



## Legislation Details (With Text)

**File #:** 29355      **Version:** 1      **Name:** Habitually Intoxicated Persons  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/5/2013      **In control:** ALCOHOL LICENSE REVIEW COMMITTEE  
**On agenda:** 5/7/2013      **Final action:** 5/7/2013  
**Enactment date:** 5/15/2013      **Enactment #:** ORD-13-00072  
**Title:** Amending Sections 38.12(3)(c), (6), and (10) of the Madison General Ordinances to revise various procedures pertaining to the Habitually Intoxicated Person ordinance.  
**Sponsors:** Michael E. Verveer, Shiva Bidar  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Mark Woulf report

Date	Ver.	Action By	Action	Result
5/7/2013	1	COMMON COUNCIL	Adopt	Pass
4/24/2013	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/19/2013	1	COMMON COUNCIL	Referred	Pass
3/5/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

No fiscal impact is anticipated.

### Title

Amending Sections 38.12(3)(c), (6), and (10) of the Madison General Ordinances to revise various procedures pertaining to the Habitually Intoxicated Person ordinance.

### Body

DRAFTER'S ANALYSIS: This ordinance changes how often the Madison Police Department reviews and removes names from the Known Habitually Intoxicated Persons list from the prior calendar year to the prior six months, the Known Habitually Intoxicated Persons list will be distributed on a semi-annual basis, and this ordinance will sunset on July 13, 2015 and not the summer of 2013.

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

1. Subdivision (c) entitled "Removal by Police Department" of Subsection (3) entitled "Maintenance of List" of Section 38.12 entitled "Habitually Intoxicated Persons" of the Madison General Ordinances is amended to read as follows:

"(c) Removal by Police Department. On or about January 1 of each year, the Madison Police Department shall review the list of Known Habitually Intoxicated Persons and shall remove the names of all persons who during the prior ~~calendar year~~ six (6) months, has not been convicted of an offense under sub. (2) (a) and who has not been transmitted to an approved public alcohol treatment facility by the Department."

2. Subsection (6) entitled "Distribution of List" of Section 38.12 entitled "Habitually Intoxicated Persons" of the Madison General Ordinances is amended to read as follows:

"(6) Distribution of List. The Alcohol Policy Coordinator shall distribute the list of Known Habitually Intoxicated Persons to each retail Class "A" or "Class A" alcohol beverage licensee in the City on a ~~quarterly~~ semi-annual basis. If the position of Alcohol Policy Coordinator is vacant, the Mayor shall designate a member of the Mayor's staff to distribute the list under this subsection."

3. Subsection (10) entitled "Sunset" of Section 38.12 entitled "Habitually Intoxicated Persons" of the Madison General Ordinances is amended to read as follows:

"(10) Sunset. Section 32.12 shall expire ~~three years from the date of enactment~~ on July 13, 2015, unless extended by the Common Council prior to the expiration date.