

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

SUMMONS

The Licenses Committee of the Common Council of the City of Milwaukee

TO: Gurinder Nagra
4295 N Teutonia Ave
Milwaukee, WI 53209

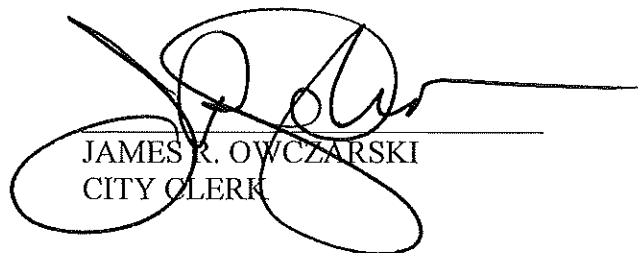
Pursuant to sections 68-21.13, 82-14.15, 84-7.18, 84-45.16, and 85-3 to 85-5, of the Code of Ordinances of the City of Milwaukee, you are hereby commanded to appear before the Licenses Committee of the Common Council of the City of Milwaukee at its meeting in Room 301-B, City Hall, 200 East Wells Street, in the City and County of Milwaukee, State of Wisconsin at 10:00 AM on Tuesday October 22, 2024 or virtually at <https://meet.goto.com/366619901>. The hearing is being initiated because of the City of Milwaukee's receipt of a signed and sworn complaint filed by Natalie Easter and Milwaukee Circuit Court's remand to rehear the matter. A copy of the above-referenced complaint is attached hereto as well as a Milwaukee Police Department report and copies of sections 68-21.13, 82-14.15, 84-7.18, 84-45.16, and 85-3 to 85-5, of the Code of Ordinances of the City of Milwaukee.

On October 22, 2024 at 10:00 AM you will be given an opportunity to speak on your own behalf, and to respond to and challenge any charges or reasons given by witnesses at the aforementioned hearing in support of a revocation or suspension of your licenses. You may present your own supporting witnesses, under oath, at this hearing, and you may also confront and cross-examine opposing witnesses. If you wish to do so, and at your own expense, you may be accompanied by an attorney or interpreter of your own choosing to represent you at this hearing.

If you, Gurinder Nagra, fail to appear in person before the Committee on October 22, 2024 at 10:00 AM, as required by the summons, the Committee will proceed to consider the allegations of the complaint which shall be taken as true. If the Committee determines that the allegations are sufficient and the circumstances warrant, the law permits your licenses be revoked or suspended.

Dated as of the 4th day of October 2024


ALDERWOMAN JOCASTA ZAMARRIPA
CHAIR, LICENSES COMMITTEE


JAMES R. OWCZARSKI
CITY CLERK

To Whom It May Concern,

295 N. Teutonia
I am writing to support the revocation of the license for the Clark/Phillips 66 gas station located at 295 N. Teutonia in Milwaukee, Wisconsin, as per Chapter 85 of the License and Permit Procedures. The recent incident involving William Pinkin's heinous act of first-degree intentional homicide against Isaiah Allen presents a clear violation of the laws, rules, and regulations outlined in the said chapter.

Chapter 85 of the Milwaukee Wisconsin License and Permit Procedures establishes the guidelines and expectations that businesses must adhere to in order to maintain their licenses. Among the key provisions, several pertinent points are highlighted:

1. ****Public Safety and Welfare:**** Section 85-1 emphasizes the importance of public safety and welfare. The tragic incident at the Clark/Phillips 66 gas station, where Pinkin fatally shot Isaiah Allen over a box of snack cakes, directly contradicts this fundamental principle. The act not only endangered the life of the victim but also compromised the safety of customers and bystanders.

2. ****Character and Conduct of Licensee:**** Section 85-2 mandates that licensees exhibit good character and conduct. William Pinkin's criminal history, as evidenced by his previous conviction for first-degree reckless homicide and robbery with a dangerous weapon in 1989, raises questions about the gas station's screening procedures. The station's hiring of an individual with such a history without conducting a proper criminal background search violates this section.

3. ****Background Checks:**** Section 85-3 stipulates that licensees must conduct appropriate background checks before hiring personnel who will have access to the premises and interact with the public. The fact that Pinkin was hired without a thorough criminal background search further substantiates the violation of this requirement.

4. ****Compliance with Laws:**** Section 85-4 necessitates compliance with all laws, ordinances, and regulations of the city and state. Pinkin's actions, resulting in a felony charge of first-degree intentional homicide, clearly contravene both state and city laws.

Given the above-mentioned points, the incident involving Pinkin's intentional killing of Isaiah Allen and the subsequent violation of multiple provisions within Chapter 85 makes a compelling case for the revocation of the Clark/Phillips 66 gas station's license. The gas station's failure to prioritize public safety, ensure proper character assessment of employees, and adhere to background check regulations raises concerns about its ability to responsibly operate within the community.

It is the responsibility of the city to uphold the laws, rules, and regulations set forth in Chapter 85 of the License and Permit Procedures to ensure the well-being of its residents and visitors. Revoking the license of the Clark/Phillips 66 gas station is a necessary step to uphold public safety, maintain the integrity of licensing procedures, and prevent similar incidents from occurring in the future.



Sincerely, Natalie Easter Allen

Mother of Isaiah Allen

414-309-4500

4345 N 24th place Milwaukee WI 53209

(This is my supporting statement)

From a sociological standpoint, the tragic incident involving the security guard and the owner of the Clark/Phillips 66 gas station reveals profound insights into the adverse nature and far-reaching effects of their actions. This incident underscores how their behavior has contributed to a breakdown of community trust and safety, reinforcing the urgent need to revoke the licenses of any business owned by individuals who demonstrate a disregard for public welfare.

Firstly, the behavior of the security guard, William Pinkin, exemplifies the potential consequences of unchecked power and a lack of empathy within the realm of public service. Pinkin's violent response to a seemingly trivial situation—killing Isaiah Allen over a box of snack cakes—sheds light on the dangerous consequences of allowing individuals with violent tendencies to hold positions of authority within the community. This incident illuminates the potential for those in positions of power to misuse their authority and perpetuate violence, leading to a sense of vulnerability and fear among the public.

Secondly, the owner of the gas station's decision to hire Pinkin without conducting a proper criminal background search points to a troubling disregard for community safety. Such a decision demonstrates a lack of commitment to ensuring that the individuals hired to serve the community are responsible and trustworthy. This disregard for comprehensive screening can foster an environment where individuals with a history of violence and criminal behavior are granted access to public spaces, potentially putting innocent lives at risk. This scenario highlights the broader implications of a business owner's actions on the well-being of the entire community.

The incident at the Clark/Phillips 66 gas station reveals how the actions of both the security guard and the owner have contributed to eroding the social fabric of the community. Trust, a foundational element of social cohesion, is compromised when community members fear for their safety due to reckless and violent behavior by those in positions of authority. The incident has likely generated a sense of collective trauma, making individuals wary of patronizing businesses owned by individuals who demonstrate a disregard for community safety.

This incident illustrates the imperative to revoke licenses of any business owned by individuals who show a lack of consideration for public welfare. A business owner's decisions have ripple effects that extend beyond their immediate establishment. When owners disregard the well-being of the community, it sets a dangerous precedent that can have enduring negative consequences, both socially and economically. Revoking licenses of such businesses serves as a clear message that the community prioritizes safety, trust, and the overall betterment of its members.

In essence, this incident underscores the vital role that sociological perspectives play in understanding how individual actions impact community dynamics. By analyzing the adverse nature and effects of the security guard's actions and the owner's decisions, it becomes evident that the call to revoke licenses is not just a legal matter, but a vital step in restoring a sense of safety, trust, and cohesion within the community.

x Natalie Easter

SUBSCRIBED AND SWORN TO BEFORE ME

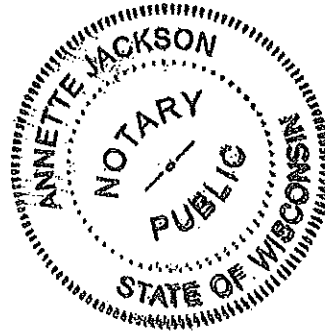
THIS 28 DAY OF August, 2023

Annette Jackson

NOTARY PUBLIC

My Commission EXPIRES

2/5/25



MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 09/12/23

LICENSE TYPE: 24HR, FOOD, FILLING

NEW:

RENEWAL:

No. 349570 349571 349568

Application Date: 03/27/23

License Location: 4295 N Teutonia Av

Business Name: Teutonia Gas & Food

Licensee/Applicant: Nagra, Gurinder S
(Last Name, First Name, MI)

Date of Birth: 07/30/1970

Home Address: 6980 S. 35th Street

City: Franklin

State: WI **Zip Code:** 53132

Home Phone: (414) 467-2795

This report is written by Police Officer Xavier Benitez, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

1. On 02/25/2014 the applicant was cited at 2667 North 5th Street in the city of Milwaukee for Responsible Person on Premises Required.

Charge: Responsible Person on Premises Required
 Finding: Guilty
 Sentence: \$368.00 fine
 Date: 04/17/2014
 Case: 14018997

2. On 05/15/2014 the applicant was cited at 2029 North Holton Street in the city of Milwaukee for Building Code Violations.

Charge: Building Code Violations
 Finding: Guilty
 Sentence: \$280.00 fine
 Date: 01/15/2015
 Case: 14062301

3. On 01/26/2016 the applicant was cited in the City of Milwaukee at 4839 N. Green Bay Av for Building Code Violations.

Charge: Building Code Violations
Finding: Guilty
Sentence: Fined \$980.00
Date: 01/05/2017
Case: 13033149

4. On 06/16/2016 the applicant was cited in the City of Milwaukee at 4110 W. Martin Dr for Building Code Violations.

Charge: Building Code Violations
Finding: Guilty
Sentence: Fined \$280.00
Date: 01/17/2017
Case: 16051366

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5. On 08/02/17 the applicant was cited in the City of Milwaukee at 4839 N. Green Bay Avenue for Building Code Violations.

Charge: Building Code Violations
Finding: Guilty
Sentence: \$330.00 fine
Date: 01/25/18
Case: 17074331

6. On 08/22/17 the applicant was cited in the City of Milwaukee at 2667 N. 5th Street for Responsible Person on Premise Required.

Charge: Responsible Person on Premise Required
Finding: Guilty
Sentence: \$190.00 fine
Date: 02/22/18
Case: 17042400

7. On 08/26/17 the applicant was cited in the City of Milwaukee at 2667 N. 5th Street for Sale of Cigarettes to Minor/Underage.

Charge: Sale of Cigarettes to Minor/Underage
Finding: Guilty
Sentence: \$280.00 fine
Date: 06/27/18
Case: 17051220

8. On 05/19/18 at 11:25pm, a 16 year old working in conjunction with the Milwaukee Police Department and WI WINS Tobacco initiative, was able to purchase a 2 pack of Swisher Sweet Cigars at 4295 N. Teutonia Avenue. The sales clerk admitted to selling the item and the station was mailed a MARTS enrollment packet.

