

on

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## P R O C E E D I N G S

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CHAIRMAN BOHL: Item No. 3 on our

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legislative agenda is File No. 031164, an ordinance

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relating to the issuance of Special Tavern Dancing

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permits.

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Jim Owczarski from the Legislative Reference

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Bureau joins us. Good morning.

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MR. OWCZARSKI: Thank you, Mr. Chairman.

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This ordinance before you pertains to the special

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dance -- tavern dancing permits that may be issued to

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licensed tavern establishments in the city. As you

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are all aware, there is currently a vacancy on the

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Common Council. This is an unusual, by the likes of

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our code, circumstance in which a permit license -- a

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permit in this instance is granted largely at the

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discretion of the Common Council member. Given this

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vacancy, there was a concern, what is done in those

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instances? To whom does the tavernkeeper apply? Is

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there a due process? Et cetera. What this ordinance

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seeks to do is answer that question. In addition, the

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answer that we gave is that individuals who do not

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have a Common Council representative will have their

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request for permit heard by this committee with an

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appeal to the Common Council. It was also thought

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prudent at this time to provide due process to the

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1 other -- the larger system. In those instances where  
2 there is a Common Council representative, that Common  
3 Council representative still makes the determination,  
4 but we provide objective criteria that he or she may  
5 use in making that determination, and we do, indeed,  
6 provide an appeal to this committee. That committee  
7 review, however, is final. In both instances there is  
8 one level of review.

9 CHAIRMAN BOHL: And again, the last of the  
10 measures you discussed was a concern presented by the  
11 City Attorney that we were not adequately providing  
12 due process and, therefore, the present system did not  
13 stand up to legal muster. This should allow us to do  
14 just that.

15 Mr. Schrimpf, anything you want to add?

16 MR. SCHRIMPF: Nope.

17 CHAIRMAN BOHL: Briefly? Questions by  
18 committee?

19 ALDERMAN GORDON: Mr. Chairman, I would like  
20 to be added as a co-sponsor, and I will move approval.

21 CHAIRMAN BOHL: Let the record reflect  
22 Alderman Gordon as a co-sponsor. And Alderman Gordon  
23 would move adoption of the substitute.


24 Hearing no objections to that, so ordered.  
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CITY OF MILWAUKEE)  
MILWAUKEE COUNTY ) SS:

I, JEAN M. BARINA, do certify that  
the preceding proceedings was reduced to typewriting  
from audio tapes under my direction.

I further testify that I have no interest  
in said matter as an attorney or otherwise and am not  
related to the parties interested herein.

  
Jean M. Barina - Court Reporter