



**City  
of  
Milwaukee**

*INTERDEPARTMENTAL CORRESPONDENCE  
LEGISLATIVE REFERENCE BUREAU*

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## **Memorandum**

**To:** Justice Louis Butler, Chair  
City of Milwaukee Alcohol Beverage Licensing Task Force

**From:** Richard Withers, Legislative Fiscal Analyst  
Legislative Reference Bureau

**Date:** March 17, 2009

**Re:** Draft Preliminary Recommendations of the Alcohol Beverage Licensing Task Force (ABLTF) Adopted Through March 16, 2009

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The following are draft preliminary recommendations adopted by the ABLTF through March 16, 2009.

The Alcohol Beverage Licensing Task Force (ABLTF) recommends the following:

### ***Pre-Application***

- The City Clerk's License Division should create and make available a pamphlet that describes the process for new license applications or license renewals, including a statement of the applicant's rights and obligations during the process.

### ***Application, Certification and Scheduling***

- Notice of a Licenses Committee meeting scheduled to consider a new or renewal license application should be provided to all addresses within 500 feet of the premises identified in the application.
- The Common Council should enact periods of 60 days or 2 council cycles, whichever is less, for scheduling of a new or renewal license application before the Licenses Committee upon certification by the License Division that the application is complete.

- The decision to schedule a renewal application before the Licenses Committee shall be made administratively by the License Division and based solely upon information contained in a police summary.

***Committee Hearing (initial license application, renewal and revocation)***

- Once scheduled, a new application may be held only one time at the request of the applicant, interested parties or the local Common Council member for a specific reason chosen from those enumerated by the Common Council by ordinance. The motion relating to the hold should include a specific timeline for rescheduling, be made in writing and be presented at the scheduled hearing. The timeline for rescheduling should not exceed 2 regularly-scheduled committee meetings after the date of scheduling of the initial hearing, unless special circumstances are presented to committee members at the hearing.
- The Common Council should adopt rules of decorum for members of the Licenses Committee.
- The Licenses Committee should institute a reasonable, uniform time limit for neighbor testimony to be applied equally to all witnesses.
- The Common Council should establish criteria for determining when concentration is an issue based on land use for that particular neighborhood.
- The Common Council should require that objections to a new license or license renewal made by a Council Member be substantiated in a form to be prescribed by the Common Council.
- Members of the Common Council, who are not members of the Licenses Committee, should not recommend penalties to the Licenses Committee.
- The Licenses Committee should establish a “pre-signup” sheet outside the committee room to record the names and addresses of those prepared to speak in support of or opposition to the license.
- With the exception of the applicant, counsel for the applicant, and law enforcement personnel, witnesses should be required to use the standing microphone.
- The method by which the Board of Zoning Appeals schedules and conducts hearings should be explored by the Licenses Committee with special attention given to the scheduling of contested versus non-contested items, and the time the meetings begin.
- Greater attention should be paid to the “business plan” of the applicant. There should be a requirement that the applicant have the resources to follow the plan.

The issuance of a license and occupancy permit should be conditional on fulfillment of the business plan.

- Police reports on “problem buildings” should be considered by the Licenses Committee.

### ***Common Council Deliberation***

- When the Licenses Committee recommends denial of a new license establishment, the applicant for the new license should be provided an appeal to the Common Council.

### ***General/Miscellaneous***

- The Common Council should amend chapter 90 to require that applicants (new and renewal) summarize and document any contacts relevant to the new or renewal application that they have had with Council members during the time of their initial or renewal application. Consideration should be given to requiring Council members to prepare the same documentation. The documentation should be available to the public and the Licenses Committee.

There are 10 remaining recommendations from ABLTF members to be considered. In addition, one recommendation relating to neighborhood meetings for new applications was tabled for later discussion at the ABLTF meeting of February 23, 2009. The initial discussion about neighborhood meetings is summarized at pages 4 and 5 of the approved minutes.

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