



**Michigan Liquor Control Commission (MLCC)**  
 Constitution Hall, 2<sup>nd</sup> Floor, 525 W. Allegan St, Lansing, MI 48933  
 P.O. Box 30005, Lansing, MI 48909  
 866-813-0011 – [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

### **Social District Permit Information For Local Governmental Units**

Pursuant to MCL 436.1551, the governing body of a local governmental unit may designate a Social District within its jurisdiction. Qualified licensees whose licensed premises are contiguous to the commons area within the Social District, and that have been approved for and issued a Social District Permit, may sell alcoholic liquor (beer, wine, mixed spirit drink, spirits, or mixed drinks) on their licensed premises to customers who may then consume the alcoholic liquor within the commons area of the Social District.

If a non-profit organization requests a Special License for a location within a Social District commons area, the governing body of the local unit of government shall delineate the portion of the commons area to be utilized exclusively by the Special Licensee and the portion of the commons area to be used exclusively by Social District permittees. The Special License applicant must submit documentation from the local governmental unit, including a clear diagram, with its application.

The term commons area is defined by MCL 436.1551(8)(a):

*"Commons area" means an area within a social district clearly designated and clearly marked by the governing body of the local governmental unit that is shared by and contiguous to the premises of at least 2 other qualified licensees. Commons area does not include the licensed premises of any qualified licensee.*

The term qualified licensee is defined by MCL 436.1551(8)(c):

*"Qualified licensee" means any of the following:*

- *A retailer that holds a license, other than a special license, to sell alcoholic liquor for consumption on the licensed premises. (This includes the following license types: Class C, Tavern, A-Hotel, B-Hotel, Club, G-1, G-2, Brewpub.)*
- *A manufacturer with an on-premises tasting room permit issued under section 536.*
- *A manufacturer that holds an off-premises tasting room license issued under section 536.*
- *A manufacturer that holds a joint off-premises tasting room license issued under section 536.*

A list of all licensees, sorted by county and local governmental unit, may be found on the MLCC website.

The governing body of a local governmental unit may designate a Social District pursuant to MCL 436.1551 under the following conditions:

- Designate a Social District that contains a commons area, as defined in MCL 436.1551(8)(a).
- Establish local management and maintenance plans, including hours of operation, for a commons area.
- Define and clearly mark with signs the designated commons area.
- A governing body of a local governmental unit shall not designate a Social District that would close a road unless the governing body receives prior approval from the road authority with jurisdiction over the road.
- The governing body shall maintain the commons area in a manner that protects the health and safety of the community.

- The governing body may revoke the designation if it determines that the commons area threatens the health, safety, or welfare of the public or has become a public nuisance. Before revoking the designation, the governing body must hold at least 1 public hearing on the proposed revocation. The governing body shall give notice as required under the open meetings act of the time and place of the public hearing before the public hearing.
- The governing body shall file the designation or revocation of the Social District with the MLCC.

Before applying to the MLCC for a Social District Permit, a qualified licensee must first obtain approval from the governing body of the local governmental unit. A fillable resolution for this approval is part of the Social District Permit Application (LCC-208).

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### Filing the Designation of a Social District with the MLCC

A local governmental unit must file the following items with the MLCC when designating a Social District:

- A copy of the resolution passed by the governing body designating the Social District and commons area.
- A copy of the management and maintenance plans, including the hours of operation, established by the local governmental unit for the Social District and commons area.
- A diagram or map that clearly shows the boundaries of the Social District and commons area. Please indicate the name, address, and location of the qualified licensees that are contiguous to the commons area ~~on the diagram or map.~~

**Submit the items above to:**

**By Mail: Michigan Liquor Control Commission - P.O. Box 30005 - Lansing, MI 48933**  
**By Fax: (517) 763-0059**                      **By Email: [mlccrecords@michigan.gov](mailto:mlccrecords@michigan.gov)**

***Additional sections of the Liquor Control Code for a local governmental unit to consider when establishing a Social District or commons area within a Social District:***

**MCL 436.1915 - Possessing or consuming alcoholic liquor on public highway or in park, place of amusement, or publicly owned area; authority of local governmental unit or state department or agency to prohibit possession or consumption of alcoholic liquor; definitions.**

(1) Alcoholic liquor shall not be consumed on the public highways.

