

IN THE MATTER OF: Hearing on the License of Bhupinder Kaur Bhatti for "Class A"
Intoxicating Liquors and Fermented Malt Beverages License for 965 Dr.
Martin Luther King Drive, Racine, Wisconsin.

FINDINGS OF FACT

1. That Bhupinder Kaur Bhatti holds a "Class A" Intoxicating liquors and fermented malt beverages license for 965 Dr. Martin Luther King Drive, Racine, Wisconsin, which authorized the sale of intoxicating liquors and fermented malt beverages for the current license year of 2008 – 2009.
2. Bhupinder Kaur Bhatti has held such license for 965 Dr. Martin Luther King Dr. at least since June 30, 2008, doing business as Sam's Liquor.
3. Notice of Hearing to Suspend or Revoke the "Class A" License held by Bhupinder Kaur Bhatti signed by the City Clerk on August 25, 2009 and a Complaint signed by the Chair of the Public Safety and Licensing Committee on August 26, 2009 was served on Mr. Bhatti with said documents notifying Bhupinder Kaur Bhatti that the City intended to consider suspension or revocation of said license. The matter was scheduled for a due process hearing on September 3, 2009.
4. On September 3, 2009, at a special meeting of the Public Safety and Licensing Committee, Mr. Bhatti and his attorney, Robert Keller, appeared and the City appeared by special counsel Ken Rusch, at which time a due process hearing was conducted. A translator, Mr. Dawali, was provided by the City.
5. Prior to the commencement of testimony, counsel (with the oral consent of Bhupinder Bhatti) entered into a Stipulation. Under the terms of the Stipulation, the licensee admitted to the allegations contained in paragraphs 4 and 5 of the Complaint (which was entered into evidence as City Exhibit 1, along with the police supporting documents/police reports enumerated as Exhibits 1A-D) for purposes of the Committee's Findings of Fact. The allegations contained in paragraph 6 of the Complaint were withdrawn by the City.
6. As a consequence of the Stipulation referenced in paragraph 5 herein, the Public Safety and Licensing Committee makes the following Findings of Fact, Conclusions of Law and Recommendation:
 - (a) The allegations as set forth in paragraph 2 of the Complaint (Exhibit 1) that Bhupinder Kaur Bhatti is a resident of the State of Wisconsin operating a "Class A" liquor store, and holding a "Class A" Intoxicating Liquor and Fermented Malt Beverage license and conducting the business at 965 Dr. Martin Luther King Dr. is sustained.
 - (b) The allegation as set forth in paragraph 3 of the Complaint (Exhibit 1) that Mr. Bhatti is operating in violation of Section 125.12 (2)(ag)(1) of the Wisconsin Statutes, is sustained.
 - (c) The allegation as set forth in paragraph 4 of the Complaint (Exhibit 1) that on February 4, 2009, Mr. Bhatti offered for sale to the public and possessed bottles of intoxicating liquors, which were purchased from a person other than a wholesaler holding a permit under Sec. 125.69 (6), Wis. Stats., in violation of said statute, is sustained.

- (d) The allegation as set forth in paragraph 5 of the Complaint (Exhibit 1) that on June 23, 2009, Mr. Bhatti offered for sale to the public and possessed bottles of intoxicating liquors, which were purchased from a person other than a wholesaler holding a permit under Sec. 125.69 (6), Wis. Stats., in violation of said statute, is sustained.
- (e) The allegation as set forth in paragraph 6 of the Complaint (Exhibit 1) that the operation of Sam's Liquor by Bhupinder Kaur Bhatti constitutes a "disorderly or riotous, indecent or improper house" within the meaning of Section 125.12 (2)(ag)(2) of the Wisconsin Statutes, is dismissed.

7. Based upon the Stipulation and evidence submitted at the due process hearing the Committee reached the following Conclusions of Law and Recommendation:

CONCLUSIONS OF LAW

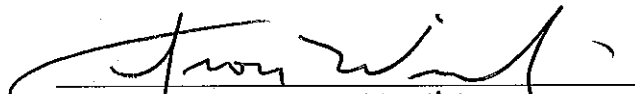
The above findings of fact do constitute violations of the Wisconsin Statutes relating to premises that are licensed for the sale of alcoholic beverages.

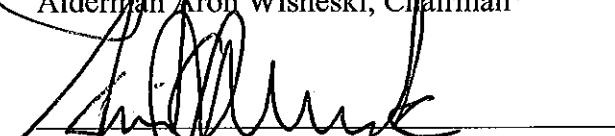
RECOMMENDATION

That the "Class A" Intoxicating Liquors and Fermented Malt Beverage License for Bhupinder Kaur Bhatti doing business as Sam's Liquor at 965 Dr. Martin Luther King Dr., Racine, Wisconsin, be revoked.

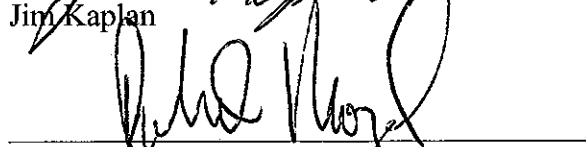
Dated this 8 day of September 2009.

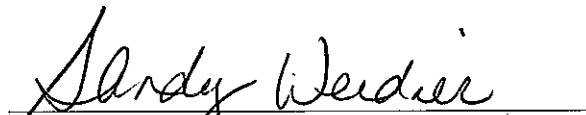
Public Safety Committee:


Alderman Aron Wisneski, Chairman


David Maack, Vice-Chairman


Jim Kaplan


Robert Mozol


Sandy Weidner