



Legislation Details (With Text)

File #: 31736 **Version:** 1 **Name:** Demerit point system
Type: Ordinance **Status:** Passed
File created: 9/25/2013 **In control:** ALCOHOL LICENSE REVIEW COMMITTEE
On agenda: 12/3/2013 **Final action:** 12/3/2013
Enactment date: 12/11/2013 **Enactment #:** ORD-13-00202

Title: Repealing and recreating Section 38.10(4) of the Madison General Ordinances to clarify the process regarding when and how demerit points will be assessed and when point accumulation triggers suspension/revocation of a liquor license and adds additional violations to the demerit point schedule and changing point values so the demerit point system more adequately addresses recurring issues at licensed establishments.

Sponsors: Shiva Bidar, Lisa Subeck, Michael E. Verveer

Indexes:

Code sections:

Attachments: 1. BODY

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------------------|---|--------|
| 12/3/2013 | 1 | COMMON COUNCIL | Adopt and Close the Public Hearing | Pass |
| 11/20/2013 | 1 | ALCOHOL LICENSE REVIEW COMMITTEE | RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING | Pass |
| 10/16/2013 | 1 | ALCOHOL LICENSE REVIEW COMMITTEE | Refer For Public Hearing | Pass |
| 10/9/2013 | 1 | PUBLIC SAFETY REVIEW COMMITTEE | Return to Lead with the Recommendation for Approval | Pass |
| 10/1/2013 | 1 | ALCOHOL LICENSE REVIEW COMMITTEE | Refer | |
| 10/1/2013 | 1 | COMMON COUNCIL | Referred | |
| 9/25/2013 | 1 | Attorney's Office/Approval Group | Referred for Introduction | |

Fiscal Note

No fiscal impact is anticipated.

Title

Repealing and recreating Section 38.10(4) of the Madison General Ordinances to clarify the process regarding when and how demerit points will be assessed and when point accumulation triggers suspension/revocation of a liquor license and adds additional violations to the demerit point schedule and changing point values so the demerit point system more adequately addresses recurring issues at licensed establishments.

Body

DRAFTER'S ANALYSIS: This amendment puts demerit point assessment in the hands of the Alcohol License Review Committee ("Committee") after a licensee has been convicted of the underlying offenses in a court of law. Guidelines provide when point assessment and suspension/revocation is appropriate. Formal Expression of Concern is added back into the ordinance as a disciplinary tool for use in the demerit point assessment process. This ordinance also codifies the concept of progressive discipline in liquor establishment enforcement. The ordinance requires the City Attorney's office to forward a report to the Committee by March 1 of each year with detail regarding any informal as well as formal disciplinary action that has occurred against a licensed establishment in the current licensing year so that separation of renewal applications is the result of an evidence-based process. The ordinance does not in any way affect the City's ability to bring a suspension

or revocation action under Wisconsin Statutes § 125.12.

The Common Council of the City of Madison do hereby ordain as follows:
Please see "Body" in Attachments.