(2) Except as provided in subsections (3) and (4), alcoholic liquor may be possessed or consumed in public parks, public places of amusement, or a publicly owned area not licensed to sell for consumption on the premises.

(3) The governing body of a local governmental unit may prohibit by ordinance, order, or resolution the possession or consumption of alcoholic liquor in any public park, public place of amusement, or publicly owned area that is owned or administered, or both, by that local governmental unit. When land is leased from a department or agency of this state, an ordinance, order, or resolution adopted pursuant to this subsection shall be subject to the approval of the department or agency.

(4) A department or agency of this state that administers public lands may prohibit by rule, order, or resolution the possession or consumption of alcoholic liquor on the public land under its jurisdiction.

(5) As used in this section:

(a) "Local governmental unit" means a county, city, township, village, or charter authority.

(b) "Publicly owned area" means an area under the jurisdiction of a local governmental unit.

**MCL 436.1913(1), (2), & (5) - Prohibited conduct; unlicensed premises or place; unlawful consumption of alcoholic liquor; exceptions; construction of section; "consideration" defined.**

(1) A person shall not do either of the following:

(a) Maintain, operate, or lease, or otherwise furnish to any person, any premises or place that is not licensed under this act within which the other person may engage in the drinking of alcoholic liquor for consideration.

(b) Obtain by way of lease or rental agreement, and furnish or provide to any other person, any premises or place that is not licensed under this act within which any other person may engage in the drinking of alcoholic liquor for consideration.

(2) A person shall not consume alcoholic liquor in a commercial establishment selling food if the commercial establishment is not licensed under this act. A person owning, operating, or leasing a commercial establishment selling food which is not licensed under this act shall not allow the consumption of alcoholic liquor on its premises.

(5) As used in this section, "consideration" includes any fee, cover charge, ticket purchase, the storage of alcoholic liquor, the sale of food, ice, mixers, or other liquids used with alcoholic liquor drinks, or the purchasing of any service or item, or combination of service and item; or includes the furnishing of glassware or other containers for use in the consumption of alcoholic liquor in conjunction with the sale of food.

# **Downtown Wayland Social District Plan**

**Adopted April 2022**

## **Introduction**

In accordance with Public Act 124 of 2020 (MCL Section 436.1551) which authorizes the issuance of Social District Permits for the sale of alcohol by the MLCC, the governing body of a local governmental unit may designate a Social District within its jurisdiction and establish Commons Areas. Qualified licensees whose license premises are contiguous to the Commons Area within the Social District, and that have been approved for and issued a Social District Permit, may sell alcoholic liquor on their licensed premises to customers who may then consume the alcoholic liquor within a Commons Area of the Social District.

The City of Wayland has developed this Social District Plan and supplemental Social District Plan Maps to establish the Wayland Social District, the Commons Area, and provide for the administration of these areas. The Plan and associated Maps define the Downtown Social District, Commons Area, and hours of operation as well as plans for signage, security, and sanitation, and other considerations.

**A) Management.** The Wayland Social District will be managed by the City of Wayland through the City Manager's Office. Decisions will be made in consultation with the Downtown Development Authority. Day-to-day Operations will be assisted by the Wayland Police Department and Wayland Department of Public Works

**B) Social District Boundaries.** The Wayland Social District is generally located in Downtown Wayland reflecting much of the Downtown Development Authority Boundaries. The northern most point of the Wayland Social District is bounded by Maple Street, with Hanlon Court Serving as its southern boundary. The western boundary primarily runs along Pearl Street south of Superior Street and Park Street North of Superior Street. The Eastern Boundary is Forrest Street. A Wayland Social District Map defining the exact boundaries is included as Appendix A to this plan.

**C) Commons Area.** The Commons Area within the Downtown Social District is defined on the Wayland Social District Commons Area Map included as Appendix B.

