



**CITY OF NOVI CITY COUNCIL
AUGUST 8, 2022**

SUBJECT: Approval of a resolution to create a Fountain Walk Social District at the Twelve Mile Crossing at Fountain Walk retail center.

SUBMITTING DEPARTMENT: Community Relations

BACKGROUND INFORMATION: House Bill 5781 Was signed into law on July 1, 2020, providing Michigan municipalities the authority to establish Social Districts where Social District Permits can be issued for the sale of to-go cocktails and outdoor alcohol consumption.

A Social District is an area designated by the municipal government where consumers are able to drink beer, wine, or spirits in a designated commons area outside the walls of a licensed establishment. Social districts are overseen by the Michigan Liquor Control Commission.

A Social District is the entire area designated by the local government, which includes commons areas within the Social District. Consumption of alcoholic beverages is only permitted within the defined commons areas. The Michigan Liquor Control Commission defines a commons area as areas within the established Social District that are clearly designated and marked by the local government and are shared by and contiguous to the premises of at least two qualified licenses.

The City of Novi hosted the extremely successful and well-received Winter, Wine & Whimsy at Twelve Mile Crossing at Fountain Walk with more than 5,000 attendees throughout the weekend last November. One common question from attendees, listening to music, wanting to visit vendors or take part in other event offerings was, 'Do I have to stay inside the tent?' Creation of a social district would enhance the event flow and provide the opportunity for all licensed restaurants in the district to participate in sales throughout the weekend. Additionally, Twelve Mile Crossing at Fountain Walk expects to hold several other 'festival' type events, including the Novi Tacofest, Novi Fine Art Fair, Novi BBQfest and more, on site, thus creating an outdoor destination for weekend events in Novi. By creating a social district, it allows attendees the

opportunity to visit and enjoy these events without being limited to a 'tent' or fenced area for alcoholic beverage purchases.

The proposed operating hours for the Social District will be:

Sunday through Thursday, 10am to 10pm

Friday and Saturday, 10am to midnight

RECOMMENDED ACTION: Approval of a resolution to create a Fountain Walk Social District at the Twelve Mile Crossing at Fountain Walk retail center.

FOUNTAIN WALK SOCIAL DISTRICT AND COMMONS AREA(S)

Management and Maintenance Plan

OPERATION:

1. The Social District and Commons Areas shall be open for operation Sunday through Thursday, 10am to 10pm, Friday and Saturday, 10am to midnight
2. No tents or lighting shall be installed within the Social District or Commons Area(s) without City permission.
3. No amplified sound shall be used in the Social District or Commons Areas without City permission.
4. Umbrellas may be installed but shall not be mechanically fastened to street or sidewalk surfaces.
5. There shall be no smoking in the Commons Areas.
6. Dogs are permitted in the Social District and Commons Areas (the City's leash laws still apply, as does the obligation to pick up after your dog).

ACCESS

1. Pedestrian access shall be maintained to all buildings in the Social District and Commons Areas as required by the City of Novi.
2. Emergency access shall be maintained to all adjacent properties in the Social District and Commons Areas as required by the City of Novi.

ALCOHOL:

1. Alcoholic beverages are allowed in the Commons Area(s) only in accordance with a Social District Permit issued by the Michigan Liquor Control Commission (MLCC), any accompanying MLCC regulations, and City of Novi requirements.
2. Alcoholic beverages shall only be purchased at the licensed premises of a Social District Permit holder and must be consumed in designated Commons Areas.

SEATING, TABLES, AND RELATED FURNISHINGS:

1. Twelve Mile Crossing at Fountain Walk will maintain any seating, tables, and related furnishings that have been purchased and deployed within the Social District.
1. Seating, tables, and related furnishings that have been provided by individual Social District Permit Holders shall be the sole responsibility of the Social District Permit Holders and must comply with ADA accessibility requirements. Under certain circumstances, Social District Permit holders may use public space for seating, tables, and related furnishings. Interested Social District Permit holders must contact Twelve Mile Crossing at Fountain Walk for necessary reviews and municipal approvals.
2. Related furnishings are defined as planters, fencing, spatial delineators or other elements that are deployed as part of a seating expansion within the Social District.

