



Legislation Text

File #: 141213, Version: 0

141213
ORIGINAL

ALD. BOHL

An ordinance relating to the duration of license and permit suspensions.

85-4-6 am

85-5-4-f am

Currently, the code provides that, unless otherwise specified, a license or permit may be suspended for a period of not less than 10 days and not more than 90 days. This ordinance provides that a license or permit may be suspended for a period of not less than one day and not more than 90 days, unless a different suspension period is prescribed by state law.

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

Part 1. Section 85-4-6 of the code is amended to read:

85-4. Hearing Procedure; Non-Renewal, Suspension or Revocation.

6. COMMITTEE REPORT. The committee may make a report and recommendations immediately following the hearing or at a later date. The committee may recommend that the license or permit be renewed, not renewed, suspended or revoked. In addition, if the committee determines that circumstances warrant, the committee may recommend that the license or permit be renewed conditioned upon a suspension of the license or permit for a defined period of time. When the committee elects to recommend that a license or permit be renewed with a period of suspension, the license or permit may be suspended for a period of not less than ~~[[10 days]]~~ >>one day<< and ~~[[no]]~~ >>not<< more than 90 days >>, unless a different suspension period is prescribed by state law<< .

Part 2. Section 85-5-4-f of the code is amended to read:

85-5. Council Action.

4. PROCEDURE AT MEETING OF THE COMMON COUNCIL.

f. Unless otherwise expressly provided, the revocation of a license or permit shall be effective upon service of the notice of decision upon the applicant or upon any person having charge or control of a licensed premises. Suspension of a license or permit in proceedings for revocation shall be effective upon service of the notice of decision upon the applicant or upon any person having charge or control of a licensed premises. Suspension of a license or permit in proceedings for renewal shall be effective on the date the common council takes action to suspend the license or permit, or on the date of the expiration of the license or permit, whichever is later. A license or permit may be suspended for not less than ~~[[10 days]]~~ >>one day<< and ~~[[no]]~~ >>not<< longer than 90 days >>, unless a different suspension period is prescribed by state law<< .

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: _____

LRB155830-1
Jeff Osterman
11/13/2014