9. On 12/03/18 the applicant was cited in the City of Milwaukee at 3876 N. Port Washington Road for Responsible Person on Premise Required.

Charge: Responsible Person on Premise Required
Finding: **Guilty**
Sentence: **\$189.00 fine**
Date: **04/11/19**
Case: 18085794

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Item #9 updated with disposition

10. On 05/15/19 at 1:20am, Milwaukee Police were dispatched to 4295 N. Teutonia Avenue for a shot spotter complaint. Investigation revealed that a shooting took place in the parking lot of the establishment. Two vehicles pulled into the lot and a female suspect entered the victims vehicle which was parked at the gas pumps. Another suspect approached in his vehicle and shot the victim inside his vehicle and drove away. The female suspect, after a struggle with the victim inside his car, exited and began walking away. The victim then backed his vehicle up, striking the female suspect and dragging her into the street. The victim then left and the female suspect, got up and entered the male suspects' vehicle (who had returned to the scene) and the left the scene.

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11. On 03/07/21 at 3:24pm, Milwaukee Police were dispatched to 4295 N. Teutonia for an Armed Robbery. Investigation revealed the victim was exiting the business when they were approached by a subject demanding money. When the victim refused, the suspect then brandished a firearm. The victim ran back into the business and the employee locked the door. The employee was cooperative and provided police with video surveillance of the incident.

12. On 03/24/21 at 10:53pm, Milwaukee Police conducted a License Premise Check at 4295 N. Teutonia Av. No violations were observed and employees were cooperative.

13. On 08/26/21 at 8:19pm, Milwaukee Police were dispatched to 4295 N. Teutonia Av., for a Battery. Investigation revealed the agent, along with a few other employees, began to assault another employee in the cashier area of the store. The agent and the other employees eventually dragged the employee to the rear of the store and continued the assault, so it would not be on video surveillance. The agent stated this was due to suspicions the employee was stealing from him. Video surveillance officers observed depicted the assault until the camera in the cashier area was turned off and the victim was dragged to the rear of the store. The agent was uncooperative with officers when they tried to retrieve the other employees' names to issue citations. The agent was issued a citation for Assault and Battery.

Charge: Assault and Battery
Finding: Dismissed without Prejudice
Sentence:
Date:
Case: 21052788

14. On 09/28/21 Milwaukee Police were dispatched to 4295 N. Teutonia Av., for a Shots Fired, which was later upgraded to a shooting. Video surveillance revealed 4 subjects inside of the business struggling over a firearm, when the victim was shot. The victim was uncooperative with police.

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Item #13 updated with disposition

15. On 10/01/22 at 5:06p.m., officers were dispatched to a Battery at 4295 N. Teutonia Av. The caller stated they purchased items and prepaid for gas inside the store, however, when they tried to pump gas, the pump would not work. The caller stated they again entered the store, and were asked to leave by the clerk due to disorderly actions. The customer stated they refused and the clerk attempted to escort the customer out and that is when the 911 call was placed. The employee stated they did not see that the transaction went through on their end, however, agreed to the customers' demands

16. On 10/09/22 at 11:13p.m., officers were dispatched to 4295 N. Teutonia Av., for a Shoplifter. Investigation revealed a subject walked in and took several items and exited without paying. The employee stated this subject does this often and is still trying to identify the subject.

17. On 10/10/22 at 9:07p.m., officers were dispatched to a Shoplifter at 4295 N. Teutonia Av. Investigation revealed a suspect attempted to shoplift items, however, when the employee intervened the suspect attempted to damage items. The suspect was conveyed to a homeless shelter and later issued a citation for Disorderly Conduct.

18. On 10/26/22 at 5:21p.m., officers were dispatched to 4295 N. Teutonia Av., for a Battery. Investigation revealed a verbal argument between an employee and the suspect began inside the store, then turned physical outside, at which time the employee began suffering from a seizure. The employees were cooperative and allowed officers to view video surveillance of the incident.

19. On 11/11/22 at 10:42a.m., officers were dispatched to 4295 N. Teutonia Av., for Shots Fired. Investigation revealed a suspect, armed with a sub-compact Black Rifle, was seen pointing it toward the sky and firing the weapon appearing to test fire in the parking lot. Video surveillance depicted the employees on scene allowing the armed suspect to enter, loiter and exit, multiple times without locking the doors. The employees do not lock the bullet proof glass and continued to wait on other customers while the armed suspect was in the store. While officers were interviewing the employee regarding the incident, the officer observed the subject walking toward the entrance and the employee positively identified the suspect. The suspect was no longer armed, however, was taken into custody.

20. On 01/07/23 at 8:09p.m., officers were dispatched to an Armed Robbery at 4295 N. Teutonia. Investigation revealed the victim was pumping gas when they were approached by a subject from behind. The suspect pressed an object into the victim's back and demanded money. The victim complied and as the suspect was running away, the victim saw the suspect with a handgun in their hand. The employees were cooperative and allowed officers to view video surveillance of the incident.

21. On 03/23/23 at 5:07p.m., officers were flagged down by a citizen for a Battery in progress at 4295 N. Teutonia. Investigation revealed a customer was upset over the pump being cancelled. The clerk advised the suspect they have no control over this and it could have been due to an incorrect pin number. The suspect became irate and began to knock over shelves and throw things around inside the store. When the employee tried to follow the suspects to take pictures of the license plates, the suspect got out of the vehicle and punched the employee in the face multiple times in the head and face.

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22. On 03/12/23 Milwaukee Police sent a Nuisance Designation letter to the property owner of the business located at 4295 N. Teutonia Av. The property was placed into nuisance due to two incidents at the location, they are as follows:

- On 11/11/22 at 10:25am, Police were dispatched to a shots fired complaint at the. The complaint stated that a subject shot a gun in the air. Casings were recovered near the entrance of the store, and the staff did not call police regarding the incident. (Reference item # 19)
- On 02/08/23 at 11:09am, Police were dispatched to an armed robbery complaint. The victim stated that he was pumping gas, and the suspect pressed a gun to his head and took US currency.

23. On 04/14/23 at 1:24pm, Milwaukee Police were dispatched to 4295 N. Teutonia Av, for an armed robbery complaint. Officers spoke with the victim, the store clerk who stated that two suspects entered the store. Suspect 1 took items without paying for them and suspect 2 displayed a hand gun and pointed it at the store clerk. The armed suspect then attempted to get in to the employee locked area, but could not. Both suspects left in a vehicle driven by a 3rd suspect. The suspects returned. One of the suspects appeared to be armed with a long gun and attempted to enter the employee locked area a second time. The suspects could not gain entry and fled in the suspect vehicle. The suspect vehicle returned for a third time, and the suspects reenter the store. The suspects removed more items from the store and one of the suspects pointed the hand gun at the store clerk. The suspects fled. The business provided video of the incident to officers, which confirmed the event.

24. On 06/22/23 at 12:59am, Milwaukee Police were dispatched to 4295 N. Teutonia Av, for a ShotSpotter complaint. Officers spoke with the store clerk who stated that two suspect vehicles, with a total of 6 suspects pulled into the parking lot of the business. The suspects entered the store and took items from the business without paying for them. The employee attempted to stop the suspect's actions. One of the suspects pointed a hand gun at the employee, and threatened to shoot him. All the suspects entered the vehicles, and one of the suspects from the rear of the vehicle fired three shots in the air when fleeing the location. Officers reviewed the video which depicted the suspects' description, vehicle descriptions, and the incident in its entirety.

25. On 08/16/23 at 6:21am, Milwaukee Police were dispatched to 4295 N. Teutonia Av, for a shooting complaint. Officers arrived at the location and observed a victim unresponsive and shot in the back of the head. The victim was located on the east side of the parking lot. Life saving measures were performed by officers and MFD, and the victim died at the scene. Officers spoke with store clerk who did call the police regarding the shooting. Detectives responded to the scene and took over the investigation, video surveillance was recovered at the scene. Investigation revealed that the victim was shot by the suspect, a store employee

26. On 09/09/23, Milwaukee Police District 5 Officers summarized the Nuisance Designation that was placed on the business located at 4295 N. Teutonia Av. C.P.U. officers agreed to a plan by the business agent to mitigate the nuisance activity occurring on and around the property, with a start date of 04/06/23. The property completed the 45 day monitoring period on 05/21/23, without any additional qualifying police calls of service, as outlined in Milwaukee City Ordinance 80-10.

On 08/21/23 a new Nuisance Designation letter was drafted and sent to the property owner due to the following incidents at the location:

- On 06/22/23 Police were dispatched to a ShotSpotter complaint, where the suspects took items from the location and fired three shots in the air. The employee on duty failed to call the police regarding the shots fired.
- On 08/16/23 Police were dispatched to a shooting complaint. Investigation revealed that the victim was shot by the suspect, a store employee, which resulted in the death of the victim.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231200080

OtherEvent #: 23-LP-1318

Incident

4295 N TEUTONIA AV MILWAUKEE, WISCONSIN 53209

Incident Date/Time:: 03/12/2023 12:00:00
CAD Number:: 231200741
District:: 5
Beat:: 520
Reporting Area:: 1583

Business Agent (1)

NAGRA, GURINDER SINGH

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 07/30/1970
Sex:: MALE
Race:: ASIAN
Phone 1 Number:: (414)-467-2795
Phone 1 Type:: Phone
Address:: 6980 S 35TH ST
City:: FRANKLIN
State:: WISCONSIN
Zip Code:: 53132

Licensed Premise Data (1)

TEUTONIA GAS AND FOOD

Phone 1 Number:: (414)-442-4539
Phone 1 Type:: Phone
Address:: 4295 N TEUTONIA AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53209
License Type:: Filling Station
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No
Licensee was cooperative: (If not explain in narrative): No
Licensee or Manager was on premises at time of violation/Incident:: No

Narrative (1)

LICENSED PREMISE REPORT

Schlel, Christopher J 022571

04/30/2023

This report is written by PO Christopher J SCHLEI, PS 022571, assigned to District 5 - early power shift.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231200080

OtherEvent #: 23-LP-1318

On March 12th, 2023, a Nuisance Designation letter regarding the establishment at 4295 N Teutonia Av. The letter was sent to the property owner, Talwinder Singh Gill.

The property was placed into nuisance due to two incidents. The first incident was for a shots fired call on November 11th, 2022, at 10:25am. The caller stated that a male subject was shooting a gun in the air at the location. There were casings recovered near the entrance to the store. This call was not called in by staff at the location. Officers did respond and investigate. This call falls under MCO 80-10-2-c-1-L, Illegal use of Firearm.

The second call was on February 8th, 2023, at 11:09am. It was a call for an armed robbery. The caller stated that he was approached by a male subject while pumping gas at the location. The male pressed what the caller believed to be a gun to the caller's back and obtained \$300 from the caller. Officers did respond and investigate. This call falls under MCO 80-10-2-c-1-L, Illegal use of Firearm.

