

Melendez, Yadira

From: Owczarski, Jim
Sent: Thursday, February 5, 2026 3:04 PM
To: Melendez, Yadira
Subject: Fw: 251214 -- File For Review

There we have it.

Jim

From: Gresham, Travis <tgresh@milwaukee.gov>
Sent: Thursday, February 5, 2026 3:03 PM
To: Owczarski, Jim <jowcza@milwaukee.gov>
Cc: Newton, Saul <SNewton@milwaukee.gov>; CAOLegalAssignments <CAOLegalAssignments@milwaukee.gov>
Subject: RE: 251214 -- File For Review

This (File No. 251214) proposed ordinance is legal and enforceable.

The ability to waive already granted permits and licenses (for a year) was a self-ascribed or self-dictated ability of the council. It is *supported*, after a fashion, but may not be explicit in statute.

Waiver was created to benefit both the requester and the committee so as to dispense with certain administrative burdens by both parties if the requester was unable to open the business/take issuance of the license for some cause.

This *ability* has become more of an issue as licensees squat on granted licenses or occupancies and do not take or *do* anything with them (requiring that the committee has to consider the now annual *cause* of the delay).

The governing body retains the ability to license as stated generally in [Wis. Stat. § 62.11\(5\)](#) and in other relevant licenses-specific chapters (and by and through agreement with the state when acting as state-agent).

Creating this limit on *perpetual* (x2 or more) waivers allows the committee to *move on* from repeat waivers from the same *granted* licensee who is still *unable or unwilling* to open/use the license.

This is a lawful exercise of discretion as the *waiver requester* could if they wish, apply anew that same day as they are administratively removed from consideration having failed to open after their first waiver year.

Respectfully,

Travis Gresham

From: Owczarski, Jim <jowcza@milwaukee.gov>
Sent: Thursday, January 29, 2026 10:10 AM
To: CAOLegalAssignments <CAOLegalAssignments@milwaukee.gov>

Cc: Newton, Saul <SNewton@milwaukee.gov>; Melendez, Yadira <Yadira.Melendez@milwaukee.gov>

Subject: 251214 -- File For Review

Good Afternoon,

The attached file is referred to your office for review as to legality and enforceability.

Thanks for your assistance.

Jim