
CHAPTER 130. LIMITATION ON RETAIL BUSINESS HOURS OF OPERATION

9.250. Findings of Fact. The City Council finds that 24 Hour Businesses pose special demands on the law enforcement resources of the City. The City has limited police resources available during the early morning hours of the day. 24 Hour Businesses threaten public safety by increasing the likelihood that during the early morning hours calls for police assistance could easily exhaust the limited police resources which the City has available. Those resources are fully deployed for the needs of the City and, by contract, for the needs of Frankenmuth Township. Also, 24 Hour Businesses pose a threat to the public welfare because they generate more assaults, more illegal drug and alcohol related incidents, and more “two person” police calls than do other businesses.

9.251. Definitions. When used in this Chapter, the following terms shall have the following meanings:

- (1) Retail business. A for-profit business establishment with employees physically on the premises which principally sells commodities on its premises, such as, but not limited to, groceries, meats, dairy products, baked goods or other foods, drugs, dry goods and notions, hardware, furniture, appliances, clothing and fuel for motorized vehicles.
- (2) 24 Hour Business. Any Retail business that is open to the public at any time for 24 consecutive hours.

9.252. Regulations. No Retail business may be open to the public between the hours of 2:00 a.m. and 5:00 a.m. Exception: For-profit business establishments that principally sell alcoholic beverages for on-site consumption, including businesses with Class C, A-Hotel, B-Hotel, Tavern and Club Liquor Licenses, may continue to be open to the public in accordance with State of Michigan Liquor Control Commission regulations.

(Ordinance 2010-02, 12-07-2010)

9.253. Provisions Pertaining to Currently Operating 24 Hour Businesses.

- (1) The provisions of this Chapter 130 shall not apply to any Retail business which was being operated as a 24 Hour Business for a period of at least six consecutive months prior to the date of the enactment of this Chapter 130 (November 1, 2005).
- (2) If any 24 Hour Business which is already in operation on the date of the enactment of this Chapter 130 (November 1, 2005) voluntarily ceases its business operations for a period of six consecutive months, then the provisions of Section 9.252 of this Chapter 130 shall apply to that 24 Hour Business.

(Ordinance 2010-02, 12-07-2010)