End report

Officer (2)		
Reporting Officer:	Schlel, Christopher J (022571)	04/30/2023 13:14:00
Section: (Work Location):	52	
Approving Officer:	Howard, Minisha L (016614)	04/30/2023 16:47:07
Section: (Work Location):	53	

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231040097

OtherEvent #: 23-LP-0991

Incident

4295 N TEUTONIA AV MILWAUKEE, WISCONSIN 53209

Incident Date/Time:: 04/14/2023 13:24:00
CAD Number:: 230821281
District:: 5
Beat:: 520
Reporting Area:: 1583

Business Agent (1)

NAGRA, GURINDER S

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 07/30/1970
Sex:: MALE
Race:: WHITE
Phone 1 Number:: (414)-467-2795
Phone 1 Type:: Phone
Address:: 6980 S 35th St
City:: Franklin
State:: WISCONSIN
Zip Code:: 53132

Licensed Persons Involved (1)

DHANJU, Samarth

Person Involvement:: Agent (License Holder)
DOB:: 12/19/1980
Sex:: MALE
Race:: WHITE
Phone 1 Number:: 4148700609
Address:: 4295 N TEUTONIA AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53209

Licensed Premise Data (1)

Teutonia Gas and Food

Phone 1 Number:: (414)-467-2795
Phone 1 Type:: Phone
Address:: 4295 N TEUTONIA AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53209
License Type:: Filling Station
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231040097

OtherEvent #: 23-LP-0991

Licensee was cooperative: (If not explain in narrative): No

Licensee or Manager was on premises at time of violation/incident:: No

Narrative (1)

LICENSED PREMISE REPORT

Schaefer, John H 018354

04/14/2023

This report is written by PO Nicholas Kropp, D5 Days.

On 4/14/23, Sq 5140 (po Schaefer and I) responded to an Armed robbery that occurred at 4295 N Teutonia Ave in the City and County of Milwaukee, WI on 4/14/23 at approximately 1:24pm.

We spoke with the victim, Samarth Dhanju (I/m, 12-19-80) who was working at the gas station at the location as a clerk when two subjects (S1/S3) entered the business together. S3 took a bag of charcoal and another item and walked out without paying, S1 attempted to pay for a slushie, and the victim confronted S1 about the charcoal. S1 displayed a handgun which he pulled from his waistband. S1 began trying to enter the locked area behind the register but could not.

Both S1&3 re-entered a vehicle, and S2 drove away. A few minutes later the vehicle returned and S1&S2 attempted to reenter the store which was now locked from the inside. S2 was in possession of a long gun which appeared to be rifle at this time. S1&2 attempted to enter by pulling on the door and banging on the window. Store staff can be observed laying down on the ground at this time out of fear for their safety. S1&2 re-enter the vehicle and leave again.

A short time late the vehicle arrives again and parks on Roosevelt at the driveway entrance and S1&2 are able to get back into the store. S1&2 grab bags of chips, which they then throw back down, S1 pulls out the handgun again, and displayed it while grabbing candy from a rack near the door and leaving for the final time.

Video of event available at store, viewed by officers confirms event.

LICENSE PREMISES: TEUTONIA GAS AND FOOD:

Certificate of Occupancy #NDCC-20-01682, Issued:01/06/2021 Exp

LICENSE PREMISES: TEUTONIA GAS AND FOOD:

Certificate of Occupancy #NDCC-20-01682, Issued:01/06/2021 Expires:10/13/2026

Wisconsin Lottery Certificate of Authority, Expires 08/20/2025

Underground Storage Tank Permit (412053), Expires: 11/29/2023

Wisconsin Department of Revenue Seller's Permit, Account# 456-1029702158-02

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231040097

OtherEvent #: 23-LP-0991

Extended Hours Permit#C199902, Expires 05/26/2023

Cigarettes and Tobacco# 1031035

Weights and Measures# 0007287

Food Dealer Retail# 0013025, Expires 05/26/2023

Filling Station# 0001845, Expires 05/26/2023

The licenses were behind the cashier booth and visible.

End of report.

Officer (2)

Reporting Officer:	Schaefer, John H (018354)	04/14/2023 17:41:00
Section: (Work Location):	51	
Approving Officer:	Lewan, Todd G (015118)	04/15/2023 14:28:08
Section: (Work Location):	51	

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231730010

OtherEvent #: 23-LP-2162

Incident

4295 N TEUTONIA AV MILWAUKEE, WISCONSIN 53209

Incident Date/Time:: 06/22/2023 01:00:00
CAD Number:: 231730063
District:: 5
Beat:: 520
Reporting Area:: 1583

Business Agent (1)

NAGRA, GURINDER SINGH

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 07/30/1970
Sex:: MALE
Race:: ASIAN
Phone 1 Number:: (414)-467-2795
Phone 1 Type:: Phone
Address:: 6980 S 35TH ST
City:: FRANKLIN
State:: WISCONSIN
Zip Code:: 53132

Licensed Persons Involved (1)

SINGH, KRISHAN

Person Involvement:: Manager
DOB:: 03/19/1974
Sex:: MALE
Race:: ASIAN
Address:: 4295 N TEUTONIA AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53209

Licensed Premise Data (1)

TEUTONIA GAS & FOOD

Address:: 4295 N TEUTONIA AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53209
License Type:: Filling Station
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No
Licensee was cooperative: (if not
explain in narrative): No
Licensee or Manager was on
premises at time of
violation/Incident:: No

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231730010

OtherEvent #: 23-LP-2162

Narrative (1)

LICENSED PREMISE REPORT

Carrillo, Della 035671

06/23/2023

This report is written by Police Officer Delia CARRILLO assigned to District 5, Late Power.

On Thursday, June 22nd, 2023, at approximately 12:59 A.M. Squad 5426 (P.O. Angelo LOPEZ and I) were dispatched to a ShotSpotter complaint at the address of 4295 N Teutonia Ave., located in the City and County of Milwaukee.

~~Upon arrival we spoke to a victim who verbally identified himself as William PINKINS (B/M 02/07/1967)~~ who stated 2 B/M's, and 4 B/F's arrived in 2 vehicles (Red Chrysler 300 and Grey Hyundai w/ tapped up back windshield) and entered the gas station and grabbed multiple bags full of chips totaling about \$200. PINKINS stated he works for the gas station and attempted to stop the subjects from taking the merchandise when one of the subjects brandished a firearm and stated, "I'll pop your ass." PINKINS stated another male subject pulled away the first subject and they entered into the two vehicles. PINKINS stated one of the males in the rear of the vehicles, who did not brandish the firearm, fired 3 shots into the air and fled in an unknown direction.

We spoke to a manager at the store who identified himself as Krishan SINGH (M/A 03/19/1974) stated all of the male subjects were wearing white t-shirts and a few of the females were wearing white jackets. SINGH stated they took approximately \$200 worth of chips (\$6 per bag, approximately 30 bags). A second worker translated for SINGH and wished to remain anonymous.

We were able to view the video surveillance and were able to obtain descriptions of the subjects.

S1 M/B, Dark Comp., Blk Short Hair, White T-shirt, Dark Jeans, Adidas Sandals

S2 F/B Dark Comp., Waist Length Braids, White Track Suit w/ Dark lettering, Blk undershirt

S3 M/B, Cornrow braids, Blue jeans, white t-shirt w/ blue design,

S4 F/B Blue Shirt, Blk shorts, White Tennis shoes

S5 F/B Blk 2-Pac Shirt, Black Shorts, Red Shoes

S6 F/B Red shirt, multi-color pants

When the subjects were leaving S3 handed the pistol to S1 who fired the 3 shots into the air when both cars pulled off and headed southbound on Teutonia Av.

LICENSE PREMISES: TEUTONIA GAS AND FOOD:

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:231730010

OtherEvent #: 23-LP-2162

Certificate of Occupancy #NDCC-20-01682, Issued:01/06/2021 Exp

LICENSE PREMISES: TEUTONIA GAS AND FOOD:

Certificate of Occupancy #NDCC-20-01682, Issued:01/06/2021 Expires:10/13/2026

Wisconsin Lottery Certificate of Authority, Expires 08/20/2025

Underground Storage Tank Permit (412053), Expires: 11/29/2023

Wisconsin Department of Revenue Seller's Permit, Account# 456-1029702158-02

Extended Hours Permit#C199902, Expires 05/26/2023

Cigarettes and Tobacco# 1031035

Weights and Measures# 0007287

Food Dealer Retail# 0013025, Expires 05/26/2023

Filling Station# 0001845, Expires 05/26/2023

The licenses were behind the cashier booth and visible. Case pending.

End of report.

Officer (2)

Reporting Officer:	Carrillo, Delia (035671)	06/22/2023 01:35:00
Section: (Work Location):	54	
Approving Officer:	Cornejo, Miguel A (015286)	06/23/2023 16:54:36
Section: (Work Location):	54	

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:232280034

OtherEvent #: 23-LP-2755

Incident

4295 N TEUTONIA AV MILWAUKEE, WISCONSIN 53209

Incident Date/Time:: 08/16/2023 06:21:00
CAD Number:: 232280262
District:: 5
Beat:: 520
Reporting Area:: 1583

Business Agent (1)

NAGRA, GURINDER SINGH

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 07/30/1970
Sex:: MALE
Race:: ASIAN
Phone 1 Number:: (414)-467-2795
Phone 1 Type:: Phone
Address:: 6980 S 35TH ST
City:: FRANKLIN
State:: WISCONSIN
Zip Code:: 53132

Licensed Persons Involved (1)

SINGH, KRISHAM

Person Involvement:: Employee
DOB:: 03/19/1974
Sex:: MALE
Race:: ASIAN

Licensed Premise Data (1)

TEUTONIA GAS & FOOD

Address:: 4295 N TEUTONIA AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53209
License Type:: Filling Station
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No
Licensee was cooperative: (If not explain in narrative): No
Licensee or Manager was on premises at time of violation/Incident:: No

Narrative (1)

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:232280034

OtherEvent #: 23-LP-2755

LICENSED PREMISE REPORT

Klein, David 030908

08/16/2023

This report is written by *P.O. David KLEIN*, assigned to *DISTRICT FIVE, Late Shift, SQUAD 5321*.

On 08/16/2023, at approximately 06:21, I was dispatched to 4295 N. Teutonia Avenue for a shooting.

Upon my arrival I observed a male subject unresponsive and shot to the back of the head in the parking lot on the east side of the business. Squad 5341, P.O. LABENSKY and P.O. KARWEICK were first on scene. Also responding was Squad 5313, Sgt. Andres CABRAL, and Squad 6330, P.O. Rafael LOPEZ and P.O. Daniel PARKS. CPR was administered but the subject who was shot died after life saving measures were performed by officers and the Milwaukee Fire Department. CIB detectives also responded to the scene.

MFD Med 5 and Engine 3 (Blue Shift, Lt. HENNESSEY) were on scene.

An incident notification was completed and submitted.

I spoke to employee, Krisham SINGH (M/W 03/19/1974), who was working behind the counter at the gas station at the time of the call. There was a language barrier between SINGH and myself and I was unable to communicate with him. The employee did call to report the shooting. I attempted to look for the business license myself but could not locate it. CIB detectives responded to the scene and took over the investigation. Video surveillance was recovered by detectives.

