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## 2022 Cedar Spring Social District Plan

- A. 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. The commons area is not considered part of the licensed premises for any of the licensees that hold a Social District Permit.

The City of Cedar Spring wishes to establish a Social District and Commons Area in its downtown that shall help promote its businesses and enhance its citizens enjoyment of Main St. and its surrounding environs. As part of that Social District and Commons Area establishment:

1. The Cedar Springs Social District and Commons Area shall be co-terminus with each other and shall encompass the sidewalks adjacent to Main St. from 17 N. Main St. on the west side of the road and from 22 N. Main St on the west side of the road northwards to Maple St. The Social District and Commons Area shall further encompass the sidewalks adjacent to Maple St., west of Main St. but shall extend no further west than 72 W Maple St. The Social District and Commons Area shall also encompass the Heart of Cedar Springs Park and Amphitheater whose borders shall be the White Pine Trail property -line on the west, the Cedar Creek on the North, Maple St. on the south and a north-south line formed by the asphalt path on the east. The Social District and Commons Area shall also include the City-owned property at 17 N. Main as a picnicking and outdoor dining area.

Maple St. will remain open to traffic but shall utilize police, fire department and other City employee presence and other pedestrian safety practices and devices marking pedestrian crossing in order to ensure safe passage over the active roadway. Such described and defined areas shall be clearly marked by signage and other physical and visual barriers during operation of the Social District and Commons Area. This area is further described and displayed in Exhibit A included and incorporated by reference.

2. Neither the Social District nor Commons Area will include or close any public road unless such inclusion or closure is given explicit approval from the road authority with jurisdiction over that road. All road crossings shall be given extra care to promote safe crossings by pedestrians.

3. The City Council may revoke the Social District and/or Commons Area if their continued use may, in the opinion of the City Council, threaten the health, safety, or welfare of the Public or has become a public nuisance. The City Council maintains the authority to end any event that becomes a public nuisance or threatens the health, safety or welfare of the public prior to revocation of the Social District and/or Commons Area and may designate someone to make that determination in an emergency. Prior to revocation of the Social District or Commons Area, the City Council shall hold at least 1 public hearing on that proposed revocation and that public hearing shall occur at a public meeting that meets the requirements of a public meeting under the Open Meetings Act.
4. The City shall file the designation or revocation of a Social District with the MLCC as required under the rules.
5. Upon designation of a Social District, the City shall send copies of the following items to the MLCC:
  - a. A copy of the resolution passed by the governing body designating the Social District and commons area.
  - b. 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.
  - c. 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.

Such items shall be sent to:

By Mail: Michigan Liquor Control Commission - P.O. Box 30005 - Lansing, MI 48933

By Fax: (517) 763-0059

By Email: mlccrecords@michigan.gov

6. Prior to any business applying to the MLCC for a Social District Permit, a qualified licensee must obtain approval from the City Council. To receive approval from the City Council, the qualified licensee shall submit a completed Page 2 of the [Social District Permit Application \(LCC-208\)](#) and any supporting documents to City Hall at least eight (8) days prior to the next City Council meeting. If the City Council approves of that application, the City Clerk shall complete Page 3 of that same document and return a copy to the qualified licensee. The qualified licensee shall thereafter submit the completed application to the MLCC with the appropriate fees attached thereto
- B. The establishment of the Social District and Commons Area shall also be governed by a number of rules in order to help maintain the health, safety, or welfare of the Public. Violations of these rules shall operate as violations of Michigan Liquor Control Commission rules or other ordinances, rules and laws that remain in full force and effect within the City and the City's Social District and Commons Area. Rules for the Social District and Commons Area include:
1. Only MLCC qualified businesses may sell or serve alcohol within the Social District or Commons Area
  2. The Social District and Commons Area are clearly described in Section A (1) and (2) above and in attached exhibits A and B. The selling, service or public possession of any alcoholic

drink outside of those described areas of the City or the adjoining MLCC qualified businesses is prohibited. Public possession or consumption of any alcohol within the Social District, Commons Area or MLCC qualified businesses shall only be alcohol sold and furnished by a MLCC qualified businesses and shall be contained within an approved container.

