



Legislation Text

File #: 120118, **Version:** 3

120118 SUBSTITUTE 3

THE CHAIR

A substitute ordinance relating to issuance and display of licenses and permits.

85-12.5 cr

85-25 rc

90-16 rc

95-2-4-b am

This ordinance clarifies requirements for issuance, posting and display of licenses and permits. Any license or permit for activities conducted on premises specified in the license or permit must be posted in a conspicuous manner.

Licenses issued under chapter 85 of the code are to be signed by the city clerk and sealed with the corporate seal of the city.

Any license or permit that cannot be produced or displayed due to loss, theft, mutilation or destruction or that is not legible due to defacement or any other reason shall be promptly replaced by the licensee or permittee.

This ordinance also provides that a Class “D” operator licensed under s. 90-4-10 to 12 may, as an alternative to posting the operator’s license with other premises licenses, carry the license upon his or her person while engaged in licensed activities. If carried in the conduct of licensed activities, the Class “D” license must be produced and displayed to any party requesting to see the license. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 85-12.5 of the code is created to read:

85-12.5. Issuance of License or Permit; Duplicate Required. 1. ISSUANCE. Each license or permit authorized to be issued by the city clerk shall contain the signature of the city clerk and shall be sealed with the corporate seal of the city. No license or permit shall be issued until the applicant shall satisfy the common council, or other public body or official authorized by the common council, that he or she has in every manner complied with the ordinances pertaining to the issuance of the license or permit, including payment to the city of the required license or permit fee.

2. DUPLICATE REQUIRED. Any license or permit that cannot be produced or displayed due to loss, theft, mutilation or destruction or that is not legible due to defacement or any other reason shall be promptly replaced by the licensee or permittee upon payment of the fee for a duplicate copy provided in s. 81-1-4.

Part 2. Section 85-25 of the code is repealed and recreated to read:

85-25. Display of License or Permit. Except as otherwise expressly provided in this code, any license or permit issued by the city clerk that authorizes the conduct of business upon or within identified premises shall be posted and displayed in a conspicuous place on the premises and shall be readily accessible for inspection by all members of the public and proper authorities who enter upon or within the premises.

Part 3. Section 90-16 of the code is repealed and recreated to read:

90-16. Display of License. 1. POSTING. Every person licensed under this chapter shall post the license and maintain it posted while in force in a conspicuous place in the room or place where alcohol beverages are drawn or removed for service or sale. It shall be unlawful for any person to post the license or to permit another person to post the license upon premises other than those identified in the application, or knowingly to deface or destroy the license.

2. CARRYING BY OPERATORS. A Class "D" operator licensed under s. 90-4-10 to 12 may carry the license on his or her person while engaged in activities related to drawing, removing for service or serving alcohol beverages and, if carried, shall present the license for inspection upon request made by any person. A license carried as provided in this subsection need not be posted as required in sub. 1.

Part 4. Section 95-2-4-b of the code is amended to read:

95-2. Transient Merchants.

4. ISSUANCE; QUALIFICATIONS OF LICENSEES; POSTING.

b. No license shall be granted to a person under 18 years of age, and no applicant to whom a license has been refused or who has had a license which has been revoked shall make further application until a period of at least 6 months shall have elapsed since the last previous rejection or revocation, unless he can show that the reason for such rejection or revocation no longer exists. Every licensee, while exercising his license, shall carry the license with him or keep the same posted in his place of business >>as provided in s. 85-25<< and shall exhibit the same upon demand of an officer or customer or prospective vendee. A license shall not be assignable, and any holder of such license who permits it to be used by any other person, and also any person who uses a license granted to any other person shall be guilty of a violation of this section.

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: _____

License Division
LRB124916-5.2
Richard L. Withers
6/12/2012