



Tom Barrett  
Mayor

Bevan K. Baker, CHE  
Commissioner of Health


Health Department Administration



Frank P. Zeidler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990  
web site: [www.milwaukee.gov](http://www.milwaukee.gov)

Date: July 16, 2007

To: Ronald Leonhardt  
City Clerk

From: Bevan K. Baker, FACHE   
Commissioner of Health

Re: Objection to License – 2860 N. Holton Street

Enclosed is an objection from Alderman Michael S. D'Amato regarding a license application filed by Asad Sharif with the Milwaukee Health Department on July 3, 2007. Mr. Sharif filed an application for a restaurant license (Judy's III Red Hots) at the above noted location.

I am notifying your office of the objection as required in Section 68-4 (10) of the Milwaukee Code of Ordinances (MCO). In addition, in accordance with MCO Section 68-4 (15), whenever an objection is related to Section 68-4 (11) of the MCO, the City Clerk must notify the licensee of the licensing committee's intention to hear the matter.

Should you have any questions or require additional information, please do not hesitate to contact me or Loyce Robinson, Consumer Environmental Health Manager at 286-3674.

Attachment

C: Alderman Michael D'Amato  
3<sup>rd</sup> Aldermanic District  
Loyce C. Robinson, Manager  
Consumer Environmental Health Division

**Robinson, Loyce**

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**From:** McGovern-Rowen, Sam

**Sent:** Thursday, July 12, 2007 9:03 AM

**To:** Robinson, Loyce

**Cc:** D'Amato, Michael

Loyce,

Alderman D'Amato does object to the granting of a new food license application for 2860 N. Holt Street and he would like this matter to be heard before committee.

Thank you.

Sincerely,

Matt Cashman, filling in for Sam McGovern-Rowen  
Legislative Assistant  
3rd Aldermanic District  
City of Milwaukee  
414-286-3447

## 68-4-11 Food License Regulations

not more than 30 days from receipt of the report of the hearing officer. Notice of the utilities and licenses committee hearing on the report shall be given to all parties. The utilities and licenses committee may take and reserve additional evidence at the time of said hearing. The utilities and licenses committee may accept or reject the report of the hearing officer and make any changes to the report which are warranted by the circumstances, the evidence presented and any arguments of the parties who appeared before the hearing officer and the committee. The utilities and licenses committee shall transmit its recommendation to the full common council for action.

e. Whenever the utilities and licenses committee recommends nonrenewal of an existing license, the applicant shall be given no less than 5 days notice of the date set for hearing by the common council.

f. At the meeting of the common council, the chair shall allow oral argument by an applicant who, at least 2 days prior to the date of the meeting, has presented written objections to the recommendations of the utilities and licenses committee. The city attorney shall also be permitted to make a statement. Oral arguments shall be limited to 5 minutes on behalf of each party.

g. A roll call vote of the common council shall be taken as to whether the recommendation of the committee shall be accepted. The applicant shall be provided with written notice of the results of the common council vote.

h. All objections to renewal of a license shall be heard and acted upon by the common council at least 60 days before expiration of the license.

**11. CAUSES FOR COUNCIL DENIAL, REVOCATION OR SUSPENSION OF LICENSE.** An application for a new or renewal food dealer's license may be denied, or any license issued under this section may be suspended or revoked, by the common council for any of the following causes:

a. Failure of the applicant or licensee to meet the statutory and municipal license qualifications, except for failure to meet sanitary or other health-related qualifications or other circumstances described in s. 68-6 as grounds for license revocation or suspension by the commissioner of health.

b. A false or materially incorrect statement made by the applicant in his or her application.

c. Violation of any provision of this section by the applicant, licensee or any employe of the food establishment.

d. The conviction of the applicant or licensee, his or her agent, manager, operator or any other employe for sale or possession with intent to sell any controlled substance or for any felony related to the licensed operation which, in the judgment of the common council, is pertinent to the license being applied for or renewed.

e. A showing that the applicant or licensee has violated any state law or city ordinance prohibiting the sale of tobacco products to underage persons.

f. The violation of any of the excise laws of the state.

g. A showing that the licensed premises has been the source of congregations of persons which have resulted in one or more of the following:

