



Legislation Details (With Text)

**File #:** 120911      **Version:** 0

**Type:** Ordinance      **Status:** Passed

**File created:** 10/16/2012      **In control:** COMMON COUNCIL

**On agenda:**      **Final action:** 2/27/2013

**Effective date:**

**Title:** An ordinance relating to the procedure for new food dealer license applications.

**Sponsors:** ALD. WADE

**Indexes:** FOOD DEALERS, LICENSES

**Attachments:** 1. Hearing Notice List 2-12-13, 2. Hearing Notice List 10-22-12, 3. Notice Published on 3-15-13

Date	Ver.	Action By	Action	Result	Tally
10/16/2012	0	COMMON COUNCIL	ASSIGNED TO		
10/18/2012	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
10/18/2012	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
10/18/2012	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
10/22/2012	0	LICENSES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
2/11/2013	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
2/11/2013	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
2/11/2013	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
2/12/2013	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/27/2013	0	COMMON COUNCIL	PASSED	Pass	14:0
3/4/2013	0	MAYOR	SIGNED		
3/15/2013	0	CITY CLERK	PUBLISHED		

120911  
ORIGINAL

ALD. WADE

An ordinance relating to the procedure for new food dealer license applications.

68-4-3-a am

68-4-3-b rn

68-4-3-b cr

68-4-3-c cr

Currently, all new food dealer license applicants must appear before the license committee before the license is issued. This ordinance amends this procedure by requiring a new applicant to request an appeal to be scheduled for a hearing when a new application is denied by the commissioner of health or the council member in whose district the food establishment is located. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the denial recommendation by the city clerk's office.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 68-4-3-a of the code is amended to read:

**68-4. Food Dealer License.**

**3. PROCEDURE FOR ISSUING NEW OR RENEWAL LICENSE.** a. The commissioner shall issue a license to each applicant for a new or renewal license who meets all the requirements of this section and has paid to the city treasurer the fee required in s. 60-21 unless there is an objection by the commissioner, the department of neighborhood services, the common council member in whose district the food establishment is located, or any person affected by the operation or proposed operation of the applicant. ~~[[If there is an objection to the issuance or renewal of a license, the procedure for considering the license application shall be as specified in sub. 10.]]~~

Part 2. Section 68-4-3-b of the code renumbered to 68-4-3-d.

Part 3. Section 68-4-3-b of the code is created to read:

b. If either the common council member or the 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 commissioner and the common council member. Appeals shall be forwarded to the licensing committee for its recommendation as to whether a license should be granted. The procedure for considering an appeal shall be as provided in sub 10.

Part 4. Section 68-4-3-c of the code is created to read:

c. If there is an objection to the renewal of a license the procedure for considering the renewal application shall be as provided in sub. 10.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date:\_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date:\_\_\_\_\_

LRB142927-1  
Amy E. Hefter  
10/16/2012

clerical correction -- 3/26/2013 -- lp