



Legislation Details (With Text)

File #: 120043 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 5/2/2012 **In control:** LICENSES COMMITTEE
On agenda: **Final action:** 5/22/2012
Effective date:
Title: A substitute ordinance relating to licensing procedures and regulations of general applicability.
Sponsors: THE CHAIR
Indexes: LICENSES
Attachments: 1. Hearing Notice List, 2. Motion by Ald. Dudzik for Substitution, 3. Notice Published 6-11-12

Date	Ver.	Action By	Action	Result	Tally
5/2/2012	0	COMMON COUNCIL	ASSIGNED TO		
5/3/2012	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
5/7/2012	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:0
5/22/2012	0	LICENSES COMMITTEE	RECONSIDERED	Pass	4:0
5/22/2012	0	LICENSES COMMITTEE	SUBSTITUTED	Pass	4:0
5/22/2012	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
5/22/2012	1	COMMON COUNCIL	PASSED	Pass	12:0
6/1/2012	1	MAYOR	SIGNED		
6/11/2012	1	CITY CLERK	PUBLISHED		

120043
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to licensing procedures and regulations of general applicability.

81-1-4.5 cr
81-9-4 rp
81-51-5 rp
81-104.6-4 rp
81-131-3 rp
84 (title) rc
84-3 rn
84-4 ra
84-5 rn
84-6 rn
85-2.5-0 am
85-2.5-1-i rp
85-2.5-1-L rc
85-2.5-1-n rp

85-2.5-1-p rp
85-2.5-1-q rp
85-29-1-a am
85-29-1-b rp
85-29-1-d rn
85-29-1-e rn
85-29-1-f rn
85-29-1-fg rn
85-29-1-g rn
85-29-1-h rn
85-29-1-j rn
85-29-1-jg rn
85-29-1-jr rn
85-29-1-k rn
85-29-1-k cr
85-29-1-L rn
85-29-1-Lm rn
85-29-1-m rn
85-29-1-n rn
85-29-1-ng rn
85-29-1-nm rn
85-29-1-o rp
85-29-1-p rp
85-29-1-q rp
85-29-1-r rn
85-29-1-s rn
85-29-1-sm rn
85-29-1-t rn
85-29-1-u rn
85-29-1-u cr
85-29-1-um rn
85-29-1-v rn
85-29-1-w rp

This ordinance moves certain licensing provisions of general applicability from a chapter that primarily pertains to specific miscellaneous license types (e.g., extended hours establishments and bill-posting businesses) to the chapter of the code that sets forth licensing and permitting procedures that apply to all licenses and permits issued by the city clerk unless specific procedures are provided elsewhere in the code.

This ordinance also creates an additional provision of general applicability, namely, that an application for renewal of a permit or license issued by the city clerk shall be filed on or before a date to be established by the city clerk. Any person who fails to meet an application filing deadline established by the city clerk shall pay a late application fee. In conjunction with creation of this provision, the ordinance repeals a number of late-application fees that were specific to certain license types.

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

Part 1. Section 81-1-4.5 of the code is created to read:

81-1. General Provisions.

4.5. FILING OF RENEWAL APPLICATION. An application for renewal of a permit or license issued by the city clerk shall be filed on or before a date to be established by the city clerk. Any person who fails to meet an application filing deadline established by the city clerk shall pay the late filing fee provided in sub. 5.

Part 2. Sections 81-9-4, 81-51-5, 81-104.6-4 and 81-131-3 of the code are repealed.

Part 3. The title of chapter 84 is repealed and recreated to read:

CHAPTER 84 MISCELLANEOUS LICENSES

Part 4. Section 84-3 of the code is renumbered 85-25.

Part 5. Section 84-4 of the code is renumbered 85-27 and amended to read:

85-27. Revocation of Licenses. The judge of the county court may at his >>or her<< discretion revoke and annul any license issued under this ~~[[chapter]]~~ >>code<< upon the conviction of any >>licensed<< person ~~[[licensed hereunder]]~~ of any crime or of the violation of any city ordinance which in the opinion of ~~[[said]]~~ >>the<< judge should necessitate ~~[[such]]~~ revocation. It shall be the duty of the clerk of the county and municipal courts to notify the city clerk of the revocation of ~~[[such]]~~ >>a<< license. Any license issued under this ~~[[chapter]]~~ >>code<< may be also revoked by the common council in its discretion for any improper conduct of the >>licensed<< person ~~[[so licensed; except that the mayor shall have the power to revoke the licenses of circuses, carnivals, parades, theatrical or operatic performances]]~~ .

Part 6. Sections 84-5 and 84-6 of the code are renumbered 85-29 and 85-2.5.

Part 7. Section 85-2.5-0 of the code is amended to read:

85-2.5. Notice of Hearing >>Upon Council Member Request<< .

Part 8. Section 85-2.5-1-i, n, p and q of the code is repealed.

Part 9. Section 85-2.5-1-L of the code is repealed and recreated to read:

1. CITY CLERK TO NOTIFY.

L. Public entertainment premises.

Part 10. Section 85-29-1-a of the code is amended to read:

85-29. Discrimination by License Holders.

1. DISCRIMINATION PROHIBITED.

a. Amusement machine >>or jukebox<< distributor.

Part 11. Section 85-29-1-b, o, p, q and w of the code is repealed.

Part 12. Section 85-29-1-d, e, f, fg, g, h, j, jg, jr, k, L, Lm, m, n, ng, nm, r, s, sm, t, u, um and v of the code is renumbered 85-29-1-b, c, d, e, f, g, h, i, j, L, m, n, o, p, q, r, s, t, v, w, x, y and z.

Part 13. Section 85-29-1-k and u of the code is created to read:

k. Extended hours establishment.

u. Public entertainment premises.

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 Clerk - License Division

LRB137345-2

Jeffrey D. Osterman

05/18/2012