

DRAFT – 5/10/2021
City of St. Clair Shores
Social District
Operations and Maintenance Plan



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INTRODUCTION

On Thursday, July 2, 2020, Governor Whitmer signed into law two bills (House Bills No. 5781 and No. 5811) that allows for the sale of cocktails-to-go and alcohol consumption in established Social Districts. Local governmental units now have the authority to establish Commons Areas within Social Districts that multiple on-premises licensees can use to increase sales via permit until December 2024.

What is a Social District?

A Social District is a district created by the governing body of a Local Government. A Social District is defined as an area within the Local Government's boundaries where consumers would be able to drink beer, wine, or spirits in a designated commons area outside the walls or patio spaces of licensed establishments. A Social District is not a taxing entity and is overseen by the Michigan Liquor Control Commission.

What is the difference between a Social District and Commons Area?

A Social District is the entire area designated by the Local Government, which includes the Commons Area within the Social District. Establishment of a Social District does not mean consumers can drink alcoholic beverages throughout the entire district. Consumption of alcoholic beverages outdoors can only be done in the designated Commons Area. The Michigan Liquor Control Commission defines a Commons Area as an area within the established Social District that is clearly designated and marked by the Local Government that is shared by and contiguous to the premises of at least two other qualified licensees. Social Districts can include more than one Commons Area.

What is a Qualified Licensee?

The words "qualified licensee" shall mean any of the following: (i) a retailer that holds a license, other than a special license, to sell alcoholic liquor for consumption on the licensed premises; (ii) a manufacturer within an on-premises tasting room permit issued under Section 536 of 1998 PA 58; (iii) a manufacturer with an off-premises tasting room license issued under Section 536 of 1998 PA 58; and (iv) a manufacturer that holds a joint off-premises tasting room license issued under Section 536 of 1998 PA 58.

Differences between City and Business Owner Process

Per Michigan House Bill 5781, Local Governments are responsible for the creation, maintenance, operation, and signage throughout the Social District. Creation of a Social District does not give local businesses permission to serve to-go alcoholic drinks automatically.

Businesses need to go through a separate process with the Michigan Liquor Control Commission and obtain a Social District Permit which allows them to serve to-go beverages within the Commons Area.

Purpose of this Plan

This plan is in place to comply with requirements outlined in House Bill 5781 and required by the Michigan Liquor Control Commission. This plan can change at the discretion of City Council and City Administration. This plan includes steps that the City will take to maintain and operate the Social District and Commons Area to maintain consumer and resident safety.

District Boundaries and Commons Area

The boundaries of the Social District shall be from the south boundary of the intersection of Cavalier Drive/9 Mack Drive and Greater Mack Avenue north to 9 Mile Road. The east boundary shall be from the center of 9 Mack Drive to the west boundary being the center of Cavalier Drive.

The Commons Area shall be on Greater Mack Avenue north of the intersection of Cavalier Drive/9 Mack Drive to 9 Mile Road.

OPERATIONS PLAN

The operations of the St. Clair Shores Social District will be overseen by the Assistant City Manager after consultation with the Park and Recreation Director, the Police Chief and other City Departments as necessary. The St. Clair Shores Social District is in place to support local business owners and has no regulatory or taxing authority. The City of St. Clair Shores will provide any supporting documentation that local businesses need for their social district permit applications to the Michigan Liquor Control Commission. Businesses interested in setting up a tent during the Commons Area hours of operation may apply for special event license through the City Clerk's Office.

The St. Clair Shores Commons Area hours of operation are as follows:

- 5pm – 12am - first Saturday of every month, commencing Saturday, July 3, 2021

The Commons Area will be closed on the following US Holidays: New Year's Day, Independence Day, Thanksgiving, Christmas Eve, and Christmas.

At the recommendation of the Police Chief, Greater Mack Avenue south of 9 Mile to 9 Mack Drive/ Cavalier Drive, the location of the Commons Area, will be closed during the Commons Area hours of operation. St. Clair Shores DPW will supply the barricades and garbage cans (as needed) to 9 Mack the Friday before the first Saturday of each month starting Friday, July 2, 2021.

The City will provide signage throughout the District that clearly marks the boundaries of the entire Social District and Commons Area. Additionally, the Commons Area hours of operation signs will also be placed at the North, South, East, and West boundary line. Police Officers will be utilized to enforce the hours of operations and Commons Area boundaries when necessary and appropriate.

The City will also have a dedicated section of its website that will include a copy of this plan, hours of operations, maps showcasing boundaries and participating businesses. All of the City communication channels will be utilized to notify consumers when the Social District and/or Commons Areas are closed for maintenance or for the holidays stated above.

MAINTENANCE PLAN

The City, under regulation established by the Assistant City Manager, Parks and Recreation Director, and the Police Chief, in partnership with the 9 Mack Business Association, shall maintain the Commons Area in a manner that protects the health and safety of the public.

Due to the location of the Social District, sidewalk and street repairs/maintenance throughout the District will follow the schedule the City already has in place. Any significant safety concerns will be addressed by the Public Works Department on an as needed basis. Other services will continue to be provided by City departments as normal.

The City will ensure that all signage remains in good condition and will replace weathered signs as needed.

Revocation of Designation

The City Council may revoke the designation of the Commons Area if it determines that the Commons Area threatens the health, safety, and welfare of the public or has become a nuisance.

Before revoking the designation of a Commons Area, the City Council shall give notice as required under the Open Meeting Act, MCL§15.761 et seq and hold at least 1 public hearing on the proposed revocation.

The City shall file the revocation of the designation with the Michigan Liquor Control Commission.

Requirements of Permit Holders

A qualified licensee whose licensed premises is shared by and contiguous to a Commons Area in a Social District designated hereunder shall obtain from the Michigan Liquor Control Commission an annual social district permit.

The holder of a social district permit issued by the Michigan Liquor Control Commission may sell alcoholic liquor for consumption within the confines of a Commons Area if both of the following requirements are met:

The holder of a Social District permit only sells and serves alcoholic liquor on the holder's licensed premises.

The holder of a Social District permit only serves alcoholic liquor to be consumed in the Commons Area in a container to which all of the following shall apply: (i) the container prominently displays the social district permittee's trade name or logo or some other mark that is unique to the Social District permittee's on-premises license; (ii) the container prominently displays a logo or some other mark that is unique to the Commons Area; (iii) the container is not glass; and (iv) the container has a liquid capacity that does not exceed 16 ounces.

A purchaser may remove a container of alcoholic liquor sold by the holder of a Social District permit from the Social District permittee's licensed premises if both of the following conditions are met: (i) the purchaser does not remove the container from the Commons Area and (ii) while possessing the container, the purchaser does not enter the licensed premises of a Social District permittee other than the Social District permittee from which the purchaser purchased the container.

The consumption of alcoholic liquor in the Commons Area as allowed herein may only occur during the legal hours of the sale of alcoholic liquor of the Social district permittee.

9 Mack Social District Boundary Map and Commons Area Boundary Map

**Downtown St. Clair Shores
Social District and Commons Area**



-  Commons Area
-  Social District Boundary
-  Qualified Licensee