

## **Ordinance 12-12**

To repeal Sections 22-891 through 22-910, of the Municipal Code of the City of Racine, Wisconsin relating to Secondhand Dealers and Pawnbrokers licenses.

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

Part 1: Repeal and recreate Sec. 22-891 – Statutory definitions adopted, to read as follows:

### **Sec. 22-891 – Pawnbrokers and secondhand article and jewelry dealers.**

Wis. Stats. § 134.71 is hereby adopted and, by reference, made a part of this chapter with the same force and effect as though fully set out herein notwithstanding the below subsections. Failure to comply with any of the provisions of this ordinance shall constitute a violation of this chapter, punishable according to the penalties set forth in Sec. 22-892, Racine Municipal Code.

#### (1) Purpose.

(a) The City finds that a paper-based system of tracking and recording pawnbroker and secondhand dealer sales and purchases is technologically outdated, inefficient and environmentally irresponsible. This Section implements and establishes the required use of an electronic reporting system to record transactions by pawnbrokers and secondhand article and jewelry dealers.

(b) To help the police department decrease and stabilize costs associated with the regulation of pawnbrokers and secondhand article and jewelry dealers, and better facilitate the identification of criminal activities in this industry through the timely collection and sharing of transactional information, this Section also implements and establishes the required use of the North Eastern Wisconsin Property Reporting System (NEWPRS).

(c) The City recognizes that pawnbrokers and secondhand article and jewelry dealers engage in legitimate business transactions authorized by state law. However, the City finds that these services provide individuals with an opportunity to potentially transfer stolen property . The City also finds that consumer protection regulation is warranted in transactions of this nature. The purpose of the City's regulation of pawnbrokers and secondhand article and jewelry dealers is to prevent their services from being used to facilitate the commission of crimes and to assure compliance with basic consumer protection standards, thereby protecting the public health, safety and general welfare of citizens, pursuant to the authority granted by Wis. Stat. § 134.71

#### (2) Definitions

The following definitions apply to this Section:

(a) *Article* means any item of value except jewelry as defined below.

(b) *Billable Transaction* means every reportable transaction conducted by a pawnbroker and secondhand article and jewelry dealer except renewals, redemptions, voids, confiscations, or extensions of existing pawns or purchases previously reported and continuously in the licensee's possession.

(c) *Charitable Organization* means a corporation, trust, or community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(d) *Customer* means a person with whom a pawnbroker, secondhand article dealer or secondhand jewelry dealer or an agent thereof engages in a transaction of purchase, sale, receipt or exchange of any secondhand article or secondhand jewelry.

(e) *Display of license*. Each license issued under this chapter shall be displayed in a conspicuous place visible to anyone entering a licensed premise.

(f) *Jewelry* means any tangible personal property ordinarily wearable on the person and consisting in whole or in part of any metal, mineral, or gem customarily regarded as precious or semiprecious.

(g) *Pawnbroker* means any person who engages in the business of lending money on the deposit or pledge of any article or jewelry, or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price. A person is not acting as a pawnbroker when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem, or antique show, or a convention.

2. Any transaction entered into by a person engaged in the business of junk collector, junk dealer, or scrap processor, as described in Wis. Stats. § 70.995(2)(x).

3. Any transaction while operating as a charitable organization or conducting a sale, the proceeds of which are donated to a charitable organization.

4. Any transaction between a buyer of a new article and the person who sold the article when new that involves any of the following:

- a. The return of the article.

- b. The exchange of the article for a different, new article.

5. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

6. Any transaction as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

(h) *Reportable Transaction* means every transaction conducted by a pawnbroker and secondhand article and jewelry dealer in which an article or jewelry is received through a pawn, purchase, consignment, or trade, or in which a pawn is renewed, extended, voided, or redeemed, or for which a unique transaction number or identifier is generated by their point-of-sale software, and is reportable except:

1. The bulk purchase or consignment of new or used articles from a merchant, manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said articles, provided the pawnbroker or secondhand article or jewelry dealer shall maintain a record of such purchase or consignment that describes each item, and shall mark each item in a manner that relate it to that transaction record.

2. Retail and wholesale sales of articles originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

(i) *Secondhand* means owned by any person, except a wholesaler, retailer, or any pawnbroker or secondhand article or jewelry dealer licensed under this Section or Wis. Stat. § 134.71 or an ordinance adopted pursuant thereto immediately prior to the transaction at hand.

