

CITY OF MILWAUKEE

Form CA-43

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April 6, 2004

Honorable Common Council
City Hall, Room 205

Re: Common Council File No. 031683
Ordinance relating to unlicensed premises and public nuisances

Dear Council Members:

We have signed the above-referenced matter as to legality and enforceability.

However, we have concerns not related to legality and enforceability, which we believe would enhance the ordinance as currently drafted.

The first of those relates to the title of the ordinance relating to "unlicensed taverns." We would suggest that in order to avoid confusion, and to further understand that such premises are, in fact, nuisances, that the language "unlicensed taverns" be deleted from substitute language and "unlicensed sale or distribution of alcohol beverages" be substituted.

We believe that the term "charge" appearing in § 80-11-2-a-3 of the proposal should be changed to reflect the fact that a second or subsequent citation has been written for the unlicensed sale or distribution of alcoholic beverages, before the assessment of the costs is

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imposed. Thus, we suggest that the term "again," or "another" be inserted before the word "charge" to reflect the actual intent of the legislation.

Very truly yours,



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