End of Report.

Officer (2)

Reporting Officer:	Klein, David (030908)	08/16/2023 08:23:00
Section: (Work Location):	53	
Approving Officer:	Northwood, Eric A (022630)	08/17/2023 01:01:52
Section: (Work Location):	53	

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:232520070

OtherEvent #: 23-LP-2985

Incident

4295 N TEUTONIA AV Milwaukee, WISCONSIN 53209

Incident Date/Time:: 09/09/2023 13:39:00
CAD Number:: 232520715
District:: 5
Beat:: 520
Reporting Area:: 1583

Business Agent (1)

NAGRA, GURINDER S

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 07/30/1970
Sex:: MALE
Race:: WHITE
Phone 1 Number:: (414)-467-2795
Phone 1 Type:: Phone
Address:: 6980 S 35TH ST
City:: FRANKLIN
State:: WISCONSIN
Zip Code:: 53132

Licensed Premise Data (1)

TEUTONIA GAS & FOOD

Address:: 4295 N TEUTONIA AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53209
License Type:: Filling Station
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No
Licensee was cooperative: (If not
explain in narrative): No
Licensee or Manager was on
premises at time of
violation/incident:: No

Narrative (1)

LICENSED PREMISE REPORT

Colwell, Stephen 030887

09/09/2023

This report is being written by PO Stephen COLWELL, assigned to District Five, Early Power Shift, Community Partnership Unit (CPU), Squad 5266.

This report is being authored on 9/9/23, at 3:11 PM, in regards the Nuisance Designation of the property

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:232520070

OtherEvent #: 23-LP-2985

located at 4295 N Teutonia Ave (Teutonia Gas & Food), located within the City and County of Milwaukee.

This location has been monitored for nuisance activity by District Five CPU Officers beginning on 3/12/23 until present. The registered owner of the property is **Talwinder SINGH-GILL (W/M, 3/5/1956)**. The licensing agent for the business located on the property is **Gurinder S NAGRA (W/M, 7/30/1970)**.

On Wednesday, 3/29/23, a Nuisance Designation Letter was delivered to **SINGH-GILL** via certified mail. This nuisance designation was the result of a Shots Fired incident that occurred on 11/11/22 (**IR: 22-315-0062**) and an Armed Robbery that occurred on 1/7/23 (**IR: 23-007-0134**). CPU officers received a Proposed Course of Action from **OVV Law & Consulting S.C.** outlining **NARGA's** plans to mitigate the nuisance activity occurring on and around the property. This plan was accepted by CPU officers and the property began 4/6/23. The property completed the 45 day monitoring period on 5/21/23 without any ~~additional qualifying calls for service and the property was placed back into monitoring status as outlined~~ in Milwaukee City Ordinance 80-10.

On 6/22/23, officers responded to and investigated a ShotSpotter complaint at 4295 N Teutonia Ave. (**IR: 23-173-0010**) This investigation revealed subjects had been inside the store attempting to steal merchandise when they were confronted by an employee. The subjects exited the store and fired shots into the air while still on the property. The employee on duty failed to report shots being fired to police.

On 8/16/23, officers responded to and investigated a Shooting complaint at 4295 N Teutonia Ave. (**IR: 23-228-0034**) This investigation revealed the suspect and store employee fired one shot at the victim who was attempting to steal merchandise. This shot struck the victim in the head resulting in his death.

As a result of the incidents on 6/22/23 and 8/16/23, a new Nuisance Designation Letter was mailed to **SINGH-GILL** on 8/21/23. As of the date of this report, this designation letter is still in transit. A PDF copy of this letter has been attached to this report.

End of report.

Officer (2)

Reporting Officer:	Colwell, Stephen (030887)	09/09/2023 14:24:00
Section: (Work Location):	52	
Approving Officer:	Ptaszek, Timothy W (017593)	09/10/2023 09:02:48
Section: (Work Location):	52	

Attachment Data (1)

Description:	NUISANCE DESIGNATION LETTER Person 1
File Name:	4295 N Teutonia - Designation Letter.pdf

SUBCHAPTER 2
LICENSING PROCEDURES

68-21. Licensure of Food Establishments;

General. 1. LICENSE REQUIRED. Unless otherwise provided in this chapter, no person may carry on the business of a food establishment without first having obtained a license under this chapter.

2. EXCEPTIONS. A license shall not be required of any of the following:

a. A person selling only bottled or canned non-alcoholic drinks that do not require refrigeration.

b. A stand offering homemade beverages or food items not requiring heating or refrigeration, provided the stand is:

b-1. Not connected with any temporary event.

b-2. Located on private property in a residential area.

b-3. Operated by a child under the age of 14.

c. A community food program, provided all food is provided free of cost to persons in need or organizations serving persons in need.

d. Any primary or secondary school meal program, whether public or private, provided all of the following conditions are met:

d-1. Food service is limited to students who attend the school or to children as part of a free summer meal program.

d-2. All food preparation and service is performed by staff directly employed by the school.

d-3. The school registers annually with the department at least 10 days prior to operating or prior to the first day of the school year, and pays the registration and inspection fees specified in s. 81-55.5.

d-4. Prior to initial operation, the program submits plans in compliance with s. 68-7, and undergoes inspection prior to operating.

d-5. The program undergoes 2 inspections per school year. Inspections or investigations where significant noncompliance is found shall be subject to additional fees, as specified in s. 60-70.

e. A food manufacturer that derives 25% or more of its gross sales from wholesale trade, has obtained a food processing plant license from the state, and does not serve meals to the public.

f. A food distributor that derives 25% or more of its gross sales from wholesale trade, has obtained a food warehouse license from the state, and does not serve meals to the public.

g. A retail food establishment exempt from licensure under s. 97.30(2)(b), Wis. Stats., or s. ATCP 75.03(9), Wis. Adm. Code, including:

g-1. A retail food establishment selling only packaged foods or fresh fruits and vegetables, provided the establishment does not sell potentially hazardous food and does not engage in food processing.

g-2. A temporary retail food establishment operated by a religious, charitable or nonprofit organization for no more than 12 days in any license year.

g-3. A food peddler with a food peddler license who operates on private property as part of a festival as defined in s. 108-1-2.5, street festival as defined in s. 95-1-2, or special event as defined in s. 105-55.5, provided the food operation remains unchanged from that conducted routinely under the operator's existing food peddler license.

h. A bakery, as defined in s. 97.29 (1) (b), Wis. Stats., selling only non-potentially hazardous, flour-based goods baked out of a home and sold directly to consumers. This does not include the cooking and drying of candies or other confectionaries.

3. APPLICATION. License application forms shall be obtained from the city clerk and require the information specified in s. 85-12.

4. FINGERPRINTING. a. All applicants for food dealer and temporary food dealer licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

b. All applicants for food peddler licenses and ice cream peddler licenses shall be fingerprinted, as provided in s. 85-21-1.

5. CHANGES TO BE REPORTED. See ss. 85-35 to 85-39 for provisions relating to changes to applications and plans of operation. In addition:

a. Changes in the food facility or operational plan submitted as part of a supplemental application shall be submitted in accordance with s. 68-7.

b. A licensee shall promptly notify the city clerk in writing of his or her intention to cease operations.

6. LICENSE FEE. See ch. 81 for the required license fee.

7. DISQUALIFICATION. Whenever any application is denied, or a license is revoked, surrendered or not renewed, the procedures provided in ss. 85-13, 85-15 and 85-17 shall apply.

8. INVESTIGATION. Each application for a license under this chapter, except for an application for a food dealer license by a micro market or an application for a temporary food dealer license, shall comply with the requirements of s. 85-21-2. In addition to the requirements of s. 85-21-2, if applicable:

68-23 Food License Regulations

a. Each application for a new food dealer license shall be referred to the commissioner and the department of neighborhood services for inspection.

b. Each application for a new food peddler license shall be referred to the commissioner for inspection.

c. Each application for a temporary food dealer license shall be referred to the commissioner for inspection.

9. ISSUANCE. See s. 85-12.5 for provisions relating to the issuance of a license.

10. POSTING. Each license shall be posted in a conspicuous place on the food establishment.

11. TRANSFER. A license may not be transferred from one person or entity to another, from one premises to another, or from one food peddler vehicle, cart or carried container to another, except:

a. An individual may transfer a license to an immediate family member, as defined in s. 97.608(4)(a)2, Wis. Stats., if the individual is transferring operation of a restaurant, as defined in s. 254.61(5), Wis. Stats.

b. A food peddler changing operational bases may amend a food peddler license to reflect the new operational base.

12. RENEWAL. Application for renewal of a license shall be made to the city clerk in accordance with the provisions of s. 85-26. Except for an application for a food dealer license by a micro market or an application for a temporary food dealer license, the city clerk shall refer the application to the chief of police. If the applicant still meets the licensing qualifications, the license shall be issued unless a written objection has been filed under s. 85-3. If there is objection to renewal of the license, the procedure for considering the renewal application shall be as specified in ss. 85-3 to 85-5.

13. SUSPENSION AND REVOCATION. Any license issued under this chapter may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Notice and hearing on the revocation shall be conducted in accordance with ss. 85-3 to 85-5.

68-23. Food Dealers. 1. LICENSE REQUIRED. Unless otherwise provided in this chapter, no person may manufacture, offer for sale, store, distribute or sell food within the city without first having obtained a food dealer license.

2. PROCEDURE FOR ISSUING NEW LICENSE. a. The city clerk shall issue a license to each applicant for a new license who meets all the

requirements of this section and has paid to the city treasurer the fee specified in s. 81-55, unless there is an objection by the commissioner, the department of neighborhood services, the common council member in whose district the food establishment would be located, or any person affected by the operation or proposed operation of the applicant.

b. If the common council member objects to an application, the applicant may request in writing an appeal before the licensing committee. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the common council member. Appeals shall be subject to common council review and approval in accordance with the provisions of ss. 85-2.7 and 85-5.

3. TEMPORARY OPERATION. a. No food establishment may operate at any temporary site, location, stand or event without having obtained a temporary food dealers license.

b. A temporary food dealer license shall authorize a food establishment to prepare, process, serve or sell food at temporary events for one year from the date of issuance. This authority shall be contingent upon the license holder also obtaining any other special privileges or licenses required for the conduct of a temporary food dealer.

c. A food dealer seeking a temporary change of plan to a licensed premises shall comply with s. 85-39.

d. The following license holders shall be exempt from the requirement provided in par. a, provided the activities of the food establishment remain unchanged from those allowed under the existing license:

d-1. Food peddlers operating on private property at a festival grounds as defined in s. 295-201-187, a street festival as defined in s. 95-1-1-I, or a special event as defined in s. 105-55.5.

d-2. Mobile or temporary retail food establishments licensed under s. ATCP 75.03, Wis. Stats.

d-3. Mobile restaurants licensed under s. ATCP 75.104, Wis. Stats.

e. The procedures for issuance of a temporary food dealer license shall be as set forth in sub. 2. An individual who has applied for, but has not been issued, a food dealer license shall not be issued a temporary food dealer license at the location where the food dealer license application is pending.

