CHARTER TOWNSHIP OF FLINT

ORDINANCE NO.____

AN ORDINANCE TO AMEND ARTICLE 1, SECTION NO. 4.1-12, ARTICLE 2, SECTION NO. 4.2-3 AND SECTION NO. 4.2-4 AND TO REPEAL ARTICLE 4.4-3(2), ARTICLE 4.4-3(8) AND ARTICLES 3 AND 5 OF CHAPTER 4 OF THE CHARTER TOWNSHIP OF FLINT CODE OF ORDINANCES WHICH CHAPTER CONCERNS THE LICENSING OF BUSINESSES.

THE CHARTER TOWNSHIP OF FLINT ORDAINS:

SECTION 1.
Chapter 4, section 4.1-12 of the Charter Township of Flint Code of Ordinances is hereby amended to read as follows:

Sec. 4.1-12  Suspension or revocation.

Any license issued by the township may be suspended or revoked by the township board for cause. The township may also object to the renewal by the Michigan liquor control commission of an existing liquor license. Upon the written request of the township building department supervisor, (supervisor), to the township board specifying the reasons for the request a public hearing in front of the board will be scheduled. Written notice of the hearing including a statement of the cause therefore shall be delivered to the licensee personally or mailed by first class mail, return receipt requested, to the address stated in the application for the license. In addition to stating the date, time and place of the hearing the notice shall state that the purpose of the hearing is to consider the suspension or revocation or objection to renewal by the liquor control commission of a license and that the licensee has the right to present witnesses, confront any adverse witnesses, introduce evidence, present arguments and be represented by an attorney at the hearing. Subsequent to the hearing the board shall prepare a written statement of findings and may by resolution suspend, revoke, modify or object to the renewal of the license or decline to take any action. Upon suspension or revocation of any license, the fee therefore shall not be refunded. Except as otherwise specifically provided, any licensee whose license has been revoked shall not be eligible to apply for a new license for the trade, occupation, work, commerce, profession, business or privilege for a period of 90 days after such suspension or revocation. In the case of a hearing involving a liquor license issued by the Michigan liquor control commission, the township clerk shall forward to the liquor control commission a copy of this ordinance with the date of adoption and date of publication, a certified copy of the notice of hearing sent to the licensee with proof of service, and a certified copy of the resolution adopted by the board.
SECTION 2.
Chapter 4, Article 2, section 4.2-3 of the Charter Township of Flint Code of Ordinances is hereby amended to read as follows:

Sec. 4.2-3 Procurement procedure.

No license to commence or continue a business shall be issued until the owner or operator (the applicant) thereof shall have first submitted an application to the township building department supervisor (supervisor) on a form provided by the supervisor for such purpose. A fee that is to be set from time to time by resolution of the board shall accompany the application. Upon filing of a properly completed application and payment of the fee, the supervisor shall determine whether the applicant is in compliance with the terms and conditions of this article. If the supervisor determines the applicant to be in compliance, the supervisor shall issue a license to the applicant to commence or continue the business designated in said application. A business that has obtained a liquor license from the Michigan liquor control commission may request as part of its application that its request for a business license also be considered a request for a liquor license. No additional application for a liquor license in the township is necessary.

SECTION 3
Chapter 4, Article 2, section 4.2-4 of the Charter Township of Flint Code of Ordinances is hereby amended to read as follows:

Sec. 4.2-4 Conditions of license.

(a) No license shall be issued or renewed by the supervisor where:

(1) The existing or proposed business would be illegal under any statute, law, ordinance, rule or regulation of the United States of America, the state, the county, or the township.

(2) The business has failed to file a Firefighter Right to Know Site Information Survey as required by section 29.5p of Public Act No. 207 of 1941 (MCL 29.5p).

(b) If licensee has a liquor license from the Michigan liquor control commission or if licensee operates a restaurant the licensee will allow access by township code enforcement officials whenever requested during township office hours for purposes of code inspection only. Failure of any licensee to allow code enforcement access or to promptly correct a building code violation may be considered contrary to the health, safety or welfare of the public and constitute cause for suspension or revocation of the license pursuant to section 4.1-12.

(c) No license may be transferred by the holder to any other person except upon prior approval by the supervisor after an application requesting the transfer has been filed pursuant to section 4.2-3.
SECTION 4
Chapter 4, Article 4, subsection 4.4-3(2) of the Charter Township of Flint Code of Ordinances is hereby repealed. The repeal of this subsection shall not change the numbering of the remainder of the section.

SECTION 5
Chapter 4, Article 4, subsection 4.4-3(8) of the Charter Township of Flint Code of Ordinance is hereby repealed. The repeal of this subsection shall not change the numbering of the remainder of the section.

SECTION 6
Chapter 4, Article 3 of the Charter Township of Flint Code of Ordinances is hereby repealed in its entirety.

SECTION 7
Chapter 4, Article 5 of the Charter Township of Flint Code of Ordinances is hereby repealed in its entirety.

SECTION 8
The remainder of Chapter 4 remains unchanged.

SECTION 9
Effective Date

Draft 10/29/19