

April 30, 2010

The Honorable
Members of the Zoning, Neighborhoods and Development Committee

Honorable Members:

Pursuant to s. 295-307-7-b of the Milwaukee Code of Ordinances, the Zoning Code Technical Committee, on April 28, 2010, reviewed Common Council File Number 091671, an ordinance relating to definition of an adult retail establishment for zoning purposes.

Based on this review, the Committee found as follows:

- With respect to legality and enforceability, the proposed ordinance would be violative of the First Amendment of the U.S. Constitution and would therefore not meet the legality and enforceability standard.
- With respect to administration efficiency, the proposed ordinance would significantly increase the Board of Zoning Appeals' caseload, requiring additional staff time and longer hearings.
- With respect to consistency with the format of the zoning code, the proposed ordinance meets this standard.

Respectfully Submitted,

Teodros W. Medhin, Ph.D.
Chair, Zoning Code Technical Committee