3. Such MLCC qualified business must also receive approval from the City Council to be permitted to sell alcohol for consumption in the Social District or Commons Area.
4. Only alcohol purchased from a specific MLCC qualified business may be possessed or consumed within that MLCC qualified business. A qualified licensee shall prohibit entry into its licensed premises to any person who has within their possession a container that contains any amount of alcohol that has not been purchased from the qualified licensee.
5. Purchasers of alcoholic beverages from a qualified licensee in an approved container may carry alcohol in the approved container anywhere within the designated Social District or Commons Area, but may only consume the alcoholic beverage within the Commons Area except as follows:
  - a. Carrying and/or consumption of alcohol is prohibited within any public right of way where vehicles are permitted to travel, except within areas marked and/or signaled for pedestrian traffic, and if signaled, only when such signal indicates pedestrian crossing is permitted.
  - b. Carrying and/or consumption of alcohol is prohibited within a parking lot, whether or not owned or operated by the City, unless otherwise separately authorized by the City Manager or his or her designee under terms and conditions specified in writing by the City Manager or his or her designee.
  - c. Carrying and/or consumption of alcohol is prohibited within the interior confines of any business located within the Cedar Springs Social District, except within the licensed premises from which the alcohol and approved container was purchased.
6. No person shall operate any sound amplification devices, equipment or system in the Social District except as specifically authorized as part of the concerts in the park at the City Amphitheater.
7. No tent, lighting, heating or other structure or device shall be placed or installed by any citizen or business on any public property without explicit written consent by the City Manager. This prohibition does not apply to City employees or contractors. Use of umbrellas are discouraged and may be prohibited if their use constitutes a public nuisance.
8. No person shall cook, sell or distribute food within the Social District, except for authorized mobile food vendors or as may be permitted by the City Manager or his or her designee and following the Kent County Health Department established rules.
9. Smoking is prohibited within the Commons Area and all City Parks.
10. Cigarette butts, drink containers and all other garbage shall be disposed of in a designated trash receptacle. Improper disposal of such garbage shall be considered littering under the City's ordinances.
11. Pet dogs are permitted in the Social District and Commons Area but shall be subject to the following requirements:
  - a. All dogs shall be physically restrained on a leash 6 feet or less.
  - b. All dogs shall be well-behaved and not aggressive. Any poorly behaved or aggressive dogs shall immediately be removed from the Social District and Common

Area.

- c. No dog shall continuously or repetitively bark or make noise so as to be disruptive or annoying to a reasonable person.
- d. All dog waste must be immediately picked up by the dog's master
- e. Chapter 6 of the Code of Ordinances remains in full force and effect in the Social District and Common Area.

12. The permitted hours of the Social District and Commons Area shall be designated by a Resolution of the City Council and notice of such permitted hours shall be provided to qualified licensees and shall be posted as a public notice by City Hall.

13. Any business found to not be substantially complying with all applicable Federal, State, County or Local COVID19 orders or requirements, including social distancing, party size limitations, masking etc. will be prohibited from obtaining any Social District Permitting and will not be invited to participate in the Social District, Commons Area or Concerts in the Park.

14. Emergency personnel and vehicle access to all properties shall be maintained within the Social District area at all times.

15. All other ordinances, rules and laws remain in full force and effect within the Cedar Springs Social District and Commons Area including, but not limited to, those laws prohibiting public intoxication, impaired driving, open containers and serving alcohol to minors.

C. Management and Maintenance Plan for Cedar Springs Social District and Common Area

- a. The Social District and Common Area shall be open for operation during days and times as set forth in a Resolution of the City Council but such time may be amended by the City Manager who shall have the authority to increase or reduce the permitted times and hours of the social district and common area upon good cause showing.
- b. Alcoholic beverages are allowed in the Common Area only in accordance with a Social District Permit issued by the Michigan Liquor Control Commission (MLCC), any accompanying MLCC regulations, and City of Cedar Springs requirements.
- c. Alcoholic beverages shall only be purchased at the licensed premises of a Social District Permit holder and must be consumed in the designated Common Area
- d. Alcohol purchased at a licensed premises must be sold in a "to-go" sealed container which may then be consumed inside the Common Area.
- e. Alcoholic beverages consumed in the Common Area are required to be in designated cups per the requirements of the MLCC and the City of Cedar Springs.
- f. Social District Permit holders are responsible for the sale of alcohol on their licensed premises in accordance with their individual Social District Permits and all MLCC rules and regulations. including confirming the consumers identification, and prohibiting the sale of alcohol to intoxicated parties.
- g. The Kent County Sheriff's Department, Fire Department and other City employees and volunteers will monitor the Common Area for compliance with MLCC and City of Cedar Springs rules and regulations.
- h. Social Distancing and COVID-19 Response:
  - i. All users of Common Areas shall follow State of Michigan social distancing requirements that are then currently in place.
  - ii. All users of Common Areas shall comply with State of Michigan Department of Health and Human Services rules and requirements, including but not limited to.