82-11. Grain Measure, Bushel. No person shall sell, buy or receive in store for profit any grain at any weight or measure per bushel other than the standard weight or measure per bushel fixed by law, unless otherwise expressly stipulated in writing, and for any violation hereof the offender shall forfeit not less than \$5 nor more than \$50. (*File #5723, Feb. 2, 1914.*)

82-12. Sale of Fruits and Berries, Quality. All fruits and berries, fresh or dried, sold or offered for sale in the city in packages, shall be of equally good quality in every part of the package. Any person violating this section shall upon conviction thereof be fined not less than \$5 nor more than \$25.

82-13. Sale of Coal or Coke. 1. REGULATIONS. It shall be unlawful to sell or offer to sell in the city any coal, charcoal or coke in any other manner than by weights.

a. **Receipt Required.** No person, firm or corporation shall deliver any coal, charcoal, or coke without each such delivery being accompanied by a delivery ticket and a duplicate thereof, on each of which shall be in ink, or other indelible substance, distinctly expressed in pounds, the gross weight of the load, the tare of the delivery vehicle, and the quantity or quantities of coal, charcoal or coke contained in the cart, wagon or other vehicle used in such deliveries, with the name of the purchaser thereof, and the name of the dealer from whom purchased. One of these tickets shall be surrendered to the sealer of weights and measures, or his deputy or inspectors, upon demand, for his inspection, and the duplicate ticket or weight slip issued by the dealer shall be delivered to said purchaser of said coal, or his agent or representative, at the time of the delivery of the fuel.

b. **Carry Out Purchase; Content.** When the buyer carries away the purchase, a delivery ticket showing the actual number of pounds delivered over to the purchaser must be given to the purchaser at the time the sale is made. No coal or coke shall be sold in the city which contains more water or other liquid substance than that due to the natural condition of the coal or coke at the time the weight is taken for the purpose of sale.

2. **VERIFICATION OF WEIGHT.** a. Whenever the sealer or his deputy or inspectors shall demand that the weight shown by any coal delivery ticket be verified, it shall thereupon become the duty of the persons, firm or corporation delivering such fuel to convey the same forthwith to the nearest public scale, to be selected by the sealer, or his deputy, or inspectors in the particular locality where the coal or coke is to be delivered, or to the nearest scale in the particular locality where the owner thereof shall consent to such use, and permit the weighing of the coal or coke, together with the conveyance and equipment for the purpose of ascertaining the gross weight thereof, and shall, after the delivery of such fuel, return forthwith with the conveyance and equipment used in the delivery of such coal or coke to the same scale and permit the weighing of the said conveyance and equipment for the purpose of verifying the net weight of the coal or coke as shown by said ticket.

b. When any coal or coke is sold in bags or packages of any kind, such bags or packages shall have plainly marked thereon the quantity contained therein. In the event that coal or coke is sold or offered for sale by a peddler, such peddlers shall deliver to the purchaser or intended purchaser, or to the sealer of weights and measures, or his deputy or inspectors, upon his demand, a delivery ticket bearing the name of such peddler, his license number, if any, and showing the net weight of the fuel sold or offered for sale.

3. **PENALTY.** Any person who, either as principal, agent or servant, shall deliver or attempt to deliver a less quantity of coal or coke than that shown upon the delivery ticket in sub. 1-a shall forfeit to the city a penalty of not less than \$25 nor more than \$200; and any person who shall violate any of the provisions of this section shall forfeit to said city a penalty of not less than \$25 nor more than \$100. (*File #5723, Feb. 2, 1914.*)

82-14. Weighing or Measuring Device License. 1. REQUIRED.

a. **General.** No person, firm or corporation may operate or maintain weights and

82-14-2 Weights and Measures

measures, weighing or measuring devices and systems and accessories relating thereto which are used commercially within the city in determining the weight, measure or count of commodities or cost of services or things bought or sold or offered or exposed for sale on the basis of weight, measure or count unless each such device is specifically licensed, is accurate and is operated in compliance with this section. No device may be operated without a current license and seal.

2. EXEMPTIONS. The following shall be exempt from the license requirement of this section:

b-1. A vehicle scale licensed under ch. ATCP 92.31, Wis. Adm. Code.

b-2. A public utility system that operates meters, other weighing and measuring devices and is regulated by the Wisconsin public service commission as set forth in s. 196.16, Wis. Stats.

b-3. Postal scales under the control of the state or federal government.

b-4. A vehicle tank meter licensed under ch. ATCP 92.50, Wis. Adm. Code.

3. APPLICATION. License application forms shall be obtained from the city clerk and require the information specified in s. 85-12.

4. PLAN OF OPERATION. An application for a license required under this section shall be accompanied by a completed plan of operation on a form provided therefor by the city clerk.

5. CHANGES TO BE REPORTED. See ss. 85-35 to 85-39 for provisions relating to changes to applications and plans of operation.

6. LICENSE FEE. See ch. 81 for the required license fee.

7. AGE QUALIFICATION. No license shall be issued to any person or any agent of a corporation or limited liability corporation who is not 18 years of age or older.

8. DISQUALIFICATION. Whenever any application is denied, or a license is revoked, surrendered or not renewed, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

9. INVESTIGATION. Each application for a new license shall be referred to the commissioner of health in accordance with s. 85-21.

10. OBJECTION. An objection to issuance of a license shall be based on the factors set forth in s. 85-2.7-4. If the local

common council member, chief of police or commissioner recommends against an application, no permit shall be issued unless the applicant requests, in writing, an appeal before the licensing committee. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the common council member, police chief or commissioner. An appeal shall be forwarded by the city clerk to the licensing committee for its recommendation as to whether a permit should be granted. The procedure for considering an appeal shall be as provided in s. 85-2.7.

11. ISSUANCE. See s. 85-12.5 for provisions relating to the issuance of a license.

12. POSTING. Each license shall be posted in a conspicuous place on the premises.

13. TRANSFERABILITY. Licenses are not transferable between owners, meters, vehicles, vehicle scales or establishments. No device may be moved or transferred to another premises in the city and put into service, whether operated by the same owner or not, unless application is made first, a new fee paid and a license issued. See s. 85-19 for additional provisions relating to the transfer of a license and change of licensee names.

14. RENEWAL. Application for renewal of a license shall be made to the city clerk in accordance with the provisions of s. 85-26. The city clerk shall refer the application to the commissioner of health. If the applicant still meets the licensing qualifications, the license shall be issued unless a written objection has been filed under s. 85-3. If there is an objection to renewal of the license, the procedure for considering the renewal application shall be as specified in ss. 85-3 to 85-5.

15. REVOCATION OR SUSPENSION OF LICENSE. Any license issued under this section may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Notice and hearing on the revocation shall be conducted in accordance with s. 85-3. *(History: Section 82-14 cr. File #84-1062, Nov. 13, 1984.*

82-14-1-a am. File #882269, May 16, 1989; eff. June 3, 1989.

82-14-1 am. File #910063, Jan. 21, 1992; eff. Feb. 7, 1992.

82-14-3 am. File #881803, Jan. 24, 1989; eff. Feb. 11, 1989.

82-14-3 rn. File #882269, May 16, 1989; eff. June 3, 1989.

82-14-3-b cr. File #882269, May 16, 1989; eff. June 3, 1989.

82-14-5 am. File #130790, Nov. 1, 2013; eff. Jan. 1, 2014.)

82-14-5 am. File #160192, Sept. 20, 2016; eff. Oct. 7, 2016.

82-14 rc. File #131559, May 13, 2014; eff. Oct. 1, 2014.)

82-14-2-b-1 rc File #180529, July 31, 2018; eff. August 17, 2018.

82-14-2-b-4 rc File #180529, July 31, 2018; eff. August 17, 2018.

82-16. Sale of Firewood. 1. STANDARD CORD. The standard measurement of a cord of firewood is fixed and established at 128 cubic feet. (File #9722, Oct. 25, 1915.)

2. DELIVERY TICKET. It shall be unlawful to sell or offer for sale or expose for sale within the city any wood designed for fuel purposes in any other manner than by weight or measure. No person, firm or corporation shall deliver any firewood without such delivery being accompanied by a delivery ticket and duplicate thereof, which delivery ticket shall distinctly express in cords or fractional parts thereof or, if sold by weight, distinctly express in pounds the gross weight of the load, the tare of the delivery vehicle, the quantity or quantities of wood contained in the vehicle used in such deliveries, together with the name of the purchaser thereof and the name of the dealer from whom purchased. One of these tickets shall be tendered to the sealer of weights and measures or his deputies or inspectors upon demand for his inspection, and the duplicate ticket issued by the dealer shall be delivered to said purchaser of said wood or his agent or representative at the time of the delivery of the said wood. When the buyer carries away the purchase, a delivery ticket showing the actual number of pounds or cords or fractional parts of cords delivered over to the purchaser must be given to the purchaser at the time of the sale.

3. PENALTY. Any person, firm or corporation violating this section shall forfeit to the city a penalty of not less than \$25 nor more than \$100. (File #41176, Apr. 8, 1929.)

82-19. Coin-in-the-slot Machine, Maintenance.

1. TO BE KEPT IN WORKING ORDER. No person, firm or corporation shall erect, operate or maintain, or cause to be erected, operated or maintained, any coin

operated machine or automatic vending device without placing in charge thereof some person. The person in charge of such machine or device shall be held responsible for maintaining or operating, or causing to be maintained or operated, any such machine or device which is not in perfect working order. No such machine or device shall be maintained for use when the same is not in perfect working order. (File #73-2157, May 21, 1974.)

2. PLACARDING. a. Name of Owner, Person in Charge, etc. Except as otherwise specifically provided in pars. b and c, a placard shall be placed on every such machine or device in a conspicuous place which shall contain the name of the owner and the name of the person in charge, if different than the owner, of such machine or device including the current address of such persons and the telephone number at which the person in charge can be reached during normal daytime working hours and shall also state that the person in charge of such machine or device will refund to any person money deposited for which service has not been received, and it is made the duty of such person to do so. On premises having an attendant on duty at all times it is open to the public, the placard required above may, in lieu of stating a telephone number for refund purposes, state that the attendant may be contacted for reimbursements if the owner has authorized this practice. Such attendant must be easily identified and readily available. (File #75-1037, Sept. 30, 1975.)

b. Multiple Machines. Whenever multiple coin-operated machines are located in the same room and all such machines are owned or operated by the same owner or person in charge, one or more placards, containing the information required in par. a and which information is prominent and easily read from the entire working area of that room, may be posted and substituted for individual placards on each machine. (File #74-1946, May 6, 1975.)

c. Exception. An exception will be granted to the following types of establishments whereby the name and address of the owner or the person in charge referred to in par. a need not be posted, however the method for reimbursement and all other information required in par. a shall be posted: Self-service laundries as regulated in s. 75-1. (File #75-1037, Sept. 30, 1975.)

**CHAPTER 84
MISCELLANEOUS LICENSES**

TABLE

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84-7. Extended Hours Establishments.

