



## Legislation Details (With Text)

**File #:** 100194 **Version:** 1

**Type:** Resolution **Status:** Passed

**File created:** 5/25/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:** 7/7/2010

**Effective date:**

**Title:** Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the regulation of precious gem and gold dealers.

**Sponsors:** ALD. BOHL, ALD. COGGS, ALD. WITKOWSKI

**Indexes:** LICENSES, SECONDHAND DEALERS, STATE LEGISLATION

**Attachments:** 1. Fiscal Note, 2. City Attorney Opinion, 3. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/25/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/2/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/2/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/7/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
6/17/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/17/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/22/2010	1	CITY CLERK	Sponsor added		
6/28/2010	1	CITY CLERK	Sponsor added		
6/28/2010	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
7/7/2010	1	COMMON COUNCIL	ADOPTED	Pass	13:0
7/9/2010	1	MAYOR	SIGNED		

100194

SUBSTITUTE 1

ALD. BOHL, COGGS AND WITKOWSKI

Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the regulation of precious gem and gold dealers.

This resolution directs the Intergovernmental Relations Division - Department of

Administration to develop, introduce and pursue passage of state legislation expanding municipal authority to approve, issue, deny, refuse renewal, suspend and revoke precious metal and gem dealer licenses.

Whereas, Section 134.71, Wis. Stats., sets a single criteria for denial of a precious metal and gem dealer license - namely that the applicant has not been convicted of a felony or serious misdemeanor, or violated a local ordinance governing precious metal and gem dealers within the last 10 years; and

Whereas, Changes in the precious metal and gem marketplace, including but not limited to the emergence of "cash for gold" storefront operations, have significantly altered the impact precious metal and gem dealer operations have on the health, safety and welfare of the communities surrounding these dealer operations; and

Whereas, An expansion of municipal authority under State statute to approve, issue, deny, refuse renewal, suspend and revoke precious metal and gem dealer licenses will give municipalities the resources needed to effectively protect the health, safety and welfare of municipal residents; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is directed to develop, introduce and pursue the passage of state legislation expanding municipal authority to approve, issue, deny, refuse renewal, suspend and revoke precious metal and gem dealer licenses; and, be it

Further Resolved, This state legislation shall substantially include, but not necessarily be limited to, the municipal authority to:

1. Consider possible or existing neighborhood problems stemming from a dealer's operation when granting or denying a license.
2. Consider the impact of an overconcentration of precious metal and gem dealer operations, or similar operations such as pawnbrokers, check cashing and payday loan establishments, on the surrounding neighborhood when granting or denying a license.
3. Consider other factors reasonably judged to affect the health, safety and welfare of the surrounding neighborhood when granting or denying a license.
4. Suspend dealer licenses for 10 to 90 days if the dealer fails to properly record and report transactions, buys items under clearly suspicious circumstances or knowingly buys stolen items, or if neighborhood problems develop as a result of a dealer's operation, or to protect and preserve the health, safety and welfare of the surrounding neighborhood.
5. Revoke dealer licenses if the dealer or a dealer's operation:
  - a. Fails to meet municipal qualification standards, fails to comply with recordkeeping, reporting and all other municipal operating regulations or fails to comply with all building and zoning code regulations.
  - b. Results in neighborhood problems.

- c. Establishes a pattern of buying items under clearly suspicious circumstances or knowingly buying stolen items.
- d. Undermines or threatens to undermine the health, safety and welfare of surrounding neighborhoods.

LRB #10259-1  
ANC  
06/03/2010