



## Legislation Details (With Text)

<b>File #:</b>	43529	<b>Version:</b>	2	<b>Name:</b>	Requiring a statement of intent from alcohol license applicant
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	6/28/2016	<b>In control:</b>	ALCOHOL LICENSE REVIEW COMMITTEE		
<b>On agenda:</b>	8/2/2016	<b>Final action:</b>	8/2/2016		
<b>Enactment date:</b>	8/14/2016	<b>Enactment #:</b>	ORD-16-00072		
<b>Title:</b>	SUBSTITUTE Creating Section 38.05(3)(a)12. of the Madison General Ordinances to require an applicant to provide a statement of intent to operate under the alcohol license within 90 days of Common Council granting the license and if license is not issued within 90 days of said granting, the license shall be surrendered.				
<b>Sponsors:</b>	Michael E. Verveer, David Ahrens, Shiva Bidar, Sheri Carter, Barbara Harrington-McKinney, Marsha A. Rummel, Ledell Zellers				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Version 1				

Date	Ver.	Action By	Action	Result
8/2/2016	2	COMMON COUNCIL	Adopt	Pass
7/20/2016	2	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/5/2016	2	COMMON COUNCIL	Refer	Pass
6/28/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

No fiscal impact.

### Title

SUBSTITUTE Creating Section 38.05(3)(a)12. of the Madison General Ordinances to require an applicant to provide a statement of intent to operate under the alcohol license within 90 days of Common Council granting the license and if license is not issued within 90 days of said granting, the license shall be surrendered.

### Body

DRAFTER'S ANALYSIS: The amendment requires that an alcohol license must be picked up, paid for and put into use within 90 days of the license being approved by the Common Council. If the applicant fails to accomplish these things, the license is void. The applicant may request a longer time period at the time of application by providing proof to the Common Council that construction timelines will require a later opening date for the licensed establishment. The Common Council can then set a specific date by which these events must occur. This will end the practice of persons applying for licenses when their plans are more aspirational than they are realistic. Recently, a license was granted but was not paid for nor put into operation more than two years after it was approved.

\*\*\*\*\*

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

Paragraph 12. entitled "Statement of Intent" of Subdivision (a) entitled "Contents" of Subsection (3) entitled "Application for Licenses" of Section 38.05 entitled "General Licensing Requirements" of the Madison General Ordinances is created to read as follows:

“12. Statement of Intent. The applicant shall sign a statement of intent on a form to be provided by the City Clerk. This statement shall include a provision that the applicant intends to operate under the license within ninety (90) days of its granting by the Common Council and that the license shall be considered surrendered if the license is not issued within ninety (90) days of the granting of the license. This time may be extended by the Common Council when granting the license upon a finding that construction activities will delay the issuance. The applicant shall provide proof of such construction activities upon application. Upon such a finding, the Common Council shall set a time limit for the issuance of such license, and the license shall be considered surrendered if the license is not issued within such time.”