



## Legislation Details (With Text)

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**Type:** Ordinance **Status:** Passed

**File created:** 6/14/2011 **In control:** LICENSES COMMITTEE

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**Effective date:**

**Title:** An ordinance relating to disqualification for licensing following withdrawal of a license application by the applicant.

**Sponsors:** THE CHAIR

**Indexes:** ALCOHOL - REGULATION AND LICENSING, FOOD DEALERS, LICENSES

**Attachments:** 1. Hearing Notice List, 2. Notice Published on 7-22-11

Date	Ver.	Action By	Action	Result	Tally
6/14/2011	0	COMMON COUNCIL	ASSIGNED TO		
6/16/2011	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
6/20/2011	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:0
7/6/2011	0	COMMON COUNCIL	PASSED	Pass	15:0
7/11/2011	0	MAYOR	SIGNED		
7/22/2011	0	CITY CLERK	PUBLISHED		

110227  
ORIGINAL

THE CHAIR

An ordinance relating to disqualification for licensing following withdrawal of a license application by the applicant.

68-4-12 rc

68-4-16 rp

68-4-17 rp

85-13-3 rn

85-13-3 cr

85-13-4 rn

85-13-5 rn

85-13-6 rn

85-13-7 rn

90-5-9-b rc

This ordinance updates procedures for license disqualification for food dealer and liquor and tavern licenses by placing disqualification procedures for these licenses in ch. 85, the license and permit procedures chapter of the code.

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

Part 1. Section 68-4-12 of the code is repealed and recreated to read:

#### **68-4. Food Dealer License.**

**12. DISQUALIFICATION FOR LICENSE.** Whenever any application is withdrawn, denied, or license not renewed, revoked or surrendered the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

Part 2. Sections 68-4-16 and 17 of the code are repealed.

Part 3. Sections 85-13-3 to 7 of the code are renumbered to 85-13-4 to 8.

Part 4. Section 85-13-3 of the code is created to read:

#### **85-13. Disqualification for License.**

**3. WHEN WITHDRAWN.** Whenever a new application for a license is withdrawn after commencement of the hearing of the licensing committee, the application shall be considered denied upon withdrawal for purposes of the disqualification provided in sub. 4, except that the period of disqualification shall be 6 months from the date of withdrawal.

Part 5. Section 90-5-9-b of the code is repealed and recreated to read:

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

#### **9. DISQUALIFICATION.**

b. Whenever a new application for a Class "A" retailer's intoxicating liquor license, a Class "B" retailer's intoxicating liquor license, a Class "B" retailer's service bar license, a Class "B" manager's license, a Class "A" fermented malt beverage retailer license, a Class "B" fermented malt beverage retailer license, a Class "C" wine retailer license, a Class "D" operator's license, a tavern amusement, dancing and music license, or a center for the visual and performing arts license, is withdrawn after commencement of the hearing of the licensing committee procedures for withdrawal provided in s. 85-13-3 shall apply.

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:\_\_\_\_\_

LRB121462-1  
Amy E. Hefter  
6/6/2011