



Legislation Text

File #: 150634, **Version:** 2

150634
SUBSTITUTE 2

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An ordinance relating to fingerprinting requirements for certain licenses and permits.

68-21-3.5	cr
68-41-3-n	cr
68-43-3-c	rc
68-43-3-d	am
75-1-10	am
75-5-9	am
75-15-4-b	am
81-104	am
84-7-7	am
84-45-10	am
92-2-4	rc
95-1-3-d	am
95-14-3-e	rc
100-50-7	am
105-75-3-d	rc
105-75-4-c	rp
107-13-3-e	am

Currently, each applicant for a license or permit subject to review by a licensing committee of the common council is required to be fingerprinted, unless otherwise provided in the code. This ordinance exempts applicants for the following licenses, permits and registrations from the fingerprinting requirement:

1. Alarm businesses.
2. Amusement machine and juke box distributors.
3. Bed and breakfast establishments.
4. Certified providers.
5. Extended hours establishments.
6. Filling stations.
7. Food dealers.
8. Public passenger vehicle owners (not including drivers).
9. Self-service laundries.

This ordinance further standardizes language concerning fingerprinting for license and permit applicants not exempted under this ordinance.

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

Part 1. Section 68-21-3.5 of the code is created to read:

68-21. Food Dealer License.

3.5. FINGERPRINTING. All applicants for food dealer licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

Part 2. Section 68-41-3-n of the code is created to read:

68-41. Food Peddlers.

3. APPLICATION.

n. Fingerprints, as provided in s. 85-21-1.

Part 3. Section 68-43-3-c of the code is repealed and recreated to read:

68-43. Ice Cream Peddler License.

3. APPLICATION.

c. Fingerprints, as provided in s. 85-21-1.

Part 4. Section 68-43-3-d of the code is amended to read:

d. ~~[[Photos. Each applicant for an ice cream peddler license shall file with the application 2]]>>Two<<~~ recent photographs suitable in size and form, as determined by the city clerk, for inclusion on the applicant's official license. One photograph shall be attached to the license when issued, and the other photograph shall be filed with the application with the city clerk.

Part 5. Section 75-1-10 of the code is amended to read:

75-1. Self-service Laundries; Hours.

10. ~~[[FINGERPRINTING AND]] INVESTIGATION ~~[[REQUIREMENTS]]~~.~~ Each application for a new registration certificate shall be referred to the chief of police and the commissioner of neighborhood

services >>for investigation<< in accordance with ~~[[s. 85-21]]~~>>s. 85-21-2<<.

Part 6. Section 75-5-9 of the code is amended to read:

75-5. Bed and Breakfast Establishments.

9. ~~[[FINGERPRINTING AND]] INVESTIGATION [[REQUIREMENTS]]~~. Each application for a new permit shall be referred to the chief of police, the commissioner of neighborhood services and the commissioner of health in accordance with ~~[[s. 85-21]]~~>>s. 85-21-2. All applicants for bed and breakfast establishment licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1<<.

Part 7. Section 75-15-4-b of the code is amended to read:

75-15. Ambulance Certification Regulations.

4. APPLICATION FOR CERTIFICATION AS CERTIFIED PROVIDER AND SERVICE AREA.

b. Each applicant ~~[[shall be fingerprinted and]]~~ shall furnish~~[[, together therewith,]]~~ his or her name, date of birth, address, employer's name and address, a statement as to whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance other than traffic violations, and any other information required by the committee, subject to s. 111.335, Wis. Stats. ~~[[On renewals of previously issued certificates, it shall not be necessary to fingerprint the applicant. If the applicant for a certificate is a partnership, all partners shall sign the application and be fingerprinted. If the applicant for a certificate is a corporation, the president, vice-president, secretary and treasurer shall sign the application and be fingerprinted.]]~~>>All applicants for certificates as certified providers shall be exempt from the fingerprinting requirement provided in s. 85-21-1.<<

Part 8. Section 81-104 of the code is amended to read:

81-104. Secondhand Dealer's License.

1. Each license shall be valid for one year from the date of issuance >>, except for licenses for secondhand dealers dealing exclusively in used bicycles, which shall be valid for two years from the date of issuance<<.

2. The fee for each license shall be \$150 >>, except the fee for each license for secondhand dealers dealing exclusively in used bicycles, which shall be \$75<<. (See s. 92-2.)

Part 9. Section 84-7-7 of the code is amended to read:

84-7. Extended Hours Establishments.

7. FINGERPRINTING. All applicants ~~>>for extended hours establishment licenses<<~~ shall be ~~[[fingerprinted as]]>>~~exempt from the fingerprinting requirement~~<<~~ provided in s. 85-21-1.

Part 10. Section 84-45-10 of the code is amended to read:

84-45. Filling Stations.

~~10. [[FINGERPRINTING AND]] INVESTIGATION [[REQUIREMENTS]].~~ Each application for a new license shall be referred to the chief of police, the commissioner of neighborhood services and the commissioner of health in accordance with ~~[[s. 85-21]]>>~~s. 85-21-2. All applicants for filling station licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1~~<<~~.

Part 11. Section 92-2-4 of the code is repealed and recreated to read:

92-2. Secondhand Dealer's License.

4. FINGERPRINTING AND INVESTIGATION REQUIRED. a. Except for applicants dealing exclusively in secondhand bicycles, all applicants for secondhand dealer's licenses shall be fingerprinted as provided in s. 85-21-1.

b. The chief of police shall investigate each applicant as provided in s. 85-21-2.

Part 12: Section 95-1-3-d of the code is amended to read:

95-1. Direct Sellers.

3. APPLICATION.

d. Fingerprinting. ~~[[Each applicant for a direct seller license shall be fingerprinted by the police department. The requirement that an applicant be fingerprinted shall not apply to a person already licensed by the city when that person is renewing the license. If a set of fingerprints is on file with the police department, an additional set shall not be required unless expressly requested by the police department for purposes of verification.]] >>~~All applicants for direct seller licenses shall be fingerprinted as provided in s. 85-21-1.~~<<~~

Part 13. Section 95-14-3-e of the code is repealed and recreated to read:

95-14. Home Improvement Contractor and Salesperson Licenses.

3. APPLICATION.

e. Fingerprinting. All applicants for home improvement contractor or salesperson licenses shall be fingerprinted as provided in s. 85-21-1.

Part 14. Section 100-50-7 of the code is amended to read:

100-50. Public Passenger Vehicle Permits.

7. FINGERPRINTING. All applicants >>for public passenger vehicle permits<< shall be ~~[[fingerprinted as]]~~>>exempt from the fingerprinting requirement<< provided in s. 85-21-1.

Part 15. Section 105-75-3-d of the code is repealed and recreated to read:

105-75. Private Alarm Systems and Regulations.

3. LICENSE REQUIRED.

d. All applicants for licenses issued under this chapter shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

Part 16. Section 105-75-4-c of the code is repealed.
(Note: The provision being repealed reads as follows:

4. CHANGES TO BE REPORTED.

c. If there is a change of agent by the licensee, the new agent shall be fingerprinted within 10 days of such change.)

Part 17. Section 107-13-3-e of the code is amended to read:

107-13. Amusement Machine or Jukebox Distributor License.

3. APPLICATION PROCEDURE.

e. Fingerprinting. All applicants >>for amusement machine or jukebox distributor licenses<< shall be ~~[[fingerprinted as]]~~>>exempt from the fingerprinting requirement<< provided in s. 85-21-1.

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: _____

LRB 157499-3
Andrew R. VanNatta
09/15/2015