



Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

Resolution #16-1116-351

Approval of "Retail On-Site General" Liquor License and a "Retail Off-Site General" Liquor License for Little River Casino Resort for Calendar Year 2017

WHEREAS, the status of the *Gaá Čhing Ziibi Daáwaa Aníshinaábek* (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 adopted amendments to the Constitution on July 11, 2016, which become effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; 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 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 Resort has submitted an application for renewal of a “Retail On-Site General License” and a “Retail Off-Site General License” which authorizes the Resort to sell alcoholic beverage at retail to be consumed on-site and off-site for the calendar year 2017; and

WHEREAS, the Tribal Council finds that the application submitted by the Resort meets the requirements of Section 3 of the Liquor Control Ordinance and that approval of a Retail On-Site and Off-Site General Licenses for the Resort’s Facilities is warranted.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a 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 and authorizes liquor service at the areas described herein.

IT IS FURTHER RESOLVED THAT the On-Site License issued by this Resolution shall be valid for the Calendar Year 2017.

IT IS FURTHER RESOLVED THAT terms of this On-Site General License shall be valid for the Calendar Year 2017.

IT IS FURTHER RESOLVED THAT the terms of this On-Site General License shall only apply to sales of liquor within the building facilities of Little River Casino Resort at the following locations:

- a. All Food Outlets
- b. Room Service including R.V. park

- c. Banquet / Conference Center
- d. V.I.P. Dining Room
- e. All Guest Bars, Service Bars and Lounge area
- f. Gaming Floor
- g. Entertainment Center
- h. Fireplace Lounge
- i. Hotel Rooms – via room service / mini-bars
- j. Hospitality Suites of the hotel
- k. Odawa Trading Post Gift Shop Off Property
- l. In the case of Special Events, other areas throughout the resort as designated and approved by the Resort's Regulatory Compliance Department; and
- m. Alcoholic Package Goods (bottled wine, individual bottled beer, six packs, and bottled liquor) may be sold/served in all food outlets on the Resort.
- n. Rapids
- o. Nectar Spa including indoor and outdoor pool areas

IT IS FURTHER RESOLVED THAT any sales outside of the building or in areas not specifically listed above must be authorized by a separate Temporary License issued by the Tribal Council.

IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves a Retail Off-Site General License for Little River Casino Resort for the purpose of permitting the Resort to sell alcoholic beverages for off-premise consumption at the areas described herein.

IT IS FURTHER RESOLVED THAT the Off-Site General License issued by this Resolution shall be valid for Calendar Year 2017.

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

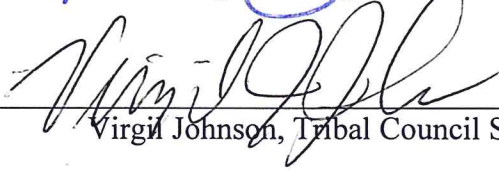
Little River Casino Resort to be maintained in the file of the Resort and that Copies of the Certificate of License shall be posted in conspicuous locations in public areas of each area of the Resort identified above as required in Section 3.13 of the Liquor Control Ordinance.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was fully presented and adopted by the Tribal Council with 6 FOR, 0 AGAINST, 0 ABSTAINING, and 3 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on November 16, 2016 at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Jessica Burger, Acting Council Recorder



Virgil Johnson, Tribal Council Speaker

Attest:

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