



Legislation Details (With Text)

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| File #: | 120842 | Version: | 1 |
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| File created: | 10/16/2012 | In control: | LICENSES COMMITTEE |
| On agenda: | | Final action: | 11/8/2012 |
| Effective date: | | | |
| Title: | A substitute ordinance relating to the residency requirement for applicants for amusement machine or jukebox distributor licenses. | | |
| Sponsors: | THE CHAIR | | |
| Indexes: | LICENSES | | |
| Attachments: | 1. Hearing Notice List, 2. Notice Published on 11-28-12 | | |

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|--------------------|-------------------------|--------|-------|
| 10/16/2012 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 10/18/2012 | 0 | LICENSES COMMITTEE | HEARING NOTICES SENT | | |
| 10/18/2012 | 0 | LICENSES COMMITTEE | HEARING NOTICES SENT | | |
| 10/19/2012 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 10/22/2012 | 1 | LICENSES COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 3:0 |
| 11/8/2012 | 1 | COMMON COUNCIL | PASSED | Pass | 15:0 |
| 11/13/2012 | 1 | MAYOR | SIGNED | | |
| 11/28/2012 | 1 | CITY CLERK | PUBLISHED | | |

120842 SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to the residency requirement for applicants for amusement machine or jukebox distributor licenses.

107-13-3-a-3-f rp

107-13-3-d rc

Currently, the code requires a noncorporate applicant for an amusement machine or jukebox distributor license to state, on the license application, whether the applicant has resided in Wisconsin for at least one year prior to the date of filing the application. Similarly, for a corporate applicant, the code requires that the application state whether the agent has resided in Milwaukee county for at least one year and whether the officers and directors of the corporation have resided in Wisconsin for at least one year. Use of the term "whether" implies that both resident and non-resident status are acceptable for license applicants and agents; it does not explicitly require that an applicant or agent be a resident of Wisconsin or Milwaukee county.

This ordinance clarifies that a noncorporate applicant for an amusement machine or jukebox distributor license shall be a resident of Wisconsin for at least one year prior to the date of filing the new or renewal license application. In the case of an applicant for a corporate amusement machine

or distributor license, the agent for the applicant shall be a resident of Wisconsin for at least one year prior to the date of filing the new or renewal license application.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 107-13-3-a-3-f of the code is repealed.

(Note: The provision being repealed reads as follows:

107-13. Amusement Machine or Jukebox Distributor License.

3. APPLICATION PROCEDURE.

a. Application.

a-3. The application shall state:

a-3-f. If the application is for a noncorporate amusement machine or jukebox distributor license, whether the applicant has resided in this state for at least one year prior to the date of filing the application. If the license applicant is a corporation, whether the agent has resided in Milwaukee county for at least one year prior to the date of filing the application, and whether the officers and directors of the corporate applicant have resided in this state for at least one year prior to the date of filing the application.)

Part 2. Section 107-13-3-d of the code is repealed and recreated to read:

d. Qualifications. d-1. An amusement machine or jukebox distributor license may be denied to any applicant who is not of good professional character or who has been convicted of a felony, misdemeanor or other offense, the circumstances of which substantially relate to the circumstances of being a distributor. In this paragraph, "applicant" includes any individual or partner, or any officer, director or agent of any corporate applicant.

d-2. A noncorporate applicant for an amusement machine or jukebox distributor license shall be a resident of Wisconsin for at least one year prior to the date of filing the new or renewal license application. In the case of an applicant for a corporate amusement machine or distributor license, the agent for the applicant shall be a resident of Wisconsin for at least one year prior to the date of filing the new or renewal license application.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

City Clerk - License Division
LRB143384-2

JDO
10/19/2012