



Legislation Details (With Text)

File #: 990467 **Version:** 1

Type: Ordinance **Status:** Placed On File

File created: 6/22/1999 **In control:** LICENSES COMMITTEE

On agenda: **Final action:** 11/5/2003

Effective date:

Title: A substitute ordinance relative to nonrenewal of licensed dwelling facilities.

Sponsors: ALD. HENNINGSEN

Indexes: LICENSED DWELLINGS, LICENSES, ROOMING HOUSES

Attachments:

Date	Ver.	Action By	Action	Result	Tally
6/22/1999	0	COMMON COUNCIL	ASSIGNED TO		
6/23/1999		LICENSES COMMITTEE	REFERRED TO		
7/23/1999	1	CITY CLERK	DRAFT SUBMITTED		
9/9/1999	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
9/14/1999	1	LICENSES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
10/17/2003	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
10/17/2003	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
10/21/2003	1	LICENSES COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	4:0
11/5/2003	1	COMMON COUNCIL	PLACED ON FILE	Pass	16:0

990467
SUBSTITUTE 1

ALD. HENNINGSEN
 A substitute ordinance relative to nonrenewal of licensed dwelling facilities.
 275-20-7-p-2 am
 275-20-7-p-3 am
 275-20-9-a am
 - Analysis -

The current regulations for licensed dwelling facilities allow objections to license renewals to be made by the police chief, the commissioner of health or the commissioner of neighborhood services. Such objections must be filed at least 60 days prior to expiration of the license. This ordinance deletes the 60-day deadline for filing an objection and allows an objection to also be filed by any city resident or affected building owner. The ordinance further specifies that the \$75 late application fee set forth in the current ordinance shall be paid by any applicant who files a late renewal application. (A late application is one filed less than 90 days prior to expiration of the license.)
 The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 275-20-7-p-2 and 3 of the code is amended to read:

275-20. Licensing of Licensed Dwelling Facilities.

- 7. REGULATIONS.
- p. Renewal Of Licenses.

p-2. Application for renewal shall be made no later than 90 days prior to the expiration of a license. An applicant shall be notified on the renewal form that a license may lapse if application for renewal is not made at least 90 days prior to expiration of the license. In the event any

license lapses, no activities for which a license is required shall be conducted at the dwelling facility until the common council grants and the commissioner issues another license for the licensed dwelling facility. >>An applicant whose license renewal application is made less than 90 days prior to the expiration of a license shall pay the late fee specified in s. 200-33-26-h.<<

p-3. If the chief of police, commissioner of health [[or]] >>, <<commissioner of neighborhood services >> , building owner affected by the activity of the licensed dwelling facility or any city resident<< has any objection to renewal of the license, he or she shall notify the utilities and licenses committee [[at least 60 days]] prior to the expiration of the license. The committee shall hold a hearing concerning the objection prior to recommending any action to the common council such that common council action can be completed before the expiration of the current license of the licensee. [[This provision is inapplicable if]] >>The utilities and licenses committee shall not be required to hold a hearing prior to the expiration of the license<< if the application for renewal is late under the terms of subd. 2.

Part 2. Section 275-20-9-a of the code is amended to read:

9. PROCEDURE FOR NONRENEWAL, REVOCATION, SUSPENSION OF LICENSES.

a. Proceedings. Denial of renewal, suspension or revocation proceedings may be instituted by the commissioner of health, commissioner of neighborhood services, the chief of police, any resident or neighbor of the licensed dwelling facility, any city resident, any building owner affected by the activity of the licensed dwelling facility, or by the utilities and licenses committee or a common council member. Written charges shall be verified and filed with the city clerk by the person bringing the complaint. [[Written charges relating to renewal of a license shall be verified and filed no later than 60 days prior to the expiration of the license.]]

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: _____

99243-1
CW
7/15/99