SIGNAGE

1. Twelve Mile Crossing at Fountain Walk in consultation with the City will provide signage that designates the Commons Area(s) and Commons Area(s) boundaries.
2. Existing City of Novi sign ordinances are still applicable within Social District and Commons Area(s)

TRASH AND RECYCLING:

1. Twelve Mile Crossing at Fountain Walk will provide temporary trash cans and/or recycling cans within Commons Area(s) and at Commons Area boundaries and will maintain these trash cans and/or recycling cans and conduct trash removal operations at these locations for the duration of the Social District and Commons Area operation so long as it is economically feasible to do so.
2. At locations where existing trash cans are already installed, Twelve Mile Crossing at Fountain Walk continue their current maintenance and trash removal operations.

REVIEW

1. The Management and Maintenance Plan shall be included in any future Social District reviews conducted by the City of Novi or other entities.
2. Twelve Mile Crossing at Fountain Walk shall be included in any review and consulted on any revisions to the Social District and Management and Maintenance Plan.
3. Alcoholic beverages consumed in Commons Areas are required to be in designated cups per the requirements of the MLCC and the City of Novi.
4. 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 consumer's identification and age, and prohibiting the sale of alcohol to intoxicated parties.
5. During regular patrols, Novi Police will monitor Commons Area(s) as assigned for compliance with MLCC and City of Novi rules and regulations.
6. Twelve Mile Crossing at Fountain Walk staff and/or contractors will also monitor Commons Areas and report compliance issues to the proper authorities so long as it is economically feasible to do so.
7. Additional commons areas may be considered at a future date by City Commission.

SOCIAL DISTANCING AND COVID-19 RESPONSE:

1. All users of Social District and Commons Area(s) shall follow State of Michigan social distancing requirements.
2. All users of Social District and Commons Areas shall comply with State of Michigan Department of Health and Human Services Orders and applicable Orders issued by the Oakland County Health Department, including but not

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

CITY OF NOVI

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Fountain Walk Social District Plan

Introduction:

The City of Novi is applying for a Social District to take advantage of Michigan Public Act 124 of 2020 signed into law on July 1, 2020. This is enabling legislation that would allow Michigan municipalities to establish Social Districts that would allow for "common areas" where two or more contiguous licensed establishments (bars, distilleries, breweries, restaurants, and tasting rooms) could sell alcoholic beverages in special cups to be taken into the area for consumption. The City of Novi has the Social District map and the policies, parameters, and management of this new community development tool. This Fountain Walk Social District Plan will be shared with potential license holders and sent on to the Michigan Liquor Control Commission for state approval.

Management:

The Fountain Walk Social District would be created and managed by the City through its City Manager and the Twelve Mile Crossing at Fountain Walk Management. The district management and operations will be assisted by the City Police and Public Works Departments.

District boundaries:

The Fountain Walk Social District will encompass the Twelve Mile Crossing at Fountain Walk Shopping Center, with the following streets creating the borders: Twelve Mile Road, Cabaret Drive, Fountain Walk Avenue, and Donelson Drive. The common area will be the private shared pedestrian area within this district, including sidewalks, alleys, street crossings, and parking areas. Commons area seating will be provided at various locations on the shopping center property.

Streets in the social district would remain open to traffic and for parking. The district and the common areas are being proposed to include all the shopping center businesses with liquor licenses.

Potential participating license holders:

Businesses with liquor licenses in the social district are:

Buddy's Pizza

Full Throttle Adrenaline Park

Chuck E Cheese

Emagine Theater

Beer Head

Bar Louie

BatL

Buffalo Wild Wings

Black Rock

Ford's Garage (Not open yet)

The Hub Stadium

KPOT (Not open yet).

Participating license holders would be asked to sign a Social District agreement with the City, which must approve social district permits issued by the MLCC. This allows a license holder to sell alcoholic beverages in special district cups in its service area to be taken into the commons area seating for consumption.

Operations:

The Fountain Walk Social District would operate annually all year around. Operations would be seven days a week. The common areas would be open from the time participating license holders open for business until midnight. After midnight, Social District beverages cannot be sold in participating establishments nor possessed and consumed in the common areas. After midnight, consumption of alcoholic beverages must be contained within the license holders' service areas.

It is the intent of the City is to begin implementing the City of Novi Social District upon approval from the MLCC which is expected in September 2022.

District designation and marking:

The boundaries of the Fountain Walk Social District would be clearly designated and marked with signs and graphics on streets and sidewalks. The signs would be accompanied by a trash receptacle for customers to dispose of used district cups as they exit the district.

