



Legislation Details (With Text)

File #:	29243	Version:	2	Name:	"dba" name change notice
Type:	Ordinance	Status:	Passed		
File created:	2/25/2013	In control:	ALCOHOL LICENSE REVIEW COMMITTEE		
On agenda:	4/16/2013	Final action:	4/16/2013		
Enactment date:	4/25/2013	Enactment #:	ORD-13-00058		
Title:	SUBSTITUTE Creating new Sec. 38.05(3)(k)3. and renumbering current Secs. 38.05(3)(k)3. through 6. to Secs. 38.05(3)(k)4. through 7., respectively, of the Madison General Ordinances to require written notification to the City Clerk when a licensee changes their "doing business as" name or the establishment reorganizes the business entity.				
Sponsors:	Shiva Bidar, Michael E. Verveer				
Indexes:					
Code sections:					
Attachments:	1. Version 1				

Date	Ver.	Action By	Action	Result
4/16/2013	2	COMMON COUNCIL	Adopt	Pass
3/20/2013	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/5/2013	1	COMMON COUNCIL	Referred	Pass
2/25/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

There may be a minimal increase in General Fund Revenues derived from the filing fee.

Title

SUBSTITUTE Creating new Sec. 38.05(3)(k)3. and renumbering current Secs. 38.05(3)(k)3. through 6. to Secs. 38.05(3)(k)4. through 7., respectively, of the Madison General Ordinances to require written notification to the City Clerk when a licensee changes their "doing business as" name or the establishment reorganizes the business entity.

Body

DRAFTER'S ANALYSIS: There is currently no provision in the ordinances that requires notification to the City Clerk when a licensee changes their "doing business as" name or the establishment reorganizes the business entity without any change in corporate control. This section does not in any way affect a licensee's responsibilities under Sec. 38.05(3)(k) as they pertain to transfer of ownership or control of a license. A \$25 filing fee will be required when filing the change form.

The Common Council of the City of Madison do hereby ordain as follows:

1. New paragraph 3. of Subdivision (k) entitled "Application for Approval of Transfer of Ownership or Control of License" of Subsection (3) entitled "Application for Licenses" of Section 38.05 entitled "General Licensing Requirements" of the Madison General Ordinances is created to read as follows:
"3. Any time a licensee changes the "doing business as" name of the establishment or reorganizes the business entity from a sole proprietorship to a different entity or a business entity that reorganizes as a sole proprietorship or other entity, shall, within five (5) business days of making such change, file with the City Clerk a Business Name Change/Entity Reorganization form for the Alcohol License Review Committee's consideration. Failure to comply with this provision shall be a ground for suspension or revocation of licensee's alcohol beverage license after a hearing pursuant to the provisions set forth in

Sec. 38.10 of these ordinances. Each Business Name Change/Entity Reorganization form filed with the Clerk shall be accompanied by a twenty-five dollar (\$25) filing fee.”

2. Current Paragraphs 3. through 6. of Subdivision (k) entitled “Application for Approval of Transfer of Ownership or Control of License” of Subsection (3) entitled “Application for Licenses” of Section 38.05 entitled “General Licensing Requirements” of the Madison General Ordinances are hereby renumbered to Paragraphs 4. through 7., respectively.