- g-1. Disturbance of the peace.
- g-2. Illegal drug activity.
- g-3. Public drunkenness.
- g-4. Drinking in public.
- g-5. Harassment of passers-by.
- g-6. Gambling.
- g-7. Prostitution.
- g-8. Sale of stolen goods.
- g-9. Public urination.
- g-10. Theft.
- g-11. Assaults.
- g-12. Battery.
- g-13. Acts of vandalism, including graffiti.
- g-14. Excessive littering.
- g-15. Loitering.
- g-16. Illegal parking.
- g-17. Loud noise at times when the licensed operation is open for business.
- g-18. Traffic violations.
- g-19. Curfew violations.
- g-20. Lewd conduct.
- g-21. Display of materials harmful to minors, pursuant to s. 106-9.6.

**12. DISQUALIFICATION FOR LICENSE.**

a. Whenever any licensee is denied renewal by the common council, it shall be so entered on the record by the commissioner and no other food dealer's license shall be so granted to such person for that location within 12 months of the date of nonrenewal.

**Owczarski, Jim**

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**From:** McGovern-Rowen, Sam  
**Sent:** Wednesday, July 25, 2007 11:11 AM  
**To:** Owczarski, Jim  
**Subject:** FW:

Sam McGovern-Rowen  
Legislative Assistant  
3rd Aldermanic District  
City of Milwaukee  
414-286-3447

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**From:** McGovern-Rowen, Sam  
**Sent:** Wednesday, July 25, 2007 11:02 AM  
**To:** Owczarski, Jim  
**Subject:** FW:

Sam McGovern-Rowen  
Legislative Assistant  
3rd Aldermanic District  
City of Milwaukee  
414-286-3447

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**From:** McGovern-Rowen, Sam  
**Sent:** Tuesday, July 17, 2007 4:31 PM  
**To:** Robinson, Loyce  
**Subject:** RE:

Loyce-

The alderman's objection is based on the numerous property code violations listed on the Department of Neighborhood Services' website regarding that building.

Thanks

Sam McGovern-Rowen  
Legislative Assistant  
3rd Aldermanic District  
City of Milwaukee  
414-286-3447

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7/25/2007

**From:** Robinson, Loyce  
**Sent:** Tuesday, July 17, 2007 10:01 AM  
**To:** McGovern-Rowen, Sam  
**Subject:** RE:

Sam,  
It could be related to one of the items listed on my letter to the Alderman as causes for Council denial, suspension or revocation of a license. The list is on the second page of the letter.  
Loyce

Loyce C. Robinson, MPA, RS  
Consumer Environmental Health Manager  
City of Milwaukee Health Department  
841 N. Broadway, Room 304  
Milwaukee, WI 53202  
Phone: 414-286-5776  
Business Cell: 414-708-2798  
Fax: 414-286-5164  
[www.milwaukee.gov/health](http://www.milwaukee.gov/health)

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**From:** McGovern-Rowen, Sam  
**Sent:** Tuesday, July 17, 2007 9:54 AM  
**To:** Robinson, Loyce  
**Subject:** RE:

Loyce-

I'll have to check with Ald. D'Amato about the reason.  
thanks

Sam McGovern-Rowen  
Legislative Assistant  
3rd Aldermanic District  
City of Milwaukee  
414-286-3447

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**From:** Robinson, Loyce  
**Sent:** Tuesday, July 17, 2007 9:42 AM  
**To:** McGovern-Rowen, Sam  
**Subject:** RE:

Sam,  
Could you send me another e-mail with the correct address of 2860 N. Holton. This e-mail says Holt. Also, include a statement indicating the reason for the objection.  
Thanks!  
Loyce

7/25/2007

Loyce C. Robinson, MPA, RS  
Consumer Environmental Health Manager  
City of Milwaukee Health Department  
841 N. Broadway, Room 304  
Milwaukee, WI 53202  
Phone: 414-286-5776  
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**From:** McGovern-Rowen, Sam  
**Sent:** Thursday, July 12, 2007 9:03 AM  
**To:** Robinson, Loyce  
**Cc:** D'Amato, Michael  
**Subject:**

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Thank you.

Sincerely,

Matt Cashman, filling in for Sam McGovern-Rowen  
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7/25/2007