



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