1. **FINDINGS.** The common council finds that certain businesses, when open in the early morning hours, have a tendency to become attractive nuisances, generating noise, congregations of people, traffic congestion and litter, and may provide an environment in which other offenses can occur. Moreover, it is the experience of the city of Milwaukee that these businesses - convenience stores, filling stations, personal service establishments, recording studios and restaurants - when open between the hours of 12 a.m. and 5 a.m., if unregulated, threaten to place an inordinate burden on the public safety resources of the city and its taxpayers. This section is enacted pursuant to the common council's authority to provide for the health, safety and welfare of the residents of the city of Milwaukee.

2. **DEFINITIONS.** In this section:

a. "Convenience store" shall have the meaning set forth in s. 68-1-11.

b. "Extended hours establishment" shall mean any convenience store, filling station, personal service establishment, recording studio or restaurant open at any time between the hours of 12 a.m. and 5 a.m.

c. "Filling station" shall have the meaning set forth in s. 295-201-189.

d. "Personal service establishment" shall have the meaning set forth in s. 295-201-451, but for the purposes of this section shall not include licensed massage establishments licensed pursuant to s. 75-21.

e. "Recording studio" means an establishment containing one or more studios for the audio or video recording or filming of musical performances, radio or television programs or motion pictures, but not containing broadcasting

studios for over-the-air, cable or satellite delivery of regularly-scheduled radio or television programs.

f. "Restaurant" shall have the meaning set forth in both s. 295-201-499 and 501. It shall not apply to the provision of room service by a hotel or to the preparation and service of food inside a hospital.

3. **LICENSE REQUIRED.** No convenience store, filling station, personal service establishment, recording studio or restaurant shall be open between the hours of 12 a.m. and 5 a.m. without first applying for and receiving a license as provided in this section.

4. **EXEMPTIONS.** This section shall not apply to the following:

a. Premises holding class "B" alcohol beverage licenses during those hours during which class "B" premises may be open.

b. Extended hours establishments located within General Mitchell International Airport.

5. **APPLICATION.** License application forms shall be obtained from the city clerk and require the information specified in s. 85-12. Post office box numbers shall not be acceptable for addresses required for extended hours establishment licenses.

6. **PLAN OF OPERATION.** An application for a license required under this section shall be accompanied by a completed plan of operation on a form provided therefor by the city clerk. The plan of operation shall include:

a. The planned hours of operation for the premises.

b. The number of patrons expected on a daily basis at the premises.

c. If the premises for which the license is sought is a restaurant, the legal capacity of the premises.

d. If the premises for which the license is sought is a personal service establishment or a restaurant, the number of off-street parking spaces available at the premises.

e. Plans, if any, the applicant has to provide security for the premises.

f. Plans, if any, the applicant has to ensure the orderly appearance and operation of the premises with respect to litter and noise.

84-10 Miscellaneous Licenses

g. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.

7. **FINGERPRINTING.** All applicants for extended hours establishment licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

8. **CHANGES TO BE REPORTED.** See ss. 85-35 to 85-39 for provisions relating to changes to applications and plans of operation.

9. **LICENSE FEE.** See ch. 81 for the required license fee.

10. **AGE QUALIFICATION.** No license shall be issued to any person or any agent of a corporation or limited liability corporation who is not 18 years of age or older.

11. **DISQUALIFICATION.** Whenever any application is denied, or a license is revoked, surrendered or not renewed, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

12. **INVESTIGATION.** Each application for a new license shall be referred to the chief of police and the commissioner of neighborhood services in accordance with s. 85-21.

13. **OBJECTION.** An objection to issuance of a license shall be based on the factors set forth in s. 85-2.7-4. If the common council member, chief of police or commissioner recommends against an application, no license shall be issued unless the applicant requests, in writing, an appeal before the licensing committee. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the common council member, chief or commissioner. An appeal shall be forwarded by the city clerk to the licensing committee for its recommendation as to whether a permit should be granted. The procedure for considering an appeal shall be as provided in s. 85-2.7.

14. **ISSUANCE.** See s. 85-12.5 for provisions relating to the issuance of a license.

15. **POSTING.** Each license shall be posted in a conspicuous place on the premises.

16. **TRANSFER.** See s. 85-19 for provisions relating to the transfer of a license and change of licensee names.

17. **RENEWAL.** Application for renewal of a license shall be made to the city clerk in accordance with the provisions of s. 85-26. The

city clerk shall refer the application to the chief of police, the commissioner of neighborhood services and the commissioner of health for review. If all 3 indicate that the applicant still meets the licensing qualifications, the license shall be referred to the common council for approval unless a written objection has been filed under s. 85-3. If there is objection to renewal of the license, the procedure for considering the renewal application shall be as specified in ss. 85-3 to 85-5.

18. **REVOCAION OR SUSPENSION OF LICENSE.** Any license issued under this section may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Notice and hearing on the revocation shall be conducted in accordance with s. 85-3. The common council shall consider the matter of suspension or revocation of the license in the manner provided in s. 85-5.

19. **PENALTY.** a. Any person who violates any of the provisions of this section shall, upon conviction, be subject to a forfeiture of not more than \$1,000 and, in default thereof, may be imprisoned as provided by law.

b. Citations may be issued for all violations of this section with or without prior notice. The stipulation, forfeiture and court appearance set forth in s. 50-25 shall apply.

84-10. Bill Posting Business License.

1. **DEFINITION.** A "bill posting business" shall mean any person, firm or corporation engaged in the business of outdoor advertising for a cash consideration by placing, posting or painting on billboards, ground or roof signs, displays, or on the walls of buildings to advertise goods or products to announce coming events, attractions or contests.

2. **LICENSE; WHEN REQUIRED.** a. It shall be unlawful for any person, firm or corporation to engage in the business of bill posting without having first secured a license therefor.

b. This section shall not be held to apply to the posting of a sign or notices by the order of any court or by any public officer in the performance of his duties or by any political campaign organization working to insure the election of a nominee or the success of a political issue by securing some definite result in an election.

84-45 Miscellaneous Licenses

shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

11. **SUSPENSION, NONRENEWAL AND REVOCATION.** The city adopts s.134.65 (6), (7) and (8), Wis. Stats.

12. **PENALTIES.** a. Any person violating this section shall be fined not less than \$25 nor more than \$100 for the first offense or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law; and for a second or subsequent offense not less than \$25 nor more than \$200 or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law.

b. If upon conviction of a 2nd or subsequent violation, the person violating this section is found personally guilty of a failure to exercise due care to prevent the violation, the person shall be fined not less than \$25 nor more than \$300 or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law. Conviction under this paragraph shall result in immediate termination of the license of the person convicted of being personally guilty of failure to exercise due care and the person shall not be entitled to another license under this section for a period of 5 years after conviction, nor shall the person in that period act as the servant or agent of a person licensed under this section in the performance of acts authorized by the license.

84-45. Filling Stations. 1. **PURPOSE.** In order to protect the health, safety and general welfare of the community and environment and prevent potential harm and nuisance that could result from the location and operation of filling stations, the common council enacts the following regulations.

2. **DEFINITION.** In this section, "filling station" (gas station) means a place, building, pump or device maintained and used on private premises for the purpose of dispensing to the public gasoline or other fuels for use in motor vehicles of any kind.

3. **LICENSE REQUIRED.** a. No person, firm or corporation shall operate a filling station unless the person, firm or corporation possesses a valid license issued pursuant to this section. See s. 81-51.6 for the required fee.

b. An additional weighing and measuring license fee specified in ch. 81 shall be paid for each pump or device used to establish charges for gasoline or other fuels.

3.5. **SECURITY CAMERA REQUIRED.** All filling stations open to customers on a 24-hour basis shall:

a. Install, maintain in proper working order and operate during all hours the store is open to customers a security camera which can produce reproducible digital color images.

b. The camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face, either entering, exiting or at the cash register. Hanging displays shall not obstruct views of the individual's face.

c. If a time-lapse digital video camera is operated, recorded images shall not be recorded at a slower speed than 24 hours.

d. Recorded digital image files shall be kept for a minimum of 72 hours.

4. **APPLICATION.** License application forms shall be obtained from the city clerk and require the information specified in s. 85-12.

5. **PLAN OF OPERATION.** An application for a filling station license shall be accompanied by a completed plan of operation on a form provided therefor by the city clerk. The plan of operation shall include:

a. The planned hours of operation for the premises.

b. The number of customers expected on a daily basis at the premises.

c. The legal occupancy limit of the premises.

d. The number of off-street parking spaces available at the premises.

e. Plans the applicant has to provide security for the premises.

f. Plans the applicant has to ensure the orderly appearance and operation of the premises with respect to litter and noise.

g. Any other licenses held by the applicant or attached to the premises.

h. A description of any provisions made for clean-up of the premises.

i. A site plan showing:

i-1. The locations of all entrances and exits. This shall include a description of how customers will enter and leave the premises.

i-2. The locations and dimensions of any off-street parking and loading areas for customers.

j. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.

6. **CHANGES TO BE REPORTED.** See ss. 85-35 to 85-39 for provisions relating to changes to applications and plans of operation.

7. LICENSE FEE. See ch. 81 for the required license fee.

8. AGE QUALIFICATION. No license shall be issued to any person or any agent of a corporation or limited liability corporation who is not 18 years of age or older.

9. DISQUALIFICATION. Whenever any application is denied, or a license is revoked, surrendered or not renewed, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

10. INVESTIGATION. Each application for a new license shall be referred to the chief of police, the commissioner of neighborhood services and the commissioner of health in accordance with s. 85-21-2. All applicants for filling station licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

11. OBJECTION. An objection to issuance of a license shall be based on the factors set forth in s. 85-2.7-4. If the local common council member, chief of police or commissioner recommends against an application, no license shall be issued unless the applicant requests, in writing, an appeal before the licensing committee. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the common council member, chief or commissioner. An appeal shall be forwarded by the city clerk to the licensing committee for its recommendation as to whether a permit should be granted. The procedure for considering an appeal shall be as provided in s. 85-2.7.

12. ISSUANCE. See s. 85-12.5 for provisions relating to the issuance of a license.

13. POSTING. Each license shall be posted in a conspicuous place on the premises.

14. TRANSFER. See s. 85-19 for provisions relating to the transfer of a license and the change of licensee names.

15. RENEWAL. Application for renewal of a license shall be made to the city clerk in accordance with the provisions of s. 85-26. The city clerk shall refer the application to the chief of police. If the applicant still meets the licensing qualifications, the license shall be issued unless a written objection has been filed under s. 85-3. If there is objection to renewal of the license, the procedure for considering the renewal application shall be as specified in ss. 85-3 to 85-5.

16. REVOCATION OR SUSPENSION OF LICENSE. Any license issued under this section may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Notice and hearing on the revocation shall be conducted in accordance with s. 85-3.

17. ENFORCEMENT, PENALTY.

a. A person who violates any provision of this section or fails to comply with an order of the commissioner that was issued under this section or otherwise issued concerning the operation of a filling station shall be liable upon conviction to a Class J penalty under s. 61-16. Each day of a continued violation is a separate offense.

b. Citations may be issued for any violation of this section with or without prior order or notice. The stipulation, forfeiture and court procedure set forth in s. 50-25 shall apply.