**D) Businesses within the Wayland Social District.**

**1) Liquor Licenses Eligible for Social District Permit.** As of April 4, 2022, the following businesses located within the Wayland Social District are eligible to receive a Social District Permit:

- i. Wayland Hotel Bar and Grill-104 South Main Street
- ii. McDuff's Bar and Grill-105 East Superior Street
- iii. 412 Distillery-152 South Main Street
- iv. Open Road Brewery-128 South Main Street
- v. Aqua in Vino-129 South Main Street

**2) Businesses Ineligible to allow Alcohol on Premises.** As per MCL 436.1913, downtown commercial establishments that sell food but are not licensed under the Michigan Liquor Control Code (Act 58 of 1998) are not permitted to allow the consumption of alcoholic liquor on its premises. Other businesses, including those licensed under Act 58 of 1998 may otherwise be restricted by one or more sections of the Act.

**3) Businesses Eligible to allow Alcohol on Premises.** Other businesses located in the Wayland Social District that are not otherwise restricted from allowing alcohol on their premises by the Michigan Liquor Control Code or other State or local law may allow beverages from the Wayland Social District in their store if their business is accessible from the Commons Area in the District. Such businesses choosing to allow alcohol in their establishment will be provided a window cling or other identifier by the City.

**E) Commons Area Hours of Operation.** The Wayland Social District Commons Area is open year-round, seven days a week, from 11:00 am until 11:00 pm. After 11:00 pm, consumption of alcoholic beverages must be contained within the license holders' service areas. For an individual Social District Permit holder, sale of Wayland Social District beverages for consumption in a Commons Area may only occur during the legal hours for sale of the Permittee as per Section 436.1551 of Act 58 of 1998.

**F) Commons Area Signage and Marking.** The Commons Area in the Wayland Social District will be identified with signage and/or other markings. Flyers identifying the boundaries of the Commons Area will be available at all Social District Permit Holders as well as other strategic locations.

**G) Commons Area Beverage Container Identification.** The City of Wayland will provide to all Participating Social District Permit Holders a Commons Area Logo. This logo must be used on a beverage container, alongside the Social District Permit Holder's logo, compliant with Section 436.1551 of Act 59 of 1998 in order to be removed by a patron into the Commons Area. The City will work with Social District Permit Holders to design the format of the beverage container itself.

**H) Operational Considerations.**

**1) Public Safety Enforcement.** All Commons Areas will be monitored by the Wayland City Police as part of regular patrol shifts. Patrol needs will be evaluated over the course of time as well as enhanced during activities that would be expected to draw large crowds.

**2) Sanitation.** The Commons Area will have public trash receptacles positioned as needed. Trash collection will be handled by a waste service on a regular basis. Sanitation needs, including placement of additional receptacles and/or additional collection times will be evaluated over the course of time as well as enhanced during activities that would be expected to draw large crowds.

**3) Insurance.** The City will insure its management and operation of the Wayland Social District and its Commons Area through its municipal umbrella insurance policy.

Participating Social District Permit holders are responsible for their own liability insurance.

**I) Festivals/Special Events.** During festivals or special events that do not include issuance of a special license by the Michigan Liquor Control Commission, the Commons Area in the Wayland Social District will remain open. Where a festival or event located in the Wayland Social District includes issuance of a special license by the Michigan Liquor Control Commission, as per Section 436.1551 of Act 58 of 1998, holders of a Social District Permit in the District shall not sell or serve alcoholic liquor to be consumed in a Commons Area.

**Resolution No. 2022-04**

**City of Wayland**

**Resolution to Establish a Social District in the City of Wayland**

**WHEREAS**, Michigan Public Act 124 of 202 was signed into law on July 1, 2020; and

**WHEREAS**, the law allows Michigan municipalities to establish Social Districts that allow for Common Areas where two or more contiguous licensed establishments could sell alcoholic beverages in special cups to be taken into the Common areas or for consumption; and

**WHEREAS**, the Wayland Social District would be created and managed by the City through a collaboration with its Downtown Development Authority; and

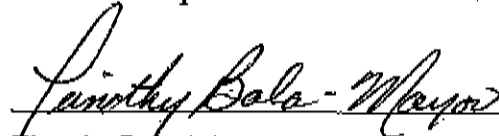
**WHEREAS**, The City of Wayland Social District boundaries are generally Main Street from Hanlon Court to Maple Street and Superior Street from Forrest Street to Pearl Street; and