complying with limits on social gatherings and requirements relating to face masks.

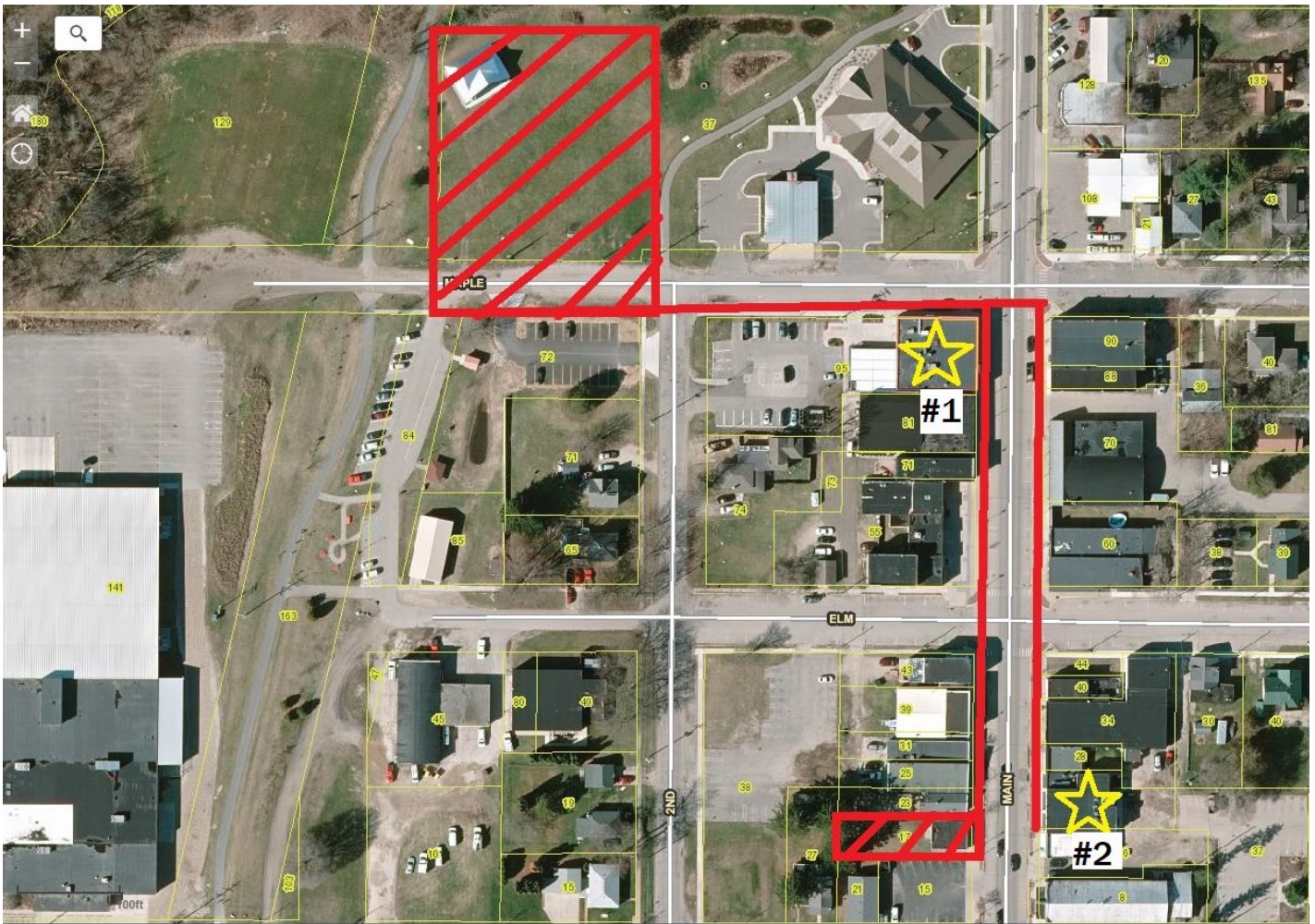
- iii. Participating bars and restaurants will practice contact tracing for all “to-go” alcohol purchases.
- iv. The Commons Area will be provided with hand sanitizing stations.
- i. The City of Cedar Springs will provide the Social District and Commons Area with trash cans and will conduct trash removal services.
- j. These plans and the overall operation of the Social District and Commons Area will be reviewed on a weekly basis by City Staff to ensure safe conduct