(j) *Secondhand Article Dealer* means any person who engages in the business of purchasing, selling or exchanging secondhand articles except when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show, a convention or an auction.

2. Any transaction entered into by a person while engaged in a business as a pawnbroker or secondhand jewelry dealer for which the person is licensed under this Section, or under Wis. Stat. § 134.71 or under an ordinance adopted pursuant thereto.

3. Any transaction entered into by a person while engaged in the business of junk collector, junk dealer, auctioneer or scrap processor as described in Wis. Stat. § 70.995(2) and Racine Code of Ordinances section 22-641.

4. Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization.

5. Any transaction between a buyer of a new article and the person who sold the article when new, which involves any of the following:

a. The return of the article.

b. The exchange of the article for a different, new article.

6. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

7. Any transaction as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

8. Any transaction between a buyer of a new article and a seller of new articles who accepts an occasional secondhand article in trade.

(k) *Secondhand Jewelry Dealer* means any person who engages in the business of any transaction consisting of purchasing, selling, receiving, or exchanging secondhand jewelry except for the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show, a convention or an auction.

2. Any transaction with a licensed secondhand jewelry dealer.

3. Any transaction entered into by a person while engaged in a business of smelting, refining, assaying or manufacturing precious metals, gems or valuable articles if the person has no retail operation open to the public and does not purchase the precious metals, gems or valuable articles from the general public.

4. Any transaction between a buyer of new jewelry and the person who sold the jewelry when new, which involves any of the following:

a. The return of the jewelry.

b. The exchange of the jewelry for a different, new jewelry.

5. Any transaction operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization

6. Any transaction as a purchaser of secondhand jewelry from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

7. Any transaction as a seller of secondhand jewelry that the person bought from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

8. Any transaction between a buyer of a new jewelry and a seller of new jewelry who accepts an occasional secondhand piece of jewelry in trade.

(3) License Required.

Except as provided in subs. (b) and (d) below, no person shall carry on or operate within the City of Racine a business as a pawnbroker or a business for the purchase or sale of secondhand articles or jewelry without first having obtained a license therefore as hereinafter provided.

(a) *License for a pawnbroker.*

(i) No person may operate as a pawnbroker unless the person first obtains a pawnbroker's license under this section.

(ii) A license issued to a pawnbroker by the City of Racine's City Clerk authorizes the licensee to operate as a pawnbroker in the City of Racine.

(b) *License for a secondhand article dealer.*

(i) Except as provided in sub. (ii) below, no person may operate as a secondhand article dealer unless the person first obtains a secondhand article dealer's license under this section.

(ii) A license issued to a secondhand article dealer by the City of Racine's City Clerk authorizes the licensee to operate as a secondhand article dealer anywhere in the state.

(iii) A person is not required to obtain a secondhand article dealer's license if operating solely as a secondhand article dealer on a premises or land owned by a person having a secondhand article dealer mall or flea-market license under sub. (9).

(c) *License for a secondhand jewelry dealer.*

(i) No person may operate as a secondhand jewelry dealer unless the person first obtains a secondhand jewelry dealer's license under this section.

(ii) A license issued to a secondhand jewelry dealer by the City of Racine's City Clerk authorizes the licensee to operate as a secondhand jewelry dealer anywhere in the state.

(d) *Secondhand dealer in-state license reciprocity.* A person possessing a valid secondhand article or jewelry dealer license issued by a county or another municipality

of the State of Wisconsin under Wis. Stat. § 134.71 or an ordinance adopted pursuant thereto may operate a business in the City of Racine as a secondhand article or jewelry dealer respectively without obtaining a license hereunder. However:

(i) A secondhand article or jewelry dealer so licensed shall disclose the information required to the City Clerk and shall submit to an investigation of the principal and its members, officers and employees by the Police Department and a written report filed with the City Clerk prior to conducting business in the City of Racine.

(ii) This investigation shall include:

Fingerprinting of the principal, if the principal is a natural person, and fingerprinting of all managers, assistant managers or lead workers who supervise employees or who are directly involved in the receipt of secondhand articles of jewelry from customers.

A determination by the Police Department whether the principal has been convicted within the preceding ten (10) years of a felony or within the preceding ten (10) years of a misdemeanor, statutory violation punishable by forfeiture, or county or municipal ordinance violation, including any violations of state or local permitting or licensing laws, in which the circumstances of the felony, misdemeanor or other offense substantially relate to the circumstances of the licensed activity and, if so, the nature and date of the offense and the penalty assessed.

