

- (j) Application. Upon application to the City Clerk, the City Clerk shall refer the entertainment license application to the ALRC for a public hearing pursuant to Madison General Ordinance Section 38.05(3)(c). The ALRC shall make a determination and recommendation to the Common Council regarding the issuance of the entertainment license. The ALRC may recommend, and the Common Council may impose, restrictions on the entertainment license hours relating to presentation of live entertainment if the information or evidence available to and considered by the ALRC and/or Common Council reasonably establish that such restriction is necessary to protect the health, safety and welfare of the designated neighborhood or necessary to prevent underage patrons from purchasing, possessing or consuming alcohol beverages on the licensed premise.
- (k) Fee. The annual license fee shall be two hundred and fifty dollars (\$250.00) and the license shall expire on June 30 following its issuance.
- (l) Renewal. Entertainment licenses shall be obtained on or before June 30 of each year or be subject to a late filing of fifteen percent (15%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to obtain the license.
- (m) Change In Operation. If, after the license has been granted or issued, the licensee wishes to make any substantial deviations from its original plan of operation, the licensee shall file a written request with the City Clerk which states the nature of the change. No change shall take place until the request has been considered by the ALRC and approved by the Common Council.
- (n) Revocation/Suspension or Non-renewal. A Complaint for revocation, suspension or non-renewal of an entertainment license may be made by; An Alderperson; The Police Chief; The City Attorney; and/or any resident of the City of Madison. Complaints shall be made in writing and filed with the City Clerk who shall then refer the Complaint to the ALRC for a hearing. The ALRC may recommend to the Common Council that an entertainment license be suspended for cause after notice to the licensee and a hearing. If an entertainment license is revoked, no other entertainment license shall be issued to the same person for the same premises for at least twelve (12) months. Entertainment licenses may be suspended or revoked for any of the following causes:
1. Violation of any conditions or restrictions placed on the license by the Common Council;
 2. Repeated violations of any provisions of Chapter 38, MGO;
 3. The licensed premises is operated in such a manner that it has a substantial adverse effect upon the health, safety and welfare of the immediate neighborhood;
 4. Any other reasonable cause which shall be in the best interests and good order of the City.
- The licensee shall be notified in writing of the charges against her or him at least ten (10) days prior to the hearing. At the hearing, the complainant and the licensee will have an opportunity to produce witnesses, cross-examine witnesses and be represented by counsel. The proceedings shall be tape-recorded. Within ten (10) days of the hearing, the ALRC shall issue a written decision and recommendation stating the reasons therefor and forward such decision to the Common Council. If the Common Council rejects the recommendation of the ALRC, the matter shall be dismissed without costs to either party. If ordered, suspension shall be for a period not to exceed six (6) months; revocation shall be for a period of one (1) year.
- (o) Judicial Review. The decision of the Common Council shall be a final determination and shall be subject to review in court as may be provided by law. Any person aggrieved by the decision may seek review thereof within thirty (30) days after the date of the final determination.
- (p) Penalty. In addition to suspension, revocation or non-renewal of the entertainment license, licensee may be subject to a forfeiture of not less than \$500 nor more than \$1,000 plus costs for violation of any provision of this section.

- (g) Patron Regulations. Any establishment with a Visual and Performing Arts license which admits patrons under the age of twenty-one (21) years of age on the premises of the establishment when alcoholic beverages are being sold, served or permitted on the premises shall, during the time the patrons are permitted on the premises:
1. Require one form of identification. The identification shall contain the bearer's photograph and must be one of the following: state driver's license, US military identification, state issued identification card, or passport, from every person claiming to be twenty-one (21) years of age or older;
 2. Identify patrons over twenty-one (21) years of age with both an identifiable hand stamp and a bracelet and shall require every patron to show both hand stamp and bracelet before purchasing an alcoholic beverage;
 3. Sell not more than one alcoholic beverage to an eligible patron in a single transaction, and shall prohibit a patron from carrying more than one alcoholic beverage from a bar or drink dispensing location;
(Am. by ORD-05-00154, 9-20-05)
- (h) Revocation/Suspension or Non-renewal. A Complaint for revocation, suspension or non-renewal of a Center For Visual and Performing Arts license may be made by; An Alderperson; The Police Chief; The City Attorney; and/or any resident of the City of Madison. Complaints shall be made in writing and filed with the City Clerk who shall then refer the Complaint to the ALRC for a hearing. The ALRC may recommend to the Common Council that a Center For Visual and Performing Arts license be suspended for cause after notice to the licensee and a hearing. If a Center For Visual and Performing Arts license is revoked, no other Center For Visual and Performing Arts license shall be issued to the same person for the same premises for at least twelve (12) months. Center For Visual and Performing Arts licenses may be suspended or revoked for any of the following causes:
1. Violation of any conditions or restrictions placed on the license by the Common Council;
 2. Repeated violations of any provisions of Chapter 38 of the Madison General Ordinances;
 3. The licensed premises is operated in such a manner that it has a substantial adverse effect upon the health, safety and welfare of the immediate neighborhood;
 4. Any other reasonable cause which shall be in the best interests and good order of the City.
- The licensee shall be notified in writing of the charges against her or him at least ten (10) days prior to the hearing. At the hearing, the complainant and the licensee will have an opportunity to produce witnesses, cross-examine witnesses and be represented by counsel. The proceedings shall be tape-recorded. Within ten (10) days of the hearing, the ALRC shall issue a written decision and recommendation stating the reasons therefor and forward such decision to the Common Council. If the Common Council rejects the recommendation of the ALRC, the matter shall be dismissed without costs to either party. If ordered, suspension shall be for a period not to exceed six (6) months; revocation shall be for a period of one (1) year.
- (i) Judicial Review. The decision of the Common Council shall be a final determination and shall be subject to review in court as may be provided by law. Any person aggrieved by the decision may seek review thereof within thirty (30) days after the date of the final determination.
- (j) Penalty. In addition to suspension, revocation or non-renewal of the Center For Visual and Performing Arts license, licensee may be subject to a forfeiture of not less than \$500 nor more than \$1,000 plus costs for violation of any provision of this section.

(Sec. 28.06(12) Cr. by ORD-05-00121, 7-12-05; Am. by ORD-07-00070, 6-26-07))