## Exhibit A

### Cedar Springs Social District Map

The Cedar Springs Social District and Commons Area shall be co-terminus with each other and shall encompass the sidewalks adjacent to Main St. from 17 N. Main St. on the west side of the road and from 22 N. Main St. on the west side of the road northwards to Maple St. The Social District and Commons Area shall further encompass the sidewalks adjacent to Maple St., west of Main St. but shall extend no further west than 72 W Maple St. The Social District and Commons Area shall also encompass the Heart of Cedar Springs Park and Amphitheater whose borders shall be the White Pine Trail property -line on the west, the Cedar Creek on the North, Maple St. on the south and a north-south line formed by the asphalt path on the east. The Social District and Commons Area shall also include the City-owned property at 17 N. Main as a picnicking and outdoor dining area.

Maple St. will remain open to traffic but shall utilize police, fire department and other City employee presence and other pedestrian safety practices and devices marking pedestrian crossing in order to ensure safe passage over the active roadway. Such described and defined areas shall be clearly marked by signage and other physical and visual barriers during operation of the Social District and Commons Area.



Participating Licensees are marked with yellow stars.

- #1 - CS Brewing Company LLC 95 N. Main St
- #2 - Delightful Gatherings Red Bird Bistro 22 N. Main St.

**CITY OF CEDAR SPRINGS  
Kent County, Michigan**

Councilmember \_\_\_\_\_, supported by Councilmember \_\_\_\_\_, moved the adoption of the following resolution:

**RESOLUTION NO. 2022 – 12**

**A RESOLUTION APPROVING AND RECOMMENDING MICHIGAN LIQUOR CONTROL COMMISSION CONSIDERATION AND APPROVAL OF CERTAIN LICENSEES FOR SOCIAL DISTRICT PERMITS PURSUANT TO PUBLIC ACT 24 OF 2020**

**WHEREAS**, the Michigan Liquor Control Code was recently amended by 2020 PA 124 (the Act) to allow the governing body of a local governmental unit to designate social districts and commons areas which may be used by qualified licensees that obtain a social district permit from the Michigan Liquor Control Commission (MLCC) to utilize expanded areas for the consumption of alcohol; and

**WHEREAS**, the City Council designated a social district that contains a commons area, and shall define and clearly mark the commons area with signs, establish local management and maintenance plans including, but not limited to, hours of operation for submittal to the MLCC, and maintain the commons areas in a manner that protects the health and safety of the community; and

**WHEREAS**, the City Council found that designating a social district and commons area pursuant to the Act is in the best interests of the citizens of the City of Cedar Springs especially in light of COVID-19 restrictions on indoor gatherings and social distancing recommendations; and

**WHEREAS**, the City Council must approve licensee applications for social district permits prior to such applications being sent to the MLCC for consideration and issuance; and

**WHEREAS**, several licensees are contiguous to the designated commons area and are otherwise eligible for consideration for a social district permit.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The City Council hereby finds that the applications for social district permits from the licensees set forth on the attachment hereto are recommended by this body for approval by the MLCC.
2. The licensed premises of the aforementioned licensees are contiguous to the commons area as designated by this City Council pursuant to MCL 436.1551.
3. All resolutions and parts of resolutions in conflict herewith are rescinded.

