



## Legislation Text

File #: 04649, Version: 1

### Fiscal Note

The fee increases are estimated to yield an additional \$50,000 to \$75,000 in General Fund revenues annually. The revenue has been included in the Mayor's 2007 Executive Budget.

### Title

Amending Sections 9.05(5) & (7)(b), 9.08(2), 9.13(3)(a)3., 9.14(3)(k), 9.31(2), 9.52, 12.781(2) and 34.04(6)&(7) of the Madison General Ordinances to increase various license fees.

### Body

DRAFTER'S ANALYSIS: This amendment increases the license fee for an adult entertainment license and an adult entertainment tavern license. It amends the requirements for licensing of amusement devices to require one license for the entire establishment, instead of licensing each individual device. It also establishes a license fee structure based on the number of devices located within the establishment. This amendment raises the fee for special event vending licenses. It increases the application fee for obtaining a solicitor's or canvasser's permit. It raises the fee for obtaining a cat license. It increases the license fee for keeping chickens within the city. It increases the bicycle dealer's license fee. It raises license fee to maintain, store or handle hazardous materials under the fire code. It increases the license fee for public display of fireworks or pyrotechnic special-effect materials.

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

1. Subsection (5) entitled "Fees" of Section 9.05 entitled "Adult Entertainment Establishments And Adult Entertainment Taverns" of the Madison General Ordinances is amended to read as follows:

"(5) Fees. A license fee of six hundred one thousand dollars (~~\$600~~ 1000) shall be submitted with the application for an adult entertainment establishment license or an adult entertainment tavern license. If the application is denied, one half of the fee shall be returned."

2. Subdivision (b) of Subsection (7) entitled "Renewal of License" of Section 9.05 entitled "Adult Entertainment Establishments And Adult Entertainment Taverns" of the Madison General Ordinances is amended to read as follows:

"(b) A license renewal fee of six hundred one thousand dollars (~~\$600~~ 1000) shall be submitted with the application for renewal of either an adult entertainment establishment license or an adult entertainment tavern license. In addition to the renewal fee, a late penalty of one hundred dollars (\$100) shall be assessed against the applicant who files for a renewal less than sixty (60) days before the license expires. If the application is denied, one half of the total fees collected shall be returned."

3. Subsection (2) entitled "Licensing of Amusement Device Distributors" of Section 9.08 entitled "Amusement Devices" of the Madison General Ordinances is amended to read as follows:

"(2) Licensing of Amusement Device Distributors.

(a) Registration License of Amusement Devices. Any person, corporation or other legal entity which has possessory control of any premises in which is located any amusement device available for play shall ~~register each and every such license said device~~ with the City Clerk as described herein. The ~~registration~~ license fee for ~~each the~~ amusement devices operated by a coin of five cents (5¢), or more, shall be ~~forty dollars (\$40)~~ per annum; and shall be based on the number of amusement devices located on the premises as follows:

| <u># of Amusement Devices</u> | <u>Fee</u>     |
|-------------------------------|----------------|
| <u>1</u>                      | <u>\$50</u>    |
| <u>2-3</u>                    | <u>\$100</u>   |
| <u>4-6</u>                    | <u>\$200</u>   |
| <u>7-10</u>                   | <u>\$350</u>   |
| <u>11-20</u>                  | <u>\$550</u>   |
| <u>21-30</u>                  | <u>\$1,050</u> |

|       |         |
|-------|---------|
| 31-44 | \$1,550 |
| 45+   | \$2,250 |

The registration license fee for each amusement device operated by a coin of a value of less than five cents (5¢) shall be two dollars and fifty cents (\$2.50) per annum. Such ~~registration~~ Said license fee shall be paid to the City Treasurer at the time of registration license. If the City Clerk is satisfied that the amusement device(s) is should be entitled to be registered ~~he~~ licensed, the Clerk shall issue to the registrant a license for each said device(s), ~~registered which~~ The license shall be conspicuously displayed along with any other licenses issued to such registrant. The registration license application shall show the ownership of the device(s) for which registration license is sought. If the registrant does not own the device(s) so ~~registered~~ licensed, the owner of the device(s) shall permanently affix a tag or similar item showing the owner's name and address. Such registration license shall remain effective until the thirtieth (30th) of June following issuance at which time and on the first (1st) of July of each and every year thereafter, ~~each such device shall be registered~~. The license shall not be transferable. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of fifteen percent (15%) of the license fee or a minimum of three dollars (\$3.00), whichever is greater. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.