84-49. Distribution of Printed Materials in City Hall Complex. The city clerk shall furnish periodical boxes for distribution of newspapers, newsletters, magazines, or other publications, which are published on a regular schedule. Any person, group, or organization distributing publications shall ensure that the periodical boxes are kept in a neat and orderly manner at all times and that publications are kept up-to-date. The city clerk may issue guidelines for the enforcement of this section. Any publications not maintained in accordance with this section or the guidelines established by the city clerk may be removed by the city clerk.

**For the legislative history of chapter 84,
contact the Municipal Research Library.**

4. RECOMMENDATION. The recommendation of the committee regarding the applicant shall be based on the preponderance of evidence presented at the hearing. Probative evidence concerning whether or not the license should be granted may be presented on the following subjects:

a. Whether or not the applicant meets the municipal requirements.

b. The appropriateness of the location and premises where the licensed premises is to be located and whether use of the premises for the purposes or activities permitted by the license would tend to facilitate a public or private nuisance or create undesirable neighborhood problems such as disorderly patrons, unreasonably loud noise, litter, and excessive traffic and parking congestion. Probative evidence relating to these matters may be taken from the plan of operation submitted with the license application.

c. The fitness of the location of the premises to be maintained as the principal place of business, including but not limited to whether there is an overconcentration of businesses of the type for which the license is sought, whether the proposal is consistent with any pertinent neighborhood business or development plans, or proximity to areas where children are typically present.

d. The applicant's record in operating similarly licensed premises.

e. Whether or not the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the activity to be permitted by the license being applied for.

f. Any other factors which reasonably relate to the public health, safety and welfare.

5. FACTORS NOT CONSIDERED FOR RECOMMENDATION. The recommendations of the committee regarding the applicant shall not be based on evidence presented at the hearing related to the type or content of any music, or the actual or likely financial or non-financial effects on actual or potential competitors.

6. Committee Decision. The committee may make a recommendation immediately following the hearing or at a later date. Written notice of the committee's decision will be provided if the decision is made at a later

date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

7. DOCUMENT. If the common council grants the application for a license, the city clerk, or other city official or department authorized by the code to issue licenses, shall issue an appropriate document to the applicant confirming that fact. The document shall also contain any restrictions or conditions which the common council may place on approval.

85-3. Notice and Service. 1. NOTICE OF POSSIBLE NON-RENEWAL, SUSPENSION OR REVOCATION.

a. Unless otherwise provided, the city clerk, or other city official or department authorized by the code to receive applications for licenses or permits, shall provide written notice of the possibility of non-renewal, or of suspension or revocation of a license or permit to the applicant addressed to the person or agent at the address most recently provided by the applicant.

b. Written notice of possible non-renewal, suspension or revocation shall include:

b-1. The date, time and place of a hearing to be held by the committee.

b-2. A statement of the common council's intent to revoke, suspend or not renew the license or permit if objections, charges or allegations are found to be true.

b-3. A statement of the specific reasons for revocation, suspension or non-renewal.

b-4. A statement that an opportunity will be provided to respond to and challenge the reasons for revocation, suspension or non-renewal, and to present witnesses under oath and to confront and cross-examine witnesses under oath.

b-5. A statement that the applicant may be represented by an attorney of the applicant's choice at the expense of the applicant.

b-6. A statement that, if the applicant requires the assistance of an interpreter, the applicant may employ an interpreter at the expense of the applicant.

b-7. A statement that, upon conclusion of a hearing before the committee, the committee will prepare a written report and recommendation to the common council, and shall provide a copy of the report and recommendation to the applicant.

85-4 License and Permit Procedures

2. SERVICE OF DOCUMENTS.

Service of notices of meetings and service of other documents including committee reports and recommendations shall be made upon any party entitled to such notice and service by placing the same in the United States first class mail, postage prepaid. Hearing notices shall be served upon the applicant so that the applicant has at least 7 days' notice of the hearing.

3. OBJECTIONS. a. How Made.

Notice of an objection to the renewal of a license or in support of suspension of a license or permit by an interested party shall not be included in the notice of hearing if the objection has not been received by the city clerk within 45 days of the expiration of the license. Failure to timely submit an objection shall not be a bar to testimony or other evidence that relates to any matter actually identified in the notice of hearing as a basis for nonrenewal or suspension. An objection shall include information that could form the basis of a license nonrenewal or suspension and may be transmitted in writing or by electronic means. Any city official, or the official's delegate, shall forward an objection from an interested party, or from a resident as provided in s. 90-1-19, to the city clerk. The information provided by an official or the official's delegate to the city clerk shall include the name of the objector, contact information for the objector, and information known to the objector that may form a basis for nonrenewal or suspension. The submission by a city official or the official's delegate of a written summary of the objection to the city clerk shall be treated in the same manner as other objections. The city clerk is authorized to establish forms for the purpose of assisting persons wishing to submit an objection.

b. Exception. If application for renewal is filed with the city clerk after the deadline for renewal application established by the city clerk and prior to the expiration of the license, an objection may be submitted in fewer than 45 days prior to the expiration of the license and may be considered at a regularly scheduled meeting of the licensing committee provided sufficient and timely notice is given.

85-4. Hearing Procedure; Non-Renewal, Suspension or Revocation. 1. **AUTHORITY OF COMMITTEE.** The committee shall conduct hearings with respect to the non-renewal, suspension or revocation of a license or permit pursuant to this section. The chair of the committee shall be the presiding officer.

1.5. MULTIPLE LICENSE TYPES.

When the committee conducts a hearing relating to the possible denial, non-renewal, suspension or revocation of a business type license and the licensee holds one or more other types of licenses or permits issued by the city clerk for the same premises, the committee shall also consider possible non-renewal, suspension or revocation of the other licenses or permits at the same hearing. Notice of possible denial, non-renewal, suspension or revocation of the non-alcohol beverage licenses or permits shall be provided in accordance with s. 85-3.

2. **COMMITTEE HEARING PROCEDURE.** a. The chair shall advise the applicant of the right to proceed to a due process hearing represented by counsel with all testimony, both direct and cross examination, under oath or that the applicant may simply make a statement to the committee.

b. The chair shall direct that oaths be administered and subpoenas issued upon request of any party.

c. The chair shall ensure that an orderly hearing is conducted in accordance with the requirements of this section. The chair shall open the hearing with a statement that a notice was sent to the applicant, and, if the applicant appears, shall further inquire whether the notice was received. Unless expressly provided elsewhere in this code, the chair shall advise the licensee and parties seeking nonrenewal, suspension or revocation of the license that each side will be limited to 30 minutes for testimony and oral argument. This time may be extended by the chair, subject to approval by the committee, if additional time is necessary for a full and fair presentation of the facts and arguments. When permitted by the chair, questioning by committee members and relevant responses shall not count against the time limitation. In the event that the applicant does not admit receipt of the notice and also denies knowledge of the contents of the notice, the chair shall ascertain whether the applicant wishes to immediately proceed to a full hearing or whether the applicant wishes the matter to be held to the call of the chair or to a time certain. The decision to proceed or to hold the matter shall be made by the committee.

d. The chair shall rule on objections to the admissibility of evidence. Any ruling of the chair shall be final unless appealed to the committee, and the committee shall reverse such ruling only upon the vote of a majority of its members.

3. RECORD. An electronic or stenographic record shall be made of all licensing proceedings before the licensing committee and the common council. An electronic record shall audibly, accurately and completely reflect the testimony and statements made by participants in the proceedings. Recordings shall be maintained in a manner prescribed by the city clerk. An electronic record shall be made available for stenographic transcription or for transcription by other means at the expense of the person or party seeking the transcription of all or any portion of the record.

4. GROUNDS FOR NON-RENEWAL, SUSPENSION OR REVOCATION. The recommendations of the committee regarding the applicant shall be based on the preponderance of evidence presented at the hearing. Unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of:

- a. Failure of the applicant to meet municipal qualifications.
- b. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant.
- c. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following:
 - c-1. Disturbance of the peace.
 - c-2. Illegal drug activity.
 - c-3. Public drunkenness.
 - c-4. Drinking in public.
 - c-5. Harassment of passers-by.
 - c-6. Gambling.
 - c-7. Prostitution.
 - c-8. Sale of stolen goods.
 - c-9. Public urination.
 - c-10. Theft.
 - c-11. Assaults.
 - c-12. Battery.
 - c-13. Acts of vandalism including graffiti.
 - c-14. Excessive littering.
 - c-15. Loitering.
 - c-16. Illegal parking.
 - c-17. Loud noise at times when the licensed premise is open for business.

- c-18. Traffic violations.
- c-19. Curfew violations.
- c-20. Lewd conduct.
- c-21. Display of materials harmful to minors, pursuant to s. 106-9.6.
- c-22. Any other factor which reasonably relates to the public health, safety and welfare.
- c-23. Failure to comply with the approved plan of operation.

5. HEARING OFFICER. Where it is impractical for the committee to hold an evidentiary hearing, the committee may employ a hearing officer for the purposes of taking testimony and rendering recommended findings of fact and conclusions of law to the committee. When such hearing officer is employed, he or she shall prepare written findings of fact and conclusions of law which shall be simultaneously transmitted to the committee as well as to the applicant, the applicant's agent, manager, operator or any other employee of the applicant, and to the person bringing the complainant or objector. The chair of the committee shall schedule a hearing on the receipt of the report of the hearing officer in not more than 30 days from receipt of the report. Notice of the committee hearing on the report shall be given to all parties. The committee may take and reserve additional evidence at the time of said hearing. The committee may accept or reject the report of the hearing officer or make any changes to the report which are warranted by the circumstances, the evidence presented and any arguments of the parties who appeared before the hearing officer and the committee. The committee shall transmit its recommendation to the common council for action as provided in sub. 6.

6. COMMITTEE REPORT. The committee may make a report and recommendations immediately following the hearing or at a later date. The committee may recommend that the license or permit be renewed, not renewed, suspended or revoked. In addition, if the committee determines that circumstances warrant, the committee may recommend that the license or permit be renewed conditioned upon a suspension of the license or permit for a defined period of time. When the committee elects to recommend that a license or permit be renewed with a period of suspension, the license or permit may be suspended for a period of not less than 10 days and no more than 90 days.

85-5 License and Permit Procedures

85-5. Council Action. 1. REPORT TO BE PROVIDED. Within 10 working days after it reaches a decision, the committee shall prepare and serve a report and recommendation upon the applicant and upon the complainant or objector, if any. The report and recommendations shall include specific findings of fact and conclusions of law made by the committee. A copy of the report shall be distributed to each member of the common council.

2. FILING WRITTEN STATEMENTS OR RESPONSES. Following a recommendation by the committee that the license or permit not be renewed, or that the license or permit be revoked or suspended, the applicant may submit a written statement including objections, exceptions and arguments of law and fact. When the proceedings have been commenced upon the complaint or objection of an interested party who has appeared and offered evidence, the complainant or objector may also submit a written statement in response. Written statements shall be filed with the city clerk before the close of business on a day that is at least 3 working days prior to the date set for hearing by the common council.

