



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.

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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.