



Legislation Details (With Text)

**File #:** 120511      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/24/2012      **In control:** COMMON COUNCIL

**On agenda:**      **Final action:** 3/21/2013

**Effective date:**

**Title:** A substitute ordinance relating to a special nonprofit temporary event license.

**Sponsors:** ALD. BOHL

**Indexes:** LICENSES, NONPROFIT ORGANIZATIONS

**Attachments:** 1. Hearing Notice List, 2. Notice Published on 4-9-13

Date	Ver.	Action By	Action	Result	Tally
7/24/2012	0	COMMON COUNCIL	ASSIGNED TO	Fail	
2/25/2013	1	CITY CLERK	DRAFT SUBMITTED		
2/28/2013	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
2/28/2013	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
2/28/2013	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
2/28/2013	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
3/4/2013	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
3/21/2013	1	COMMON COUNCIL	PASSED	Pass	14:0
4/1/2013	1	MAYOR	SIGNED		
4/9/2013	1	CITY CLERK	PUBLISHED		

120511  
SUBSTITUTE 1

ALD. BOHL  
 A substitute ordinance relating to a special nonprofit temporary event license.  
 60-23-3-e cr  
 68-1-4 cr  
 68-43 cr

This ordinance creates a special nonprofit temporary event license to allow a nonprofit organization to hold up to 14 temporary events at multiple locations during a license period. The fee for the license shall be \$25 for one to 3 days and \$150 for 4 to 14 days.

A nonprofit organization shall meet each of the following requirements:

1. A booth or stand used for a special nonprofit temporary event shall be no more than 100 square feet in total area.
2. A special nonprofit temporary event shall not be on the premises owned by the nonprofit

organization seeking the license.

3. If food processing is conducted, the operation shall be supervised by an individual meeting the requirements provided in DHS 196.10, Wis. Adm. Code.

4. The location and date of each event shall be provided at the time of application.

5. If multiple licenses are obtained by a single nonprofit organization, the total number of days in operation shall not exceed 14 days cumulatively for all licensed temporary event food activities in a license period.

6. All activities shall be held in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, anniversary sale or occasional sales promotion.

No special nonprofit temporary event license shall be issued for a nonprofit temporary event held at the Henry Maier Festival Park.

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

Part 1. Section 60-23-3-e of the code is created to read:

### **60-23. Temporary Food Dealer's License.**

#### **3. FEES.**

e. Special nonprofit temporary event. e-1. For one to 3 days, the fee for the license shall be \$25.

e-2 For 4 to 14 days, the fee for the license shall be \$150.

Part 2. Section 68-1-4 of the code is created to read:

#### **68-1. Definitions.**

4. NONPROFIT ORGANIZATION means a religious, fraternal, youth, civic or patriotic organization, service club, or religious assembly.

Part 3. Section 68-43 of the code is created to read:

**68-43. Temporary Food Dealer's License: Special Nonprofit Temporary Event.** A special nonprofit temporary event license shall allow a nonprofit organization, as defined in s. 68-1-4, to conduct temporary events at multiple locations up to 14 days in a license period.

1. REQUIREMENTS. A nonprofit organization shall meet the following requirements:

a. A booth or stand used for a special nonprofit temporary event shall be no more than 100 square feet in total area.

b. A special nonprofit temporary event shall not be on the premises owned by the nonprofit organization seeking the license.

- c. If food processing is conducted, the operation shall be supervised by an individual meeting the requirements provided in DHS 196.10, Wis. Adm. Code.
  - d. The location and date of each event shall be provided at the time of application.
  - e. If multiple licenses are obtained by a single nonprofit organization, the total number of days in operation shall not exceed 14 days cumulatively for all licensed temporary event food activities in a license period.
  - f. All activities shall be held in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, anniversary sale or occasional sales promotion.
- 2. EXCEPTION.** No special nonprofit temporary event license shall be issued for a nonprofit temporary event held at the Henry Maier Festival Park.
- 3. FEES.** Application for a special nonprofit temporary event license shall be accompanied by the fees specified in s. 60-23.

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:\_\_\_\_\_

LRB141121-2  
Amy E. Hefter  
2/25/2013