

Date: September 20, 2010

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the application for a Food Dealer's License for Murtaza Sajan, Agent for Silver & North, Inc. for the premise located at 9040 West Silver Spring Drive ("BP").

FINDINGS OF FACT

1. Murtaza Sajan (hereinafter the "Applicant") has applied for a Food Dealer's License for the premises located at 9040 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("BP").
2. The application for a Food Dealer's License in the name of Murtaza Sajan was filed with the Milwaukee Health Department on May 28, 2010. On June 29, 2010 Health Department Commissioner Bevan K. Baker objected to the issuance of that license based upon objections from Alderman Joe Davis, Sr., 2nd Aldermanic District. That the proposed operation of the premises in such a manner that it creates a public nuisance of the premises will tend to contribute to neighborhood incidents and conditions identified in s. 68-4-11-g of the Milwaukee Code of Ordinances and an over-concentration of food dealer outlets in the neighborhood.
3. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Murtaza Sajan at 1918 East Lafayette Place, No. 2007, Milwaukee, Wisconsin 53202 September 10, 2010 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1918 East Lafayette Place, No. 2007, Milwaukee, Wisconsin 53202 is the address given by the Licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on September 20, 2010.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 68 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Murtaza Sajan has not met the criteria of Chapter 68 of the Milwaukee Code of

Ordinances to allow the issuance of a Food Dealer License based upon his desire to withdraw his application.

3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not grant a Food Dealer License to Murtaza Sajan, for the premises at 9040 West Silver Spring Drive (“BP”).

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends that the Food Dealer License application of Murtaza Sajan for the premises at 9040 West Silver Spring Drive (“BP”) be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this __ day of September, 2010.

JAMES BOHL, Jr.
Chairman Licenses Committee

161635