



Legislation Details (With Text)

**File #:** 110286      **Version:** 0  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/6/2011      **In control:** LICENSES COMMITTEE  
**On agenda:**      **Final action:** 7/26/2011  
**Effective date:**

**Title:** An ordinance relating to alcohol beverage license applications and the right of an applicant to occupy the premises.

**Sponsors:** ALD. BOHL

**Indexes:** ALCOHOL - REGULATION AND LICENSING, TAVERNS

**Attachments:** 1. Hearing Notice List, 2. Notice Published on 8-11-11

Date	Ver.	Action By	Action	Result	Tally
7/6/2011	0	COMMON COUNCIL	ASSIGNED TO		
7/7/2011	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
7/7/2011	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
7/11/2011	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
7/26/2011	0	COMMON COUNCIL	PASSED	Pass	15:0
8/4/2011	0	MAYOR	SIGNED		
8/11/2011	0	CITY CLERK	PUBLISHED		

110286  
ORIGINAL

ALD. BOHL

An ordinance relating to alcohol beverage license applications and the right of an applicant to occupy the premises.

90-5-1-c-3 rn  
90-5-1-c-3 cr  
90-5-12 am

This ordinance provides an additional application requirement for alcohol beverage license establishments. The ordinance requires filing of a copy of the document that establishes the right of the named applicant to occupy the premises for which a license is sought. Examples include a deed, a lease or an acceptance of an offer to purchase.

The filed document shall show that the named applicant has the right to occupy the premises.

The ordinance requires an applicant or licensee to notify the city clerk upon learning that the right to occupy the premises will be interrupted or terminated.

The ordinance also requires the applicant to provide any other information related to the terms and conditions of occupancy that the city clerk may request.

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

Part 1. Section 90-5-1-c-3 of the code is renumbered 90-5-1-c-4.

Part 2. Section 90-5-1-c-3 of the code is created to read:

**90-5. Licensing.**

**1. APPLICATION: FORM AND CONTENTS.**

c. Additional Requirements.

c-3. Right to Occupy. An applicant for an alcohol beverage retail establishment license shall file a copy of the document that establishes the right of the applicant to occupy the premises for which a license is sought.

c-3-a. Documents establishing a right to occupy include deeds, leases, accepted offers to purchase and similar documents including agreements that are contingent upon issuance of the requested license.

c-3-b. An applicant shall provide any additional information that may be requested by the city clerk relating to the terms and conditions of occupancy of the premises for which the license is sought.

Part 2. Section 90-5-12 of the code is amended to read:

**90-5. Licensing.**

**12. CHANGES TO BE REPORTED.** >>a.<<A licensee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The licensee shall make this notification in writing within 10 days after the change occurs.

>>b. A licensee, or an applicant if action has not been taken on an application, shall advise the city clerk upon receiving information that the right of the applicant or licensee to occupy the licensed premises will be interrupted or terminated prior to the expiration of the license period. Notification shall be made in writing within 10 days after the information becomes known to the licensee or applicant. The city clerk shall forward the communication to the member of the common council in whose district the licensed premises is located.<<  
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: \_\_\_\_\_

LRB127865-1.2  
Richard L. Withers  
5/23/2011

Clerical correction -- jro -- 07/25/11