



Legislation Details (With Text)

File #: 06840 **Version:** 1 **Name:** PRES BIZ To suspend the Class B Combination alcohol beverage license granted to Orpheum Theatre Company

Type: Resolution **Status:** Passed

File created: 6/26/2007 **In control:** COMMON COUNCIL

On agenda: 7/3/2007 **Final action:** 7/3/2007

Enactment date: 7/5/2007 **Enactment #:** RES-07-00697

Title: To suspend the Class B Combination alcohol beverage license granted to Orpheum Theatre Company of Madison, Inc. dba, Orpheum Theatre, Eric Fleming, agent, 216 State Street, Madison, Wisconsin, for three (3) days.

Sponsors: Michael E. Verveer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/3/2007	1	COMMON COUNCIL	Adopt	Pass
6/27/2007	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
6/27/2007	1	Attorney's Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS	
6/26/2007	1	Attorney's Office	Fiscal Note Required / Approval	

Fiscal Note

No expenditure required.

Title

To suspend the Class B Combination alcohol beverage license granted to Orpheum Theatre Company of Madison, Inc. dba, Orpheum Theatre, Eric Fleming, agent, 216 State Street, Madison, Wisconsin, for three (3) days.

Body

WHEREAS, on or about June 5, 2007, a complaint was filed by Assistant City Attorney Jennifer Zilavy of the Madison City Attorney's Office alleging five (5) counts of SELLING ALCOHOL BEVERAGES TO UNDERAGE PERSON, in violation of Sec. 38.04(1)(a)2 of the Madison General Ordinances and two (2) counts of PERMITTING PATRON TO LEAVE WITH OPEN CONTAINER OF ALCOHOL, in violation of Sec. 38.07(5), at the premises known as Orpheum Theatre, 216 State Street, Madison, Wisconsin; and

WHEREAS, pursuant to Sec. 38.10 of the Madison General Ordinances, Assistant City Attorney Jennifer Zilavy and Eric Fleming and Henry Doane, on behalf of Orpheum Theatre, entered into a stipulation regarding disposition of this case and agreeing that Orpheum Theatre would have its Class B Combination alcohol beverage license suspended for a period of three (3) days; and

WHEREAS, Orpheum Theatre was assessed a forfeiture in the accompanying municipal court action in the amount of one thousand seven hundred forty seven dollars (\$1,747.00); and

WHEREAS, the parties agreed that Orpheum Theatre employees would confiscate all false ID cards presented for entry into the establishment and present such confiscated ID cards to a member of the Madison Police Department's Central District Community Policing Team on a monthly basis; and

WHEREAS, the parties agreed that Orpheum Theatre would have all employees attend the Madison Police Department's Tavern Safety Training by October 1, 2007, if they have not done so in the last two (2) years; and

WHEREAS, the parties agreed that at the time Orpheum Theatre complies with all terms of the Stipulation, the three (3) day suspension will be deemed served.

WHEREAS, the Alcohol License Review Committee approved the Stipulation of the parties.

NOW THEREFORE, BE IT RESOLVED, that the Common Council accepts the stipulation of the parties and the recommendation of the Alcohol License Review Committee and hereby agrees the three (3) day suspension of Orpheum Theatre's Class B Combination alcohol beverage license will be deemed served upon compliance with the terms of the Stipulation.