



Legislation Details (With Text)

File #: 040771 **Version:** 0
Type: Ordinance **Status:** Passed
File created: 9/21/2004 **In control:** LICENSES COMMITTEE
On agenda: **Final action:** 10/11/2004

Effective date:
Title: An ordinance relating to applicants for all new Class "A" or Class "B" retail alcohol licenses.

Sponsors: James N. Witkowiak

Indexes: ALCOHOL - REGULATION AND LICENSING, TAVERNS

Attachments: 1. Notice Published on 10-27-04.PDF

Date	Ver.	Action By	Action	Result	Tally
9/21/2004	0	COMMON COUNCIL	ASSIGNED TO		
9/23/2004	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
9/28/2004	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
10/11/2004	0	COMMON COUNCIL	PASSED	Pass	15:0
10/20/2004	0	MAYOR	SIGNED		
10/27/2004	0	CITY CLERK	PUBLISHED		

040771
ORIGINAL

ALD. WITKOWIAK

An ordinance relating to applicants for all new Class "A" or Class "B" retail alcohol licenses.

- 90-5-8-a-1 am
- 90-5-8-a-2 rn
- 90-5-8-a-3 rn
- 90-5-8-a-2 cr
- 90-5-8-a-3 cr

This ordinance establishes that applicants for all new Class "A" or Class "B" retail licenses are required to appear before the licensing committee at the date, time and place specified in written notices provided to the applicants by the city clerk's office. If the applicant is a corporation or limited liability corporation, a duly authorized agent or legal representative of the corporation is required to appear before the committee. In practice, applicants for all new Class "A" or Class "B" retail licenses currently appear before the licensing committee; however, the applicants are not explicitly required by the code to do so.

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

Part 1. Section 90-5-8-a-1 of the code is amended to read:

90-5. Licensing.

8. COMMITTEE ACTION.

a. Notice. a-1. Applications for Class "D" operator's licenses shall be referred to chief of police for review. If the police chief files no written report summarizing the arrest and convictions of the applicant which could form a basis for denial, the license shall be forwarded to the common council for approval. If the chief or police files a written report summarizing the arrest and convictions of the applicant which could form a basis for denial, the application shall be forwarded to the proper licensing committee of the common council for its recommendation as to whether or not each license should be issued. ~~[[Applications for all new Class "A" or Class "B" retail licenses, Class "B" manager's licenses and Class "C" wholesale licenses shall be referred to the appropriate licensing committee of the common council for its recommendation as to whether or not each license should be issued. If there is a possibility of denial of any license regulated by this subsection, no hearing shall be heard unless the city clerk's office has provided written notice to the applicant so that the applicant has at least 3 days' notice of the hearing.]]~~

Part 2. Section 90-5-8-a-2 and 3 is renumbered 90-5-8-a-4 and 5.

Part 3. Section 90-5-8-a-2 and 3 is created to read:

a-2. Applications for all new Class "A" or Class "B" retail licenses, Class "B" manager's licenses and Class "C" wholesale licenses shall be referred to the appropriate licensing committee of the common council for its recommendation as to whether or not each license should be issued. In addition, applicants for all new Class "A" or Class "B" retail licenses are required to appear before the licensing committee at the date, time and place specified in written notice provided to the applicant by the city clerk's office. If the applicant is a corporation or limited liability corporation, a duly authorized agent or legal representative of the corporation is required to appear before the licensing committee. All applicants may be represented by a legal representative before the licensing committee.

a-3. If there is a possibility of denial of any license regulated by this subsection, no hearing shall be heard unless the city clerk's office has provided written notice to the applicant so that the applicant has at least 3 days' notice of the hearing.

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: _____

LRB04292-1

RGP

9/14/04