Resolution #14-0514-145

Approval of Extension of "Retail On-Site General" Liquor License Permitting Sale of Beer Growlers

WHEREAS, the status of the Gaá Čhing Ziibi Daawaa Anishinaabek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution become effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal adopted amendments to the Constitution on April 26, 2004, which become effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, in furtherance of such authority, and in accordance with Act of August 15, 1953, 18 U.S.C. 1161, and the Tribal-State Compact, the Tribal Council has enacted a Liquor Control Ordinance (Ordinance No. 99-400-02) regulating the sale, possession and consumption of liquor on the Tribe’s Reservation; and

WHEREAS, Section 3.05 of the Liquor Control Ordinance establishes the Tribal Council as the licensing authority to issue any one or more of the following classes of liquor licenses:

a. Retail on-site general license, which is a license that authorizes the applicant to sell alcoholic beverages at retail to be consumed by the buyer only on the premises or at the location designated in the license where alcoholic beverages
Resolution #14-0514-145
Page 2 of 3

may be sold for consumption on the premises and in the rooms of bona fide registered guests;
b. Retail off-site general license, which is a license that authorizes the applicant to sell alcoholic beverages at retail to be consumed by the buyer off the premises or at a location other than the one designated in the license;
c. Temporary license, which is a license that authorizes the sale of alcoholic beverages on a temporary basis for premises temporarily occupied by the licensee for a picnic, social gather, or similar location.

WHEREAS, the Tribal Council has, since calendar year 1999, approved a “Retail On-Site General License” for Little River Casino Resort, which authorizes the Resort to sell alcoholic beverages at retail to be consumed on premises; and

WHEREAS, the Tribal Council approved a “Retail On-Site General License: for Little River Casino Resort for the calendar year 2014; and

WHEREAS, the Resort has submitted an application to extend the current License of a “Retail On-Site General License” allowing sale of beer growlers.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves extending the Retail On-Site General License for Little River Casino Resort at its facilities located at 2700 Orchard Highway on the Little River Reservation in Manistee County, Michigan to allow sale of beer growlers.

IT IS FURTHER RESOLVED THAT the Little River Casino Resort shall be required to comply with Section 10 of the Tribal-State Compact which adopts Michigan laws, as amended, relating to the following: sale of alcohol to minors; sale to a visibly intoxicated individual; sale of adulterated or misbranded liquor, hours of operation; and similar substantive provisions.

IT IS FINALLY RESOLVED THAT copies of this Resolution, together with a Certificate of Licensure, shall be forwarded to the Food and Beverage Director of the Little River Casino Resort to be maintained in the file of the Resort and that Copies of the Certificate of License shall be posted in conspicuous locations in public areas of each area of the Resort identified above as required in Section 3.13 of the Liquor Control Ordinance.
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was fully presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 14, 2014 at the Little River Band’s Government Center in Manistee, Michigan, with a quorum being present for such vote.

Sandy Mezeske, Tribal Council Recorder

Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Court
Little River Casino Resort
Gaming Commission