**WHEREAS**, The City of Wayland may amend the boundaries of the Social District by Resolution of the City Council; and

**WHEREAS**, The Common areas shall include City owned parking lots, sidewalks, and streets within the boundaries of the Social District; and

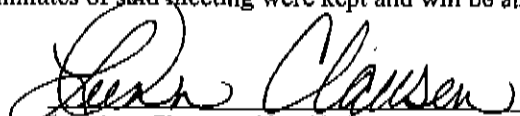
**WHEREAS**, The City of Wayland shall follow all stipulations of Michigan Public Act 124 of 2020 and follow established best practices in the creation and maintenance of the Social District.

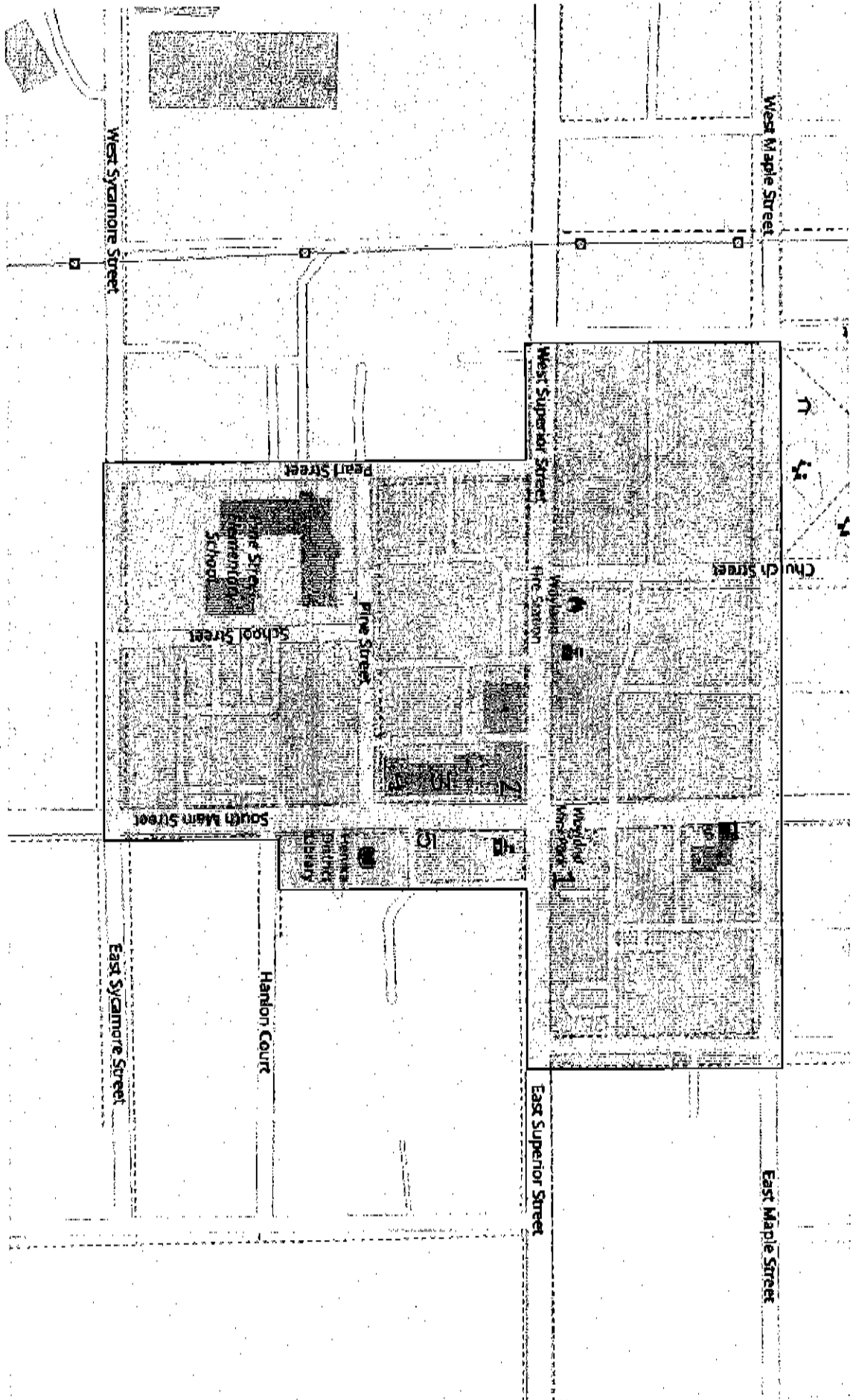
**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the City of Wayland City Council does hereby approve the creation of the Wayland Social District as depicted in the attached map (Exhibit A) and the attached Social District Plan (Exhibit B)

