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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

April 26, 2011

Maricela P. Chavez
2818 N Bremen St
Milwaukee, WI 53212

Dear Ms. Chavez:

You are hereby notified that the Milwaukee Common Council will hold a hearing on May 3, 2010, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Public Passenger Vehicle Driver's license.

Attached you will find a copy of the Report of the Public Safety Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of your license based upon non appearance. The recommendation is the result of a public hearing before the Committee held on April 21, 2010.

You may file written objections to the report of the Public Safety Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on April 28, 2010 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure

COMMITTEE ASSIGNMENTS

CHAIR

- Public Safety Committee

MEMBER

- Anti-Graffiti Policy Committee
- Public Works Committee
- Judiciary & Legislation Committee
- Steering & Rules Committee



ROBERT G. DONOVAN
Alderman, 8th District

Date: April 26, 2011

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Maricela P. Chavez for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Maricela P. Chavez (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, October 31, 2010.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 5, 2011.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed a police report dated January 6, 2011. That report could form the basis of non-renewal or suspension of this license.
4. On April 5, 2011, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of a police report that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on September 30, 2010 at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice was sent to Maricela P. Chavez at 2818 North Bremen Street, Milwaukee, Wisconsin 53212, along with a copy of the police report on April 5, 2011 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division,

200 East Wells Street, Room 105, Milwaukee, WI 53202. The address of 2818 North Bremen Street, Milwaukee, Wisconsin 53212 was the address given by the applicant on her renewal application. The notice included a copy of the police report. The licensee failed to appear at the hearing and the envelope containing the notice and police report was not returned to the License Division by the U.S. Postal Service.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Maricela P. Chavez, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of her Public Passenger Vehicle Driver license based upon nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Public Passenger Vehicle Driver license held by Maricela P. Chavez based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee by a vote of three (3) ayes and two (2) excused, recommends that the Public Passenger Vehicle Driver license of Maricela P. Chavez be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 26th day of April, 2011.


ROBERT DONOVAN, Chair
Public Safety Committee

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