



Office of the City Clerk
License Division

Ronald D. Leonhardt
City Clerk

Rebecca N. Grill
License Division Manager

March 18, 2008

The Honorable, The Common Council
City Hall, Room 205

Re: An ordinance establishing standards for the issuance of warning letters to applicants for direct seller licenses and revising certain regulations for the purposes of clarifying language and eliminating obsolete provisions.

Dear Council Members:

The License Division respectfully requests that the attached ordinance be referred to the appropriate licensing committee for consideration. The ordinance is necessary to reduce the number of direct seller license applications required to be scheduled before the Licenses Committee for hearings on whether the applications should be recommended for approval or denial to the Common Council.

Currently, the code provides that new and renewal licenses for direct sellers are issued by the City Clerk, rather than granted by the Common Council after recommendations from the Licenses Committee. The code also provides that the City Clerk shall administratively deny applications for direct seller licenses whenever the Chief of Police files written reports summarizing convictions within the last 5 years that directly relate to the fitness of the applicants to engage in direct selling. Applicants who are administratively denied by the City Clerk can appeal to the Licenses Committee for hearings on whether their applications should be recommended for approval or denial to the Common Council.

The attached ordinance establishes that whenever the Chief of Police files written reports summarizing the arrests and convictions of applicants, which could form the basis for denial of their applications, the City Clerk shall issue licenses with warning letters to the applicants if all of the following criteria related to warning letter eligibility have been met:

1. The applicant has no more than one pending charge for a misdemeanor offense and the pending charge is related to a nonviolent offense.
2. The applicant has not within 12 months of the date of application been convicted of any misdemeanor offense related to a violent offense.

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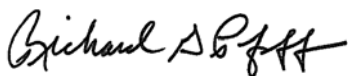
3. The applicant has not within 12 months of the date of application been convicted of more than one misdemeanor offense or municipal code violation.
4. The applicant has not within 3 years of the date of application been convicted of more than 3 misdemeanor offenses and municipal ordinance violations.
5. The applicant has not within 5 years of the date of application been convicted of more than one felony offense and has not within 5 years of the date of application served probation or been imprisoned for any felony conviction.
6. The applicant has not within 10 years of the date of application been convicted of a second or subsequent offense related to operating a motor vehicle while intoxicated.

In addition, the attached ordinance establishes that only applications of applicants who are not eligible for the issuance by the City Clerk of licenses with warning letters shall be forwarded to the Licenses Committee for hearings, as well as any applications of applicants against which written objections are filed by interested parties.

The provisions established by this ordinance related to forwarding applications for hearings and eligibility criteria for the issuance by the City Clerk of direct seller licenses with warning letters are substantially similar to provisions and criteria that have been established for the granting without committee hearings of new and renewal Class "D" Operator (Bartender) licenses with the issuance of warning letters.

Further, this ordinance reorders and revises certain regulations for the purposes of standardizing procedures, clarifying language and eliminating obsolete provisions.

Sincerely,



Richard G. Pfaff
Assistant Manager License Division

Attachments