

Melendez, Yadira

From: Owczarski, Jim
Sent: Wednesday, November 19, 2025 9:29 AM
To: Melendez, Yadira
Subject: Fw: File for Review -- CCFN 250666 (CAO completed for CC)
Attachments: (completed L&E review by CAO) RE: Change in definition : File # 250666

For the file.

Jim

From: Gresham, Travis <tgresh@milwaukee.gov>
Sent: Wednesday, November 19, 2025 9:27 AM
To: Owczarski, Jim <jowcza@milwaukee.gov>
Cc: CAOLegalAssignments <CAOLegalAssignments@milwaukee.gov>
Subject: RE: File for Review -- CCFN 250666 (CAO completed for CC)

[The above captioned file CCFN 25066 is legal and enforceable.](#)

The email attached was the L&E review prior to committee entry, discussion, and review of the same file.

As to the aldermanic questions raised at committee; the City may regulate speech and assembly in much the same fashion as other time, place, and manner restrictions (e.g. billboard height, brightness, speed of scrolling). In general, content of speech cannot be regulated unless there are certain clear safety concerns which are outside the scope of this summation.

As to the necessity of a PEP for opening a Subway restaurant or having a political rally, yes. In general, events described in the multitude of scenarios raised in committee would require a Public Entertainment Premises license (either temporary or annual). And even though a First Amendment complaint could be raised the legal defense is the same: this regulation is as to the place and manner of the speech and assembly not as to the content or participants. Fire codes, limitations/citations for unlawful or riotous gatherings, and noise nuisance regulations all fall within this category of 'lawful speech/First Amendment restrictions.'

Additionally there are existent and persistent protections within the PEP ordinances for lawful First Amendment activities and the allowable discretion of MPD also helps lessen some of the legal risk of citing or enforcing too broadly.

Respectfully,

Travis Gresham

From: CAOLegalAssignments <CAOLegalAssignments@milwaukee.gov>
Sent: Sunday, November 16, 2025 4:51 PM
To: Gresham, Travis <tgresh@milwaukee.gov>
Subject: FW: File for Review -- CCFN 250666

Can you review this for L&E?

-robin

From: Owczarski, Jim <jowcza@milwaukee.gov>
Sent: Wednesday, November 12, 2025 3:02 PM
To: CAOLegalAssignments <CAOLegalAssignments@milwaukee.gov>
Cc: Caples, Michelle <mcaples@milwaukee.gov>
Subject: File for Review -- CCFN 250666

Good Afternoon,

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

My Thanks,

Jim