

Ordinance 0017-22 – Amendments to the Commercial Electric Scooter Ordinance

An ordinance to repeal Chapter 22, Article XXXV, Section 22-1288; to create Chapter 22, Article XXXV, Section 22-1280; and to amend Chapter 22, Article XXXV, Sections 22-1279, 22-1284, and 22-1285 of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 22, Article XXXV, Section 22-1288 of the Municipal Code of the City of Racine, Wisconsin is repealed.

Part 2: Chapter 22, Article XXXV, Section 22-1280 is created as follows:

Sec. 22-1280. – Renewal process.

- (a) *Renewal application.* An application for renewal of a license under this article must be filed with the city clerk no later than October 15 of every year, along with the renewal fee as determined by the budget as set forth in the fee schedule and established by the common council.
- (b) *Denial.* A renewal application may be denied, provided there is cause for nonrenewal of a license under section 22-1284(b) of this Code. Upon motion by the public safety and licensing committee to deny a renewal application, the city clerk shall send written notice to the applicant stating reasons for the denial.
- (c) *Due process hearing.* An applicant who has been denied renewal under subsection (b) of this section may request a due process hearing pursuant to section 22-1284 of this Code by submitting a written request to the city clerk within ten days of the date of notice of denial.

Part 3: Amend Chapter 22, Article XXXV, Section 22-1279. – Commercial electric scooter business license, as follows:

In subsection (a), delete “a \$1,500 fee” and insert “the fee as determined by the budget as set forth in the fee schedule and established by the common council”.

In subsection (b)(3), insert “or which shall not exceed 200 devices for an additional fee as determined by the budget as set forth in the fee schedule and established by the common council for each device above 150 devices,” after “which shall not exceed 150 devices,”.

Part 4: Amend Chapter 22, Article XXXV, Section 22-1284. – Revocation or suspension of license, as follows:

Amend the title to “Sec. 22-1284. – Nonrenewal, revocation or suspension of license.”

In subsection (a), insert “In cases of nonrenewal, the licensee may request a due process hearing pursuant to section 22-1280(c) of this Code.” after the first sentence therein.

In subsection (b), amend “suspended or revoked” to “suspended, revoked, or denied renewal”.

In subsection (c), amend “suspend or revoke” to “suspend, revoke, or deny renewal of”, and amend “suspension or revocation” to “suspension, revocation, or nonrenewal.”

In subsection (d), amend the first phrase to “When a complaint has been filed with the city clerk or a hearing has been requested pursuant to section 22-1280(c)”, and amend “revoked or suspended” to “revoked, suspended, or denied renewal.”

In subsection (e)(3), add “or denied renewal” at the end.

In subsection (f), add “or not renewed” at the end.

In subsection (g), amend “suspension or revocation” to “suspension, revocation, or nonrenewal”.

Part 5: Amend Chapter 22, Article XXXV, Section 1285. – Restrictions upon denial or revocation of license, as follows:

In subsection (a), amend “denied or revoked” to “denied, revoked, or denied renewal”, and at the end insert “revocation or” before “denial”.

In subsection (b), amend “suspension or revocation” to “suspension, revocation, or nonrenewal”.

Part 6: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: There is a renewal application fee and an additional fee per device over 150 devices (up to 200 devices), both as determined by the budget as set forth in the fee schedule and established by the common council.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor’s signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor’s objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of

all the members of the council shall then make the act effective notwithstanding the objections of the mayor.