Social District financing:

The Fountain Walk Social District will be funded by the local businesses.

Social District logo and beverage containers:

The Fountain Walk Social District will have a name for branding and marketing purposes and must have a special logo for use on the non-glass district beverage cups of no more than 16 ounces. The cups, purchased by the license holder, must also have a logo or name identifying the establishment. A Fountain Walk Social District cup may not be reused, must remain in the establishment where they were purchased or in the common area, and may not be taken into an establishment that did not sell the beverage. A Fountain Walk Social District stickered logo will be placed on each cup and it will be the license holder's responsibility to place their own logo or name on the cup to be in compliance.

Security-enforcement:

Security and enforcement in the Fountain Walk Social District will be provided by the City of Novi Police Department.

Insurance:

The City will insure its management and operation of the Fountain Walk Social District through its umbrella insurance policy. Participating license holders would be left to secure their own liability insurance.

Sanitation:

The shopping center will provide sanitation within the district including trash removal, litter pick up on a daily basis and management of portable toilets, if needed. Each participating license holder will be required to have a trash receptacle outside of its entrances for the disposal of district cups and empty those receptacles when needed.

Marketing and promotion:

The Fountain Walk Social District does have a branded name for marketing purposes and a distinctive logo. Marketing will be done through traditional free media and paid advertising along with extensive social media. Fountain Walk Social District social media will be funneled through City of Novi and Twelve Mile Crossing at Fountain Walk social media accounts.

Entertainment:

Festivals/special events:

The state's Social District law does not allow special event liquor licenses to participate in a Social District.



**FOUNTAIN WALK
SOCIAL DISTRICT**

Map labels include:
- Cabaret Dr
- W 12 Mile Rd
- Fountain Walk Ave
- Novi Rd
- Twelve Oaks Mall Rd
- DICK'S Sporting Goods
- Marshalls
- Starbucks
- Value City Furniture
- Nordstrom Rack
- Floor & Decor
- HomeGoods
- The Container Store
- Chick-fil-A
- Red Lobster
- JCPenney
- Macy's
- Twelve Oaks Mall
- Vibe Credit Union Headquarters
- Hilton Garden Inn Detroit/Novi
- Residence Inn by Marriott Detroit/Novi
- Oakland Hills Memorial Gardens
- The UPS Store
- The Baronette Renaissance Detroit/Novi
- McDonald's
- Today's Orthodontics
- Pavilion Garage Door Services
- West Oaks I and II Shopping Center
- Emaghe Novi
- A123 Systems
- Tricho Salon and Spa Novi
- iFLY Indoor Skydiving - Detroit
- Fleet Automotive
- Akron Substation

Twelve Mile Rd

Donelson Dr

Cabaret Dr

Fountain Walk Social District

Fountain Walk Dr



STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

RESOLUTION DESIGNATING SOCIAL DISTRICTS CONTAINING COMMONS AREAS AND ADOPTING A MANAGEMENT AND MAINTENANCE PLAN IN ORDER TO ALLOW CERTAIN ON-PREMISES LIQUOR LICENSEES EXPANDED USE OF SHARED AREAS FOR CONSUMPTION OF ALCOHOL PURSUANT TO PUBLIC ACT 124 OF 2020.

RECITATIONS:

WHEREAS, the Michigan Liquor Control Code was recently amended by 2020 Public Act 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 to obtain a social district permit from the Michigan Liquor Control Council (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 social districts and commons areas pursuant to the Act is in the best interests of the citizens of the City of Novi especially in light of COVID-19 restrictions on indoor gatherings and social distancing recommendations; and

WHEREAS, the Fountain Walk Social District shall be created and managed by the City through a collaboration with the management of the Twelve Mile Crossings at Fountain Walk Shopping Center;

NOW THEREFORE BE IT RESOLVED THAT, that the City Council designates the social districts and commons areas as provided on the attached maps, establishes the attached management and maintenance plan, has identified and approves the attached list of potential qualified license holders for a Social District Permit, 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.

BE IT FURTHER RESOLVED THAT that the City Clerk is authorized and directed to forward this Resolution and the attached maps and management and maintenance plans to the MLCC as required by the Act together with this Resolution.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Novi at a meeting duly called and held on August 8, 2022.

CITY OF NOVI

CORTNEY HANSON, CLERK