



## Legislation Details (With Text)

**File #:** 130794 **Version:** 0  
**Type:** Ordinance **Status:** Passed  
**File created:** 10/15/2013 **In control:** LICENSES COMMITTEE  
**On agenda:** **Final action:** 11/5/2013  
**Effective date:**  
**Title:** An ordinance relating to insufficient funds and nonpayment of license or permit fees.  
**Sponsors:** THE CHAIR  
**Indexes:** FEES, LICENSE FEES, LICENSES, PERMITS  
**Attachments:** 1. Hearing Notice List, 2. Notice Published on 11-21-13

Date	Ver.	Action By	Action	Result	Tally
10/15/2013	0	COMMON COUNCIL	ASSIGNED TO		
10/16/2013	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
10/21/2013	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
11/5/2013	0	COMMON COUNCIL	PASSED	Pass	15:0
11/12/2013	0	MAYOR	SIGNED		
11/21/2013	0	CITY CLERK	PUBLISHED		

130794  
ORIGINAL

### THE CHAIR

An ordinance relating to insufficient funds and nonpayment of license or permit fees.

60-1-4 cr

68-4-8 rp

74-1-5-b rp

74-1-5-c rn

81-1-8 cr

90-5-4-e am

This ordinance transfers from code regulation sections to fee chapters code provisions relating to insufficient funds and nonpayment of license or permit fees for licenses or permits issued by the city clerk's office.

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

Part 1. Section 60-1-4 of the code is created to read:

### 60-1. General Provisions.

**4. INSUFFICIENCY OF FUNDS; NONPAYMENT OF FEES.** a. Except where otherwise provided, if payment for a license or permit fee issued through the city clerk's office is made by check or other draft drawn upon an account containing insufficient funds, the applicant shall, within 15 days from the

date of the letter from the city clerk of the insufficiency, pay by cashier's check or other certified draft, money order or cash, the fees, late fees and processing charges as specified by city code. Nonpayment of all applicable fees, late fees and processing charges within 15 days after the applicant received notice of the insufficiency shall deem the license or permit null and void. The establishment shall close until a new application is made, a new license obtained, and the applicable fees are paid.

b. Any individual or corporation that owes the city for unpaid fines, late fees, or license or permit fees relating to a current or previous food operation shall pay all such outstanding fees before any license or permit is issued.

Part 2. Section 68-4-8 of the code is repealed.

Part 3. Section 74-1-5-b of the code is repealed.

Part 4. Section 74-1-5-c of the code renumbered to 74-1-5-b.

Part 5. Section 81-1-8 of the code is created to read:

#### **81-1. General Provisions.**

**8. INSUFFICIENCY OF FUNDS; NONPAYMENT OF FEES.** a. Except where otherwise provided, if payment for a license or permit fee issued through the city clerk's office is made by check or other draft drawn upon an account containing insufficient funds, the applicant shall, within 15 days from the date of the letter from the city clerk of the insufficiency, pay by cashier's check or other certified draft, money order or cash, the fees, late fees and processing charges as specified by city code. Nonpayment of all applicable fees, late fees and processing charges within 15 days after the applicant received notice of the insufficiency shall deem the license or permit null and void. The establishment shall close until a new application is made, a new license obtained, and the applicable fees are paid.

b. Any individual or corporation that owes the city for unpaid fines, late fees, or license or permit fees relating to a current or previous food operation shall pay all such outstanding fees before any license or permit will is issued.

Part 6. Section 90-5-4-e of the code is amended to read:

#### **90-5. Licensing.**

##### **4. DEPOSIT OF FEE; REFUND.**

e. ~~[[If payment for a license fee is made by check or other draft and payment on the draft is stopped or the draft is drawn upon a non-existent or an account containing insufficient funds, the applicant shall, within 15 days after the receipt of notice from the city clerk of the insufficiency, pay by cashier's check or other certified draft, money order or cash, the fees, late fees and processing charges as specified by the code.]]~~ Non-payment of all applicable fees, late fees and processing charges within 15 days ~~[[after the applicant received notice]]~~ >>from the date of the letter advising<< of the insufficiency shall render the license null and void as prescribed in s.125.04 (1) and (8), Wis. Stats. If the license is required for the operation of an establishment, the

establishment shall be closed until all fees, late fees and processing charges are paid in full.

..LRB

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

LRB149318-1

Amy E. Hefter

9/25/2013