**AYES:** Councilmembers: \_\_\_\_\_

**NAYS:** Councilmembers: \_\_\_\_\_

**ABSENT:** Councilmembers: \_\_\_\_\_

**ABSTAIN:** Councilmembers: \_\_\_\_\_

**RESOLUTION NO. 2022- 12 DECLARED ADOPTED.**

Dated: May 12th, 2022

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Rebecca Johnson, City Clerk

**Certification**

I certify that this is a true and complete copy of a resolution adopted by the City Council of the City of Cedar Springs at a Regular Meeting held May 12th, 2022 and that public notice of that meeting was given pursuant to and in compliance with the Public Acts of Michigan of 1976, as amended.

Dated: May 12th, 2022

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Rebecca Johnson, City Clerk



**CITY COUNCIL  
CITY OF CEDAR SPRINGS  
Kent County, Michigan**

Councilmember \_\_\_\_\_, supported by Councilmember \_\_\_\_\_, moved the adoption of the following resolution:

**RESOLUTION NO. 2022 – 13**

**A RESOLUTION DESIGNATING SOCIAL DISTRICTS THAT CONTAIN COMMONS AREAS IN ORDER TO ALLOW CERTAIN ON-PREMISES LIQUOR LICENSEES EXPANDED USE OF SHARED AREAS FOR CONSUMPTION OF ALCOHOL PURSUANT TO PUBLIC ACT 24 OF 2020**

**WHEREAS**, the Michigan Liquor Control Code was recently amended by 2020 PA 124 (the Act) to allow the governing body of a local governmental unit to designate social districts and commons areas which may be used by qualified licensees that obtain a social district permit from the Michigan Liquor Control Commission (MLCC) to utilize expanded areas for the consumption of alcohol; and

**WHEREAS**, if the governing body of a local governmental unit designates a social district that contains a commons area, the governing body must define and clearly mark the commons area with signs, establish local management and maintenance plans including, but not limited to, hours of operation for submittal to the MLCC, and maintain the commons areas in a manner that protects the health and safety of the community; and

**WHEREAS**, the City Council finds that designating a social district and commons area pursuant to the Act is in the best interests of the citizens of the City of Cedar Springs especially in light of COVID-19 restrictions on indoor gatherings and social distancing recommendations;

**NOW, THEREFORE, BE IT RESOLVED:**

1. The City Council hereby designates the social district and commons area as provided on the attached map and particularly described and authorizes the City Manager or his designee to take all such other actions necessary in order to implement this Resolution and comply with the Act.
2. This social district designation shall expire one year from the date of the adoption of this resolution unless revoked earlier, modified, or extended thereafter by the City Council in accordance with the Act.
3. The social district and commons area shall operate from the hour of five o'clock until nine o'clock in the evening (5pm-9pm) on Tuesdays, Wednesdays and Thursdays until September 24<sup>th</sup>, 2022. Licensees may serve alcoholic beverages to citizens to be consumed in the City's commons areas during those times.
4. The Social District and Common Area shall be open for operation during days and times as set forth in this Resolution of the City Council but such days and times may be amended by the City Manager who shall, in consultation with the City's police and fire departments, have the authority to increase or reduce the permitted days and times of the social district and common area upon good cause showing.
5. The City Clerk is authorized and directed to forward this Resolution and the attached map and

management and maintenance plan to the MLCC as required by the Act together with this Resolution.

6. All resolutions and parts of resolutions in conflict herewith are rescinded.

**AYES:** Councilmembers: \_\_\_\_\_

**NAYS:** Councilmembers: \_\_\_\_\_

**ABSENT:** Councilmembers: \_\_\_\_\_

**ABSTAIN:** Councilmembers: \_\_\_\_\_

**RESOLUTION NO. 2022- 13 DECLARED ADOPTED.**

Dated: May 12th, 2022 \_\_\_\_\_

Rebecca Johnson, City Clerk

**Certification**

I certify that this is a true and complete copy of a resolution adopted by the City Council of the City of Cedar Springs at a Regular Meeting held May 12th, 2022 and that public notice of that meeting was given pursuant to and in compliance with the Public Acts of Michigan of 1976, as amended.

Dated: May 12th, 2022 \_\_\_\_\_

Rebecca Johnson, City Clerk

# Downtown Cedar Springs Bars and Restaurants with Liquor Licenses

CEDAR SPRINGS BREWING COMPANY, LLC 95 N Main Cedar Springs, MI 49319-5140

DELIGHTFUL GATHERINGS, LLC (THE RED BIRD BISTRO & GRILL) 22 N Main St NE Cedar Springs, MI 49319