  
Timothy Bala, Mayor

**CERTIFICATE**

I do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Wayland City Council at a Regular Meeting held on April 4, 2022; and at said meeting was given to and in full compliance with the Open Meetings Act, being MI Public Act 267 of 1976, as amended; and those minutes of said meeting were kept and will be and have been made available as required by said Act.

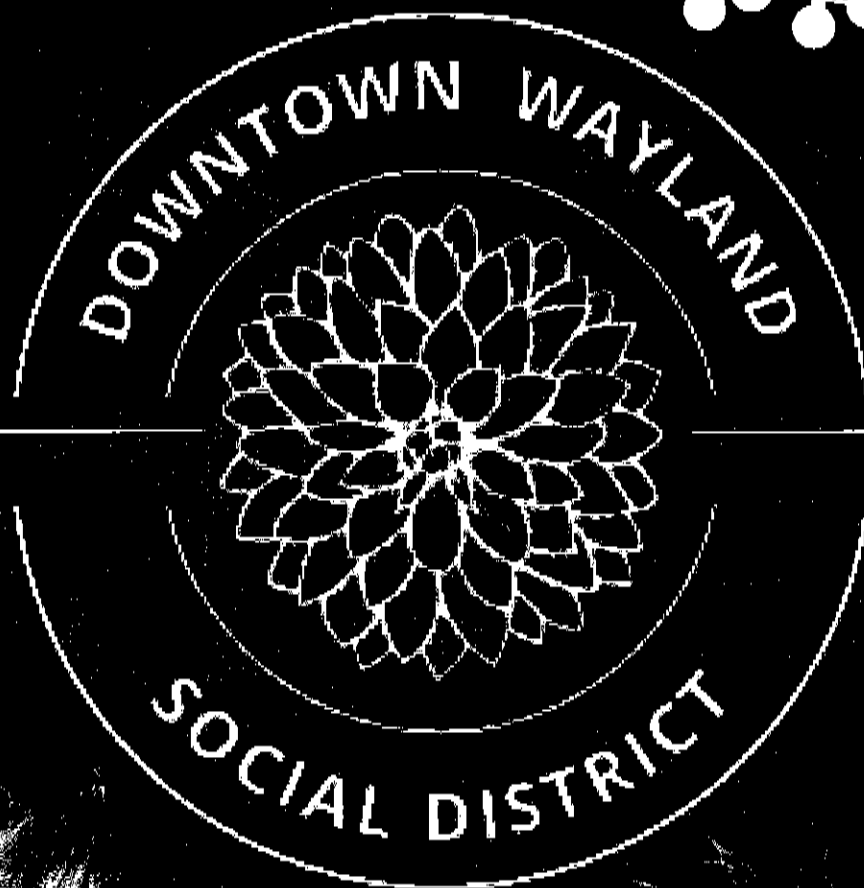
  
Lee Ann Clausen, City Clerk



**THE**

- 1- 105 E. Superior MR BUGG'S bar & grille
- 2- 104 & MARKET MAJANDI HOTEL BAR & grille
- 3 128 S MAIN ST. ORASKO'S RESTAURANT
- 4. 102 S MAIN ST. 4 out 2
- 0- 129 S. main st. ACQUA UN VIND





**SOCIAL DISTRICT BOUNDARY**



**11AM-11PM**

**DISPOSE OF ALL DRINKS BEFORE LEAVING THIS AREA**



**PLEASE DRINK RESPONSIBLY**