



## Legislation Details (With Text)

**File #:** 15794      **Version:** 1      **Name:** Alcohol License violations  
**Type:** Ordinance      **Status:** Passed  
**File created:** 8/25/2009      **In control:** ALCOHOL LICENSE REVIEW COMMITTEE  
**On agenda:** 10/6/2009      **Final action:** 10/6/2009  
**Enactment date:** 10/22/2009      **Enactment #:** ORD-09-00143  
**Title:** Amending Sections 38.10(4)(a) and (b) of the Madison General Ordinances to clarify the procedure for alcohol license suspension, revocation or nonrenewal.  
**Sponsors:** David J. Cieslewicz, Michael Schumacher, Michael E. Verveer, 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	
8/25/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

There is no fiscal impact associated with clarifying the Ordinance to match existing practice.

### Title

Amending Sections 38.10(4)(a) and (b) of the Madison General Ordinances to clarify the procedure for alcohol license suspension, revocation or nonrenewal.

### Body

DRAFTER'S ANALYSIS: This amendment clarifies the ordinance on alcohol license suspension, revocation or nonrenewal to match existing practice. The City may pursue such action either under the demerit points system or for other violations. This change makes that explicit.

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

1. Subdivision (a) entitled "Purpose and Definitions" of Subsection (4) entitled "Point Values for Alcohol Beverage Violations and Revocations and Suspensions" of Section 38.10 entitled "Revocation, Suspension or Nonrenewal of License" of the Madison General Ordinances is amended to read as follows:

"(a) Purpose and Definitions.

1. The purpose of this subsection is to administratively interpret those portions of Chapter 38, Madison General Ordinances, relating to establishing an alcohol beverage demerit point system ~~to assist in as a nonexclusive method of~~ determining which license holders should be subject to suspension or revocation procedures.
2. ALRC means Alcohol License Review Committee of the City of Madison Common Council.
3. The introductory paragraph of Subdivision (b) entitled "Point Schedule" of Subsection (4) entitled "Point Values for Alcohol Beverage Violations and Revocations and Suspensions" of Section 38.10 entitled "Revocation, Suspension or Nonrenewal of License" of the Madison General Ordinances is amended to read as follows:

(b) Point Schedule. The scale of demerit points is listed according to the type of alcohol beverage violation. This demerit point system is used to identify habitually troublesome license holders who have

repeatedly violated state statutes and Madison General Ordinances, for the purpose of recommending suspension or revocation of their alcohol beverage licenses. Use of this point schedule by the City is not an exclusive remedy and does not preclude the City from seeking other remedies, including immediately seeking suspension, revocation, or nonrenewal of a license pursuant to Sec. 38.10, MGO. The City may, in its judgment, seek such suspension, revocation or nonrenewal, notwithstanding the fact that the licensee has accumulated less than 100 demerit points as provided in Sec. 38.10(4)(d), MGO."