



Legislation Details (With Text)

**File #:** 150486      **Version:** 0  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/1/2015      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 9/22/2015  
**Effective date:**

**Title:** An ordinance relating to the time limit for common council approval of applications for public entertainment premises licenses.

**Sponsors:** THE CHAIR

**Indexes:** LICENSES

**Attachments:** 1. Notice Published on 10-8-15

Date	Ver.	Action By	Action	Result	Tally
9/1/2015	0	COMMON COUNCIL	ASSIGNED TO		
9/3/2015	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
9/8/2015	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
9/22/2015	0	COMMON COUNCIL	PASSED	Pass	15:0
9/29/2015	0	MAYOR	SIGNED		
10/8/2015	0	CITY CLERK	PUBLISHED		

150486  
ORIGINAL

**THE CHAIR**

An ordinance relating to the time limit for common council approval of applications for public entertainment premises licenses.

108-5-1-b am

Presently, the code provides that the common council shall approve every application for a new public entertainment premises license or for a deviation from the type of entertainment specified on a previously-approved plan of operation within 60 days after the city clerk certifies that the application is complete, unless the application is denied in writing by the common council following a licensing committee hearing. The code further provides that, if the 60-day time limit expires during the August common council recess, the application shall be considered in the following common council cycle.

This ordinance repeals the existing August common council recess provision and replaces it with a provision stating that the August common council recess shall not be included when determining the 60-day period.

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

Part 1. Section 108-5-1-b of the code is amended to read:

**108-5. License Required.**

1. REQUIREMENT.

b. To promote and protect the freedom of speech and expression guaranteed under the First and Fourteenth Amendments to the United States Constitution and article I, section 3 of the Wisconsin Constitution, the common council shall approve every application for a new public entertainment premises license or for a deviation from the type of entertainment specified on a previously-approved plan of operation within 60 days after the city clerk certifies that the application is complete, unless the application is denied in writing by the common council following a licensing committee hearing conducted in accordance with the procedures of ch. 85. ~~[[In the event the 60-day time limit expires during the August common council recess, the application shall be considered in the following common council cycle.]]~~ >>The August common council recess shall not be included when determining the 60-day period.<< The 60-day provision shall not apply if the application relates to a premises for which one or more other licenses subject to the licensing procedures of ch. 85 are sought or held, in which case the timeline set forth in ch. 85 applies.

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: \_\_\_\_\_

City Clerk

LRB159436-1

Jeff Osterman

07/17/2015