3. COPIES TO BE PROVIDED TO COMMON COUNCIL MEMBERS. A copy of any statement in response to the report and recommendations of the committee that is timely filed shall be provided to each member of the common council at least 24 hours before any vote on the question is scheduled before the common council.

4. PROCEDURE AT MEETING OF THE COMMON COUNCIL. a. At a meeting of the common council following the receipt of the report and recommendations of the committee, the common council shall consider the report and recommendations. The city clerk shall notify the applicant, and the complainant or objector, if any, by United States first class mail, postage prepaid, 5 working days prior to the hearing before the common council, and shall also notify the city attorney, that the council will convene to act upon the report and recommendations.

b. Each member of the common council shall be asked to affirm that he or she has read the report and recommendations of the committee. When a written statement has been or objector, each member of the common council shall be asked to affirm that he or she has read the statement. If members of the council have not read the recommendation and

report of the committee and any statement in response that has been timely filed, the chair shall allocate time for the members to do so.

c. Oral argument on behalf of the applicant, and oral argument by the complainant or objector, if any, shall be permitted only to those parties having timely filed a written statement. Oral argument shall be limited to 5 minutes. The city attorney shall also be permitted to make an oral presentation of not more than 5 minutes.

d. Applicants shall appear only in person or by counsel. Corporate applicants shall appear only by designated agents or counsel. Partnerships shall be represented only by a partner or counsel. Limited liability companies shall be represented only by designated agents or counsel. Complainants and objectors shall appear only in person or counsel. Any person making an appearance before the council who requires the services of an interpreter shall obtain one at his or her own expense.

e. The common council shall determine by a majority roll call vote of those in attendance and voting whether to adopt the recommendation of the committee. The city clerk shall provide written notice of the decision to the applicant, and to the complainant or objector, if any, including a written statement or summary of the reasons for the decision.

f. Unless otherwise expressly provided, the revocation of a license or permit shall be effective upon service of the notice of decision upon the applicant or upon any person having charge or control of a licensed premises. Suspension of a license or permit in proceedings for revocation shall be effective upon service of the notice of decision upon the applicant or upon any person having charge or control of a licensed premises. Suspension of a license or permit in proceedings for renewal shall be effective on the date the common council takes action to suspend the license or permit, or on the date of the expiration of the license or permit, whichever is later. A license or permit may be suspended for not less than 10 days and no longer than 90 days.

g. If a retail alcohol beverage license for a premises is suspended and the licensee also holds a public entertainment premises license for the premises, the public entertainment premises license shall be suspended for the same time period as the alcohol beverage license.

FILED
08-18-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CF003767
Honorable Jean Marie
Kies-45
Branch 45

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2023ML019887
Court Case No.:

vs.

CRIMINAL COMPLAINT

PINKIN, WILLIAM HENRY
2875 NORTH 20TH STREET
MILWAUKEE, WI 53206
DOB: 02/07/1967

Defendant(s).

For Official Use

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

Count 1: FIRST DEGREE INTENTIONAL HOMICIDE

The above-named defendant on or about Wednesday, August 16, 2023, at 4295 North Teutonia Avenue, in the City of Milwaukee, Milwaukee County, Wisconsin, did cause the death of ILA, another human being, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a) Wis. Stats.

Upon conviction for this offense, a Class A Felony, the defendant shall be sentenced to imprisonment for life.

Probable Cause:

I am a City of Milwaukee law enforcement officer and base this complaint on my own investigation, on the reports of fellow officers, and on my review of surveillance videos.

On August 16, 2023, shortly after 6:15 AM, police were sent to the gas station/convenience store at 4295 N. Teutonia Ave., Milwaukee, regarding a shooting. Upon arrival they found the victim, ILA, bleeding from the head and lying unconscious on the pavement just outside the door to the store. Lifesaving measures were attempted, first by the responding police and then by fire department personnel, but those measures were unsuccessful and ILA was pronounced deceased on the scene.

ILA's body was transported to the Milwaukee County Medical Examiner. Dr. Brian Linert performed an autopsy and found a gunshot wound to the head, with the bullet entering the back of the head on the left side and exiting the head at the right temple. He concluded that the gunshot wound was the cause of death and the manner of death was homicide.

Police obtained footage from video cameras at the gas station that show areas both inside and outside the store. The videos show that a person who appears to be working store security is seated in a chair in an aisle at the rear of the store. ILA enters the door and grabs a box of Little Debbie snack cakes from a shelf just inside the door. ILA then immediately turns and heads back out the door with the box. The security person rises from his chair as soon as ILA enters the store and moves toward him, producing a handgun. He rushes towards and follows ILA out the door, gets within a little more than arm's length behind him, holds up the gun, and shoots towards the back of ILA's head. ILA immediately falls and never moves again. The shooter stands over ILA for a moment, then goes back into the store. The shooter remains on scene after police have arrived, milling around calmly and at one point standing outside the door smoking a cigarette. He tells the responding officers (who have not

yet seen the video) that he works at the store, but he says he did not see the shooting. Eventually he leaves.

The videos of the shooting provide clear views of the shooter's face.

In the recent past, on June 22, 2023, police were called to a robbery complaint at the same store. The responding officers spoke to the defendant, who told them that he works at the store and had witnessed the robbery. He provided the officers his name and other identifying information, identifying himself as the defendant, William Pinkin. The officers were wearing body cameras which provide clear views of the man's face.

The investigating detectives compared a recent booking photo of the defendant to the video footage of the shooter in the 8/15/23 homicide and to the bodycam footage of William Pinkins from the 6/22/23 robbery complaint. In all three instances it appears to be the exact same man.

Police showed the defendant's booking photo to the owner of the gas station/convenience store. The owner, who was not present at the shooting, recognized the man in the booking photo as "Junior," a man from the neighborhood who did work for the store.

****End of Complaint****

Electronic Filing Notice:

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$ 20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Michael J. Lonski.
ADA Assigned Email Address: michael.lonski@da.wi.gov

Subscribed and sworn to before me on 08/18/23

Electronically Signed By:

Michael J. Lonski

Assistant District Attorney

State Bar #: 1007134

Electronically Signed By:

Detective Cedric McFadden

Complainant

CRIME

Security guard charged in fatal gas station shooting had prior homicide conviction



Elliot Hughes

Milwaukee Journal Sentinel

Published 12:32 p.m. CT Aug. 21, 2023 | Updated 7:45 p.m. CT Aug. 22, 2023

A gas station's security guard who was previously convicted of homicide decades ago and was barred from possessing guns was charged in the shooting death of Isaiah Allen on Sunday.

Prosecutors charged William Pinkin, 56, with first-degree intentional homicide in a case that has drawn scrutiny to the gas station who employed him and the state's laws on private security.

The criminal complaint alleges Pinkin shot Allen in the back of the head after witnessing him take a box of snack cakes and walking out.

"He was a really good person. He didn't deserve to die like that," said Zavien Easter Bryant, a cousin of Allen. "It doesn't make sense. It doesn't feel real to anybody."

Protests have been held outside the gas station, Teutonia Gas & Food, 4295 N. Teutonia Ave., since Allen, 29, was killed Wednesday. The business remained closed Tuesday.

Here's what you need to know about the incident:

Who is Isaiah Allen?

Allen, of Milwaukee, was a father of two children ages 3 and 9, according to Bryant. He said on the day of the shooting, Allen was planning to leave for Tennessee and check into a drug rehabilitation center.

Bryant said Allen suffered from mental health issues but didn't detail them.

"My son was a loving father, a great son, a wonderful brother and the funniest uncle in the world," Allen's mother, Natalie Easter Allen, said in a statement.

Who is William Pinkin?

Pinkin, also of Milwaukee, was a security guard employed by Teutonia Gas & Food, according to the criminal complaint.

Online court records show Pinkin was convicted of first-degree reckless homicide and robbery in Milwaukee County in 1989. He shot the clerk of a smoke shop in the head with a sawed-off shotgun during a robbery in May of that year, according to court records.

One of his accomplices told police that Pinkin laughed about the shooting afterward.

He was released on state supervision in March of this year, according to the Wisconsin Department of Corrections.

Pinkin began working at the gas station in late spring or early summer, according to Monashay Howard, who lives near the gas station and has been active in demonstrations after Allen's death.

Howard, who ran a food stand outside the gas station, said Pinkin was "very erratic" but not known to carry a gun.

Pinkin hadn't been assigned a lawyer as of Monday morning, according to the Wisconsin State Public Defender's Office.

What happened at the gas station?

Police recovered surveillance camera footage, which showed the entirety of the incident. According to the criminal complaint:

Allen entered the store shortly before 6:20 a.m. Wednesday while a security guard was seated in the back of the business.

Video shows Allen grabbed a box of Little Debbie snack cakes and left with it. The security guard rose from his chair and approached Allen while producing a handgun.

Within about arm's distance, the guard shot Allen in the back of the head. While waiting for police to respond, the guard calmly smoked a cigarette.

He told officers he works at the store but didn't see the shooting. He then left the scene.

Pinkin was later identified and arrested.

What is Pinkin's status as a security guard?

Pinkin didn't have a permit to act as a security guard, according to online records from the Wisconsin Department of Safety and Professional Services. As a convicted felon, he was also barred from possessing a gun.

However, Wisconsin doesn't require security guards who are directly employed by a business to obtain a permit, according to the Department of Safety and Professional Services.

Anyone who wants to work as a security guard for a private security agency must obtain a permit. They are not eligible for those who have been arrested under suspicion of a misdemeanor or convicted of a felony.

Armed security professionals are required to complete 36 hours of firearms training, according to the Department of Safety and Professional Services.

What is the status of the gas station?

The owner of Teutonia Gas & Food, Gurinder Nagra, said what happened "was just insane" and that Pinkin had been working for him for a little more than a month.

"I didn't know he was carrying a gun. He was not supposed to do that," Nagra said.

He asked the Journal Sentinel to contact his attorney for further comment. Calls to the attorney were not returned Monday afternoon.

The business remained closed while protesters adorned the building with signs saying "Revoke their license now" and "Closed for justice."

Allen's family and activists held a news conference on Tuesday outside the gas station. Many who spoke talked about businesses, that are not Black-owned, causing more problems for the Black community than they are providing benefits. Many who spoke insist that the gas station should be shut down.

Ald. Andrea Pratt, who represents the area, said in a news release she has "many questions about armed security that I am looking into" and called for the business to remain closed

during the investigation.

Howard called the business an "accessory to murder" and said residents were disappointed it failed the community after becoming something of a neighborhood hub.

"I feel like within our community, we found a way to make it to work for us and use it as an access point," she said.

Pratt said businesses shouldn't be able to include security in their operations if it's not credentialed by the Wisconsin Department of Safety and Professional Services. She said she would explore legislation that further regulates private security.

"When businesses operate in our neighborhoods, they choose to become part of our community, which means they have a responsibility to uphold as a community establishment," Pratt said.

Drake Bentley contributed to this report.

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