



Legislation Text

File #: 141794, Version: 0

141794
ORIGINAL

THE CHAIR

An ordinance relating to the licensing committee consideration of the effects on potential or actual competitors when making recommendations on license applications.

85-2.7-4-b am

85-2.7-5 am

This ordinance establishes that the actual or likely financial or non-financial effects on actual or potential competitors shall not be considered by the licensing committee of the common council in making recommendations to the common council concerning license applications.

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

Part 1. Section 85-2.7-4-b of the code is amended to read:

85-2.7. Hearing Procedure, New License.

4. RECOMMENDATION.

b. The appropriateness of the location and premises where the licensed premises is to be located and whether use of the premises for the purposes or activities permitted by the license would tend to facilitate a public or private nuisance or create undesirable neighborhood problems such as disorderly patrons, unreasonably loud noise, litter, and excessive traffic and parking congestion. Probative evidence relating to these matters may be taken from the plan of operation submitted with the license application~~[if any, but shall not include the content of any music]~~.

Part 2. Section 85-2.7-5 of the code is amended to read:

5. ~~[[BASIS FOR]]~~ >>FACTORS NOT CONSIDERED FOR<< RECOMMENDATION. The recommendations of the committee regarding the applicant shall not be based on evidence presented at the hearing related to >>the<< type or content of any music >>, or the actual or likely financial or non-financial effects on actual or potential competitors<<.

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: _____

City Attorney's Office
LRB157249-1
Teodros W. Medhin:lp
2/19/2015