



Legislation Text

File #: 161311, **Version:** 1

161311

SUBSTITUTE 1

060762

THE CHAIR

A substitute ordinance relating to the clarification, standardization and correction of code provisions relating to licensing fees and procedures.

81-1-8-a	am
81-2-3	rp
81-2-4	rn
81-2-5	rn
81-28	rc
81-51.6-3	rp
81-56.3-4	rc
80-60.7-4	rp
81-70-1-a	rp
81-70-1-b	rp
81-70-4	rc
81-101.2-2	rc
81-121-7	rp
93-45-1-c-1	am
95-1-2-a-3	rc
95-1-2-a-8	rp
95-1-2-a-9	rn
95-1-2-a-10	rn
95-1-2-a-11	rn
95-1-2-a-12	rn

This ordinance establishes a late application fee of \$25 for the following licenses: alarm, special class "B", filling station, food peddler, public entertainment premises, and tattoo and body-piercing, which is consistent with recent code changes standardizing late application fees.

This ordinance also makes the following changes:

1. Corrects inconsistencies in the code relating to non-payment of fees.
2. Clarifies requirements for submission of photographs for recycling, salvaging and towing vehicles.
3. Clarifies licensing requirements for direct sellers, to be consistent with state code.
4. Removes redundant code provisions.

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

Part 1. Section 81-1-8-a of the code is amended to read:

81-1. General Provisions.

8. INSUFFICIENCY OF FUNDS; NONPAYMENT OF FEES. a. Except where otherwise provided, if payment for a license or permit fee issued through the city clerk's office is made by check or other draft drawn upon an account containing insufficient funds, the applicant shall, within 15 days from the date of the letter from the city clerk of the insufficiency, pay by cashier's check or other certified draft, money order or cash, the fees, late fees and processing charges as specified by city code. Nonpayment of all applicable fees, late fees and processing charges within 15 days ~~[[after the applicant received notice of the insufficiency]]~~ >>from the date of the letter from the city clerk<< shall deem the license or permit ~~[[null and void]]~~ >>suspended<<. The establishment shall ~~[[close until a new application is made, a new license obtained, and the applicable fees are paid]]~~ >>not perform any activities authorized under the license until the license is reinstated or issued<<.

Part 2. Section 81-2-3 of the code is repealed.

(Note: The provision being repealed reads as follows:

81-2. Alarm Licenses.

3. License renewal applications shall be filed on or before a date to be established by the city clerk. There shall be an additional fee of \$75 for the filing of a late renewal application.)

Part 3. Section 81-2-4 and 5 is renumbered 81-2-3 and 4.

Part 4. Section 81-28 of the code is repealed and recreated to read:

81-28. Special Class "B" License. The fee for each special Class "B" license shall be \$10.

Part 5. Section 81-51.6-3 of the code is repealed.

(Note: The provision being repealed reads as follows:

81-51.6. Filling Station License.

3. There shall be an additional \$100 fee for the filing of a late renewal application.)

Part 6. Section 81-56.3-4 of the code is repealed.

Part 7. Section 81-60.7-4 of the code is repealed.

(Note: The provision being repealed reads as follows:

81-60.7. Ice Cream Peddler License.

4. A license renewal shall be filed by the deadline established by the city clerk.)

Part 8. Section 81-70-1-a and b of the code is repealed.

Part 9. Section 81-70-4 of the code is repealed and recreated to read:

4. a. No fee for the renewal of a loading zone permit shall be charged to any nonprofit organization or any disabled person, as these terms are defined in s. 101-23.7.

b. The common council may grant a late renewal of a loading zone permit to a disabled person as defined in s. 101-23.7-1-b, at no charge, if evidence is submitted that the medical condition that qualifies the person as disabled under that section still exists.

Part 10. Section 81-101.2-2 is repealed and recreated to read:

81-101.2. Public Entertainment Premises License.

2. TEMPORARY PERMIT. The fee for each temporary permit shall be \$50.
(See 108-5)

Part 11. Section 81-121-7 of the code is repealed.
(Note: The provision being repealed reads as follows:

81-121. Tattooing and Body-Piercing Establishments.

7. LATE FEE. There shall be an additional fee of \$54 for the late filing of a renewal application for any of the licenses listed in this section.)

Part 12. Section 93-45-1-c-1 of the code is amended to read:

93-45. Operating Regulations for Recycling, Salvaging or Towing Vehicles.

1. LICENSE STICKERS AND SIGNAGE.

c-1. ~~[[One]]~~ >>If not already on file, one<< or more photographs of each motor vehicle used in the business of recycling, salvaging or towing shall be submitted to the city clerk in a form and manner acceptable to the city clerk prior to issuance of a ~~[[new or renewal]]~~ license.

Part 13. Section 95-1-2-a-3 of the code is repealed and recreated to read:

95-1. Direct Sellers.

2. LICENSE REQUIRED.

a-3. Any person solely selling food and licensed under ch. 68, or exempted from licensing under ch. 68.

Part 14. Section 95-1-2-a-8 of the code is repealed.

(Note: The provision being repealed reads as follows:

a-8. A food peddler who is only selling food licensed under ch. 68.)

Part 15. Section 95-1-2-a-9 to 12 is renumbered 95-1-2-a-8 to 11.

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

LRB167527-2

Andrew R. VanNatta

Teodros W. Medhin

1/23/2017