



Legislation Details (With Text)

File #: 101291 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 2/8/2011 **In control:** LICENSES COMMITTEE
On agenda: **Final action:** 3/1/2011

Effective date:
Title: A substitute ordinance relating to reporting findings of fact for denied food dealer licenses.
Sponsors: ALD. BOHL
Indexes: FOOD DEALERS, LICENSES
Attachments: 1. Hearing Notice List, 2. Notice Published on 3-17-11

Date	Ver.	Action By	Action	Result	Tally
2/8/2011	0	COMMON COUNCIL	ASSIGNED TO		
2/9/2011	1	CITY CLERK	DRAFT SUBMITTED		
2/11/2011	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
2/14/2011	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
3/1/2011	1	COMMON COUNCIL			
3/10/2011	1	MAYOR	SIGNED		
3/17/2011	1	CITY CLERK	PUBLISHED		

101291

SUBSTITUTE 1

ALD. BOHL

A substitute ordinance relating to reporting findings of fact for denied food dealer licenses.

68-4-10-c am

This ordinance eliminates the requirement to include findings of fact in the licensing committee’s written report of recommendations when the committee denies a food dealer license application. There can be no findings of fact when a food dealer license is denied, because, without a license, there can be no food dealer operations upon which to make any findings of fact.

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

Part 1. Section 68-4-10-c of the code is amended to read:

68-4. Food Dealer License.

10. PROCEDURE FOR DENIAL OR NONRENEWAL OF LICENSE.

c. At the conclusion of the hearing, the committee shall make a recommendation to the common council concerning issuance of a new or renewal license. The committee shall provide a written report of its ~~[[findings and]]~~ recommendations to the city attorney, the commissioner, the licensee or applicant and each member of the common council.>>
[The written report shall also include the committee's findings of fact and conclusions of law when the committee recommends nonrenewal or suspension of a 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: _____

License Division

LRB #121863-1

Aaron Cadle

02/08/11