



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	12/16/2014	<b>In control:</b>	COMMON COUNCIL
<b>On agenda:</b>		<b>Final action:</b>	1/21/2015
<b>Effective date:</b>			
<b>Title:</b>	A substitute ordinance relating to the maximum period of time allowed for common council approval of certain public entertainment premises license applications.		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	COMMON COUNCIL, LICENSES		
<b>Attachments:</b>	1. Notice Published on 2-6-15		

Date	Ver.	Action By	Action	Result	Tally
12/16/2014	0	COMMON COUNCIL	ASSIGNED TO		
1/6/2015	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
1/21/2015	1	COMMON COUNCIL	PASSED	Pass	15:0
1/28/2015	1	MAYOR	SIGNED		
2/6/2015	1	CITY CLERK	PUBLISHED		

141411  
SUBSTITUTE 1

### THE CHAIR

A substitute ordinance relating to the maximum period of time allowed for common council approval of certain public entertainment premises license applications.

108-5-1-b am

Currently, the code requires the common council to approve every public entertainment premises license application within 60 days after the city clerk certifies that the application is complete, unless the application is denied in writing by the common council following a licensing committee hearing conducted in accordance with the procedures of ch. 85 (general licensing provisions). This ordinance provides that the 60-day provision shall only apply to an application for a new public entertainment premises license or for a deviation from the type of entertainment specified on a previously-approved plan of operation. It further provides that the 60-day provision shall not apply if the application relates to a premises for which one or more other licenses subject to the licensing procedures of ch. 85 are sought or held, such as a tavern or restaurant, in which case the timeline set forth in ch. 85 applies.

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

Part 1. Section 108-5-1-b of the code is amended to read:

### 108-5. License Required.

#### 1. REQUIREMENT.

b. To promote and protect the freedom of speech and expression guaranteed under the United States and Wisconsin Constitutions and article 1, section 3 of the Wisconsin Constitution, the common council shall approve every ~~[[public entertainment premises license]]~~ application >>for a new public entertainment premises license or for a deviation from the type of entertainment specified on a previously-approved plan of operation<< within 60 days after the city clerk certifies that the application is complete, unless the application is denied in writing by the common council following a licensing committee hearing conducted in accordance with the procedures of ch. 85. >>In the event the 60-day time limit expires during the August common council recess, the application shall be considered in the following common council cycle. The 60-day provision shall not apply if the application relates to a premises for which one or more other licenses subject to the licensing procedures of ch. 85 are sought or held, in which case the timeline set forth in ch. 85 applies.<<

..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's Office

LRB156314-1

Jeff Osterman

12/17/2014