- (b) It shall be unlawful for any person, corporation or other legal entity to have on premises under possessory control any ~~unregistered~~ unlicensed amusement device available for play."

4. Paragraph 3. entitled "Special Event Vending License" of Subdivision (a) of Subsection (3) of Section 9.13 entitled "License For Selling on Public Streets" of the Madison General Ordinances is amended to read as follows:

- "3. Special Event Vending License. The special event vending license fee shall be based on the number of vendors participating in the special event, and shall cover all street vending activities for the duration of the special. The license shall set forth the exact days on which and the exact location where such business shall be carried on and shall be valid only during the dates and at the locations specified. Fees for a Special Event Vending License shall be paid to the City Treasurer as follows:

|                   |                              |
|-------------------|------------------------------|
| 1 to 50 vendors   | \$ <del>100</del> <u>150</u> |
| 51 to 200 vendors | \$ <del>200</del> <u>250</u> |
| Over 201 vendors  | \$ <del>300</del> <u>350</u> |

5. Subdivision (k) of Subsection (3) entitled "Application" of Section 9.14 entitled "Solicitor's And Canvasser's Permits" of the Madison General Ordinances is amended to read as follows:

- "(k) At the time of filing the application, a nonrefundable fee of ~~forty-five~~ fifty-five dollars (~~\$45.00~~\$55.00) shall be paid to the City Clerk to cover the cost of investigation of the facts stated therein. The fee for an annual renewal application shall be ~~forty-five~~ fifty-five dollars (~~\$45.00~~\$55.00)."

6. Subsection (2) of Section 9.31 entitled "Cat License" of the Madison General Ordinances is amended to read as follows:

- "(2) Every owner of a cat more than five (5) months of age on January 1 of any year, or five (5) months of age within the license year shall annually, or within thirty (30) days from the date such cat becomes five (5) months of age, at the time and in the manner provided by law, pay a cat license fee and obtain a license therefore. Effective April 1, 2004, such cat license fee shall be ~~eight~~ ten dollars (~~\$8~~\$10) for each neutered male cat or spayed female cat upon presentation of evidence that the cat is neutered or spayed, and ~~thirteen~~ fifteen dollars (~~\$13~~\$15) for each unneutered male cat or unsplayed female cat, or one-half of these amounts if the cat becomes five (5) months of age after July 1 of the license year. The cat license year shall commence on January 1 and end on the following December 31."

7. Section 9.52 entitled "Keeping of Chickens" of the Madison General Ordinances is amended to read as follows:

#### **"9.52 KEEPING OF CHICKENS.**

Any person who keeps chickens in the City of Madison shall obtain an annual license prior to January 1 of each year, or within 30 days of acquiring the chickens. The license year commences on January 1 and ends on the following December 31.

Application shall be made to the City Treasurer and the fee for the license shall be ~~six~~ ten dollars (~~\$6.00~~ 10.00).

The Treasurer or other authorized individual shall collect the fee and shall assess and collect a late fee of five dollars (\$5.00) from every owner of chickens, if the owner fails to obtain a license prior to April 1 of each year, or fails to obtain a license within 30 days of acquiring the chickens. All late fees received or collected shall be

paid into the local Treasury."

8. Subsection (2) of Section 12.781 entitled "Licensing Of Bicycle Dealers" of the Madison General Ordinances is amended to read as follows:

"(2) The license fee for each individual premises shall be ~~sixty~~ one hundred dollars (~~\$60~~100) per annum. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of 15% of the license fee ~~or a minimum of \$3.00, whichever is greater~~. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license."

9. Subsection (6) of Section 34.04 entitled "Licenses and Permits" of the Madison General Ordinances is amended to read as follows:

"(6) A fee of ~~fifty~~ one hundred dollars (~~\$50~~100) shall be made for each license under this code, except as listed in this section or as specified elsewhere in this code, payable to the City of Madison. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of 15 percent of the license fee ~~or a minimum of \$3.00, whichever is greater~~. Payment of a late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failing to possess or obtain a license."

10. Subsection (7) of Section 34.04 entitled "Licenses and Permits" of the Madison General Ordinances is amended to read as follows:

"(7) Public display of fireworks or pyrotechnic special-effect materials (~~\$200~~250)"