in this fenced-in area during the hours of its operation between June 3, 2008 and October 31, 2008; and

WHEREAS, City Council can provide authorization for the service of alcoholic beverages on public property in accordance with §132.01(C), Chapter 132, Title XIII, of the Saginaw Code of Ordinances; and

WHEREAS, Miller on Hamilton, Inc. must provide certain proofs and documents as itemized under §132.01(C), Chapter 132, Title XIII, of the Saginaw Code of Ordinances and receives approval from the Michigan Liquor Control Commission.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the service of alcoholic beverages on public property in a fenced-in area on the City's sidewalk directly in front of 114-116 South Hamilton, contingent upon Miller on Hamilton, Inc., providing to the City the mandatory documents and proofs listed in §132.01(C), Chapter 132, Title XIII, of the Saginaw Code of

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Ordinances and receives approval from the Michigan Liquor Control Commission.

BE IT FURTHER RESOLVED, that all insurance requirements will be set by the City and all insurance certificates must be reviewed and approved by the City Attorney prior to the event.

BE IT FURTHER RESOLVED, if Miller on Hamilton, Inc. does not provide the aforementioned mandatory documents and proofs as itemized in §132.01(C), Chapter 132, Title XIII, of the Saginaw Code of Ordinances, it will not be allowed to serve alcoholic beverages in the encroachment area directly in front of 114-116 South Hamilton, Saginaw, Michigan, during its hours of operation between June 3, 2008 and October 31, 2008.