



Legislation Text

File #: 21500, Version: 1

**Fiscal Note**

No noteworthy fiscal impact is anticipated.

**Title**

Amending Sec. 28.03(2) of the Madison General Ordinances to change the definition of auto title loan business.

**Body**

DRAFTER'S ANALYSIS: Following legislation prohibiting auto title loan businesses in Wisconsin, auto title loan companies have changed the details of the product they offer so that licensing under Wis. Stat. § 138.09, is not required and the prohibition does not attach. City zoning ordinances currently restrict how close to another auto title loan business or a payday loan business an auto title loan business can locate. City ordinances also define an auto title loan business as one licensed under Wis. Stat. § 138.09. In order to maintain this distance requirement, the reference to Wis. Stat. § 138.09 must be removed. At least one auto title loan business already has located by using this strategy to avoid the provisions in Wis. Stat. § 138.09 and our ordinances.

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

Subsection (2) entitled "Definitions" of Section 28.03 entitled "Rules and Definitions" of the Madison General Ordinances is amended by amending herein the following:

"Auto Title Loan Business. An auto title loan business is any person licensed pursuant to Wis. Stat. sec. 139.09, who makes a loan that is secured by an interest, other than a purchase money security interest, in the borrower's motor vehicle."