



### Legislation Details (With Text)

**File #:** 15773      **Version:** 1      **Name:** Posting of Signs re. Alcohol License

**Type:** Ordinance      **Status:** Passed

**File created:** 8/24/2009      **In control:** ALCOHOL LICENSE REVIEW COMMITTEE

**On agenda:** 10/6/2009      **Final action:** 10/6/2009

**Enactment date:** 10/22/2009      **Enactment #:** ORD-09-00142

**Title:** Amending Section 38.05(3)(d) of the Madison General Ordinances to require the posting of signs for a change in licensed premises or the establishment of a sidewalk café.

**Sponsors:** Marsha A. Rummel, Shiva Bidar, Michael E. Verveer, Michael Schumacher, Julia S. Kerr

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/6/2009	1	COMMON COUNCIL	Adopt	Pass
9/16/2009	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/1/2009	1	COMMON COUNCIL	Referred	
8/24/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

There may be a minimal increase in General Fund revenues from fines for violations. The Clerk's Office has a sufficient supply of signs so no expenditure is necessary.

**Title**

Amending Section 38.05(3)(d) of the Madison General Ordinances to require the posting of signs for a change in licensed premises or the establishment of a sidewalk café.

**Body**

DRAFTER'S ANALYSIS: Currently, Section 38.05(3)(d), MGO, requires that an applicant for a Class A or B retail alcohol license post a notification sign three (3) days after the filing of the application. This proposal extends the sign requirement for changes in the licensed premises, including applications for sidewalk cafes.

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

Subdivision (d) entitled "Sign" of Subsection (3) entitled "Application for Licenses" of Section 38.05 entitled "General Licensing Requirements" of the Madison General Ordinances is amended to read as follows:

"(d) Sign. TheAn applicant for a new Class A or Class B license or for a change in licensed premises or for a sidewalk cafe shall post a sign, obtained from the City Clerk, on the property for which the license is desired. The sign shall list the times and locations of public hearings before the Alcohol License Review Committee and Common Council to consider the application. For a change in licensed premise, the sign shall list the times and locations of the meetings of the ALRC and Common Council at which the application will be considered. The sign shall be posted no later than three (3) days after the filing of the license application and shall remain posted until the Common Council renders a final decision on the license application. The sign shall be posted in a conspicuous place where it can be readily observed at or near the entrance of the premises to be licensed; or if the property is a vacant lot, it shall be posted on a post or stake of permanent material at the midpoint of the boundary fronting the public right of way and no more than ten (10) feet from the sidewalk or public right of way. If the sign is posted outdoors, it shall be the responsibility of the applicant to take precautions necessary to

protect the sign against vandalism, weather damage or other destruction. If the sign is vandalized, damaged or destroyed, the applicant shall be responsible for obtaining a new sign and posting it within three (3) days. An applicant failing to post or maintain a sign in a manner consistent with the requirements of this Subdivision shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) per day. If it is determined that the sign was not posted as provided herein, it may be considered sufficient cause for refusal to issue the license to the applicant or to deny the application. This subdivision shall not apply to applicants for a Class B picnic beer or wine license."