



Legislation Text

File #: 121667, Version: 1

121667
SUBSTITUTE 1

ALD. HINES

A substitute ordinance relating to provisional renewal licenses.

81-100 cr

85-20 cr

90-4-6.5 rp

Under this ordinance, if the holder of a city license files a renewal application on or before the expiration date of the license, but the common council will not be able to meet to take action on the application prior to the expiration date of the license, the city clerk may issue a provisional renewal license if the licensee pays a special fee and the local common council member approves issuance of the provisional license. The fee for a provisional renewal license shall be \$15 for an alcohol beverage establishment license, a Class "D" operator's license or a Class "B" manager's license, and \$50 for all other license types. A provisional renewal license shall expire 60 days after the date of issuance by the city clerk or upon issuance of the regular license, whichever is sooner.

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

Part 1. Section 81-100 of the code is created to read:

81-100. Provisional Renewal License. 1. The fee for each provisional renewal license, other than a provisional renewal license for an alcohol beverage establishment, a Class "D" operator or a Class "B" manager, shall be \$50.

2. The fee for a provisional renewal license for an alcohol beverage establishment, a Class "D" operator or a Class "B" manager shall be \$15.

(See s. 85-20.)

Part 2. Section 85-20 of the code is created to read:

85-20. Provisional Renewal Licenses. 1. ISSUANCE. If a licensee files a renewal application on or before the expiration date of the license but the common council will not be able to meet to take action on the application prior to the expiration date of the license, the city clerk may issue a provisional renewal license whenever:

- a. The renewal application contains all required information.
- b. The licensee has submitted all required supporting documentation.
- c. The licensee has paid the required fee for the renewal license and provisional renewal license specified in ch. 81.

d. Except in the case of a Class “D” operator’s license or a Class “B” manager’s license, the local common council member has approved the application for a provisional renewal license.

e. Issuance of the provisional license would not be contrary to state law.

2. APPEAL. If an application is denied approval by a common council member under sub. 1-d, the city clerk shall forward the application to the licensing committee for a hearing on the appeal of the decision of the common council member.

3. EXPIRATION DATE. A provisional renewal license shall expire 60 days after the date of issuance by the city clerk or upon issuance of the regular license, whichever is sooner, and shall not be renewable.

4. REVOCATION. The city clerk may revoke a provisional renewal license without further common council action if he or she determines that the licensee provided false information on the license application.

Part 3. Section 90-4-6.5 of the code is repealed.

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: _____

LRB136838-2
Jeff Osterman
11/12/2013