Legislation Details (With Text)

File #:	15240	**Version:**	1	**Name:**	Unused alcohol beverage licenses
Type:	Ordinance			**Status:**	Passed
File created:	6/29/2009			**In control:**	ALCOHOL LICENSE REVIEW COMMITTEE
On agenda:	9/15/2009			**Final action:**	9/15/2009
Enactment date:	10/1/2009			**Enactment #:**	ORD-09-00134

Title: Amending Section 38.10(1)(f) of the Madison General Ordinances to clarify that non issuance or lack of premise may be grounds for suspension and revocation, as well as non renewal of an alcohol beverage license.

Sponsors: Michael E. Verveer, Michael Schumacher, Julia S. Kerr

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/15/2009	1	COMMON COUNCIL	Adopt	Pass
9/8/2009	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/7/2009	1	COMMON COUNCIL	Referred	
6/29/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No fiscal impact is anticipated.

Title

Amending Section 38.10(1)(f) of the Madison General Ordinances to clarify that non issuance or lack of premise may be grounds for suspension and revocation, as well as non renewal of an alcohol beverage license.

Body

DRAFTER'S ANALYSIS: This ordinance clarifies that non issuance or lack of a premise may be grounds for suspension and revocation, as well as non renewal of a license.

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

Subdivision (f) entitled “Unused Licenses” of Subsection (1) of Section 38.10 entitled "Revocation, Suspension or Nonrenewal of License” of the Madison General Ordinances is amended to read as follows:

“(f) Unused Licenses. Notwithstanding Sec. 38.10, Madison General Ordinances, the City may revoke, suspend or refuse to renew a license authorized under this Chapter and has not been issued, a license whose usage has been discontinued for at least fifteen (15) days or where the licensee does not own or lease a premises from which business may be conducted, pursuant to the procedures in Sec. 125.12, Wis. Stats. Prior to the time for renewal of the license, the City Clerk on behalf of the Alcohol License Review Committee, shall notify the licensee in writing of the City’s intention not to renew the license and the Alcohol License Review Committee shall provide the licensee with the opportunity for a hearing. The notice shall state the reasons for the intended action. The Alcohol License Review Committee shall be authorized to issue the notice under this subsection. The hearing shall be conducted as provided in Sec. 125.12(2)(b), Wis. Stats., and judicial review shall be as provided in Sec. 125.12(2)(d), Wis. Stats. The hearing shall be held before the Alcohol License Review Committee and the Committee shall make a report and recommendation as provided in Sec. 125.12(2)(b)3, Wis.

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Stats. and the Common Council shall follow the procedure specified under that subdivision in making its determination."

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