



## Legislation Details (With Text)

**File #:** 48616      **Version:** 1      **Name:** Exceeding occupancy capacity bail deposits  
**Type:** Ordinance      **Status:** Passed  
**File created:** 8/29/2017      **In control:** ALCOHOL LICENSE REVIEW COMMITTEE  
**On agenda:** 10/3/2017      **Final action:** 10/3/2017  
**Enactment date:** 10/12/2017      **Enactment #:** ORD-17-00102  
**Title:** Amending Section 1.08(3)(a) of the Madison General Ordinances to establish bail amounts for violations of exceeding lawful occupancy capacity.  
**Sponsors:** Michael E. Verveer, Shiva Bidar  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Body

Date	Ver.	Action By	Action	Result
10/3/2017	1	COMMON COUNCIL	Adopt	Pass
9/13/2017	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/5/2017	1	COMMON COUNCIL	Refer	Pass
8/29/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

The proposed ordinance change allows the Madison Police Department to issue citations to liquor establishments that exceed their capacity limits. Under the current policy these issues are resolved by a complaint process that is referred to the City Attorney. Revenue generated through the citations will be deposited to the General Fund.

### Title

Amending Section 1.08(3)(a) of the Madison General Ordinances to establish bail amounts for violations of exceeding lawful occupancy capacity.

### Body

DRAFTER'S ANALYSIS: Capacity violations have traditionally been prosecuted by the City Attorney's office via a long form complaint after referral by the Madison Police Department. It would be beneficial to the police department to have the ability to issue a citation for a capacity violation at the time of the offense, and this would also have a greater impact in terms of controlling future capacity violations. Issuing a citation on scene will more likely deter future such conduct on a more immediate basis. If a licensee has a citation in hand for a capacity violation one weekend, they are likely to be more diligent about monitoring their capacity the following weekend. The police department will still have the ability to refer cases to the City Attorney for a long form complaint if they so choose. Adding this offense to Chapter 1.08 will not affect referral to the Alcohol License Review Committee for point assessment.

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

Please see "Body" in Attachments.