

MEMO

TO: Permit Holders and Applicants
Metropolitan Beer Permit Board

FROM: R. Benton McDonough, JD
Executive Director of Metropolitan Beer Permit Board

DATE: August 2, 2018

RE: Director's Memo: Authority to Sell Beer

The Metropolitan Beer Permit Board (hereinafter “the board”) has seen an increase in the number of applicants selling beer following the expiration of their temporary permit, but prior to final issuance of their beer permit by the board. M.C.L. 7.08.020 clearly states, “No person shall sell beer within the territorial jurisdiction of the metropolitan government without being the holder of a valid annual permit issued by the metropolitan beer permit board.” An applicant may not sell beer without first obtaining a valid annual permit, which is approved by the board, signed by the executive director, and then issued by the board staff.

The board has taken steps over the last year to streamline the process for applicants to sell beer for a restricted period of time upon meeting the minimal requirements, but prior to obtaining final approval by the board. M.C.L. 7.08.030(F) states, “The board may authorize the executive director of the metropolitan beer permit board to issue temporary permits not to exceed thirty days duration in any of the above categories under such terms and conditions as the board may establish...” These “temporary permits” are valid for up to thirty (30) days at a time, and are no longer valid after the expiration date has passed.

If an applicant continues to sell beer while relying on an expired temporary permit, even if they have received final approval by the board, but have yet to be issued a valid permit, the applicant is in violation of M.C.L. 7.08.020. Any applicant found to be selling beer in violation of M.C.L. 7.08.020 faces potential disciplinary action by the board.