Where the principal is a corporation, limited liability company or partnership, this provision shall apply to all its officers and each general partner or member respectively.

(iii) This subsection is not intended to exempt such person from otherwise complying with the provision of this Section relating to secondhand dealers including, but not limited to, all electronic or other record-keeping requirements, labeling and receipt requirements and holding periods mandated by this Section.

#### (4) License Application

A person wishing to conduct business as a pawnbroker, secondhand article dealer, or a secondhand jewelry dealer in the City of Racine must first apply for a license with the City Clerk. The City Clerk shall file a copy of such application with the Police Department forthwith, and applications for licenses shall be presented to the Common Council at any regular or special meeting thereof. Licenses issued under this Section shall not be transferable.

The City Clerk shall furnish application forms under Wis. Stat. § 134.71(12) requiring all of the following:

(a) The applicant's name, place and date of birth, residence address, and all states where the applicant has previously resided.

(b) The names and addresses of the business and of the owner of the business premises.

(c) A statement as to whether the applicant has been convicted within the preceding ten (10) years of a felony or within the preceding ten (10) years of a misdemeanor, statutory violation punishable by forfeiture, or county or municipal ordinance violation, including any violations of state or local permitting or licensing laws, in which the circumstances of the felony, misdemeanor or other offense substantially relate to the circumstances of the licensed activity and, if so, the nature and date of the offense and the penalty assessed.

(d) Whether the applicant is a natural person, corporation, limited liability company or partnership, and:

1. If the applicant is a corporation, the state where incorporated and the names and addresses of all officers and directors.

2. If the applicant is a partnership, the names and addresses of all partners.

3. If the applicant is a limited liability company, the names and addresses of all members.

(e) For all license applications, the name of the manager or proprietor of the business.

(f) New manager. When a licensee places a manager in charge of a business, or if the named manager(s) in charge of a licensed business changes, the licensee must complete and submit the appropriate application within fourteen (14) days. The application must include all appropriate information required in this section.

(g) Whether the applicant or any other person listed in sub. (d). above has ever used or been known by a name other than the listed name, and if so, the name or names used and information concerning dates and places used.

(h) Whether the applicant or any other person listed in sub. (d). above has previously been denied or had revoked or suspended a pawnbroker, secondhand article dealer, precious metal dealer, secondhand jewelry dealer, junk dealer, retail, liquor, or any other state or local permit or license from any other governmental unit. If so, the applicant must furnish information as to the date, location, and reason for the action.

(i). Any other information that the City Clerk may reasonably require for such purposes.

#### (5) Investigation of License Applicant

Before any license is issued under the provisions of this Section, the Police Department shall investigate the character of the character of the applicant for a pawnbroker's, secondhand article dealer's, or secondhand jewelry dealer's license and any members,

officers, and employees related thereto in order to determine whether the applicant has been convicted within the preceding ten (10) years of a felony or within the preceding ten (10) years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal ordinance violation, including any violations of state or local permitting or licensing laws, as described under sub. (4)(c) above, and, if so, the nature and date of the offense and the penalty assessed.

The law enforcement agency shall furnish the information derived from that investigation in writing to the City Clerk, and this written report will be made a part of the application.

(6) License fees.

The license fees under this section are as follows:

(a) For a pawnbroker's license, \$210.

(i) The billable transaction license fee of \$1.00 reflects the cost of processing transactions and other related regulatory expenses as determined by the city council, and shall be reviewed and adjusted, if necessary, annually. Licensees shall be notified in writing 30 days before any adjustment is implemented.

(ii) Billable transaction fees shall be billed monthly and are due and payable within 30 days. Failure to do so is a violation of this chapter.

(b) For a secondhand article dealer's license, \$500.

(c) For a secondhand jewelry dealer's license, \$500.

(d) For a secondhand article dealer mall or flea market license, \$1,000.

(7) License Issuance

The Common Council shall grant the license if all the following apply:

(a) The applicant, including an individual, a partner, a member of a limited liability company or an officer, director or agent of any corporate applicant, has not been convicted within the preceding 10 years of a felony or within the preceding 10 years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal ordinance violation in which the circumstances of the felony, misdemeanor or other offense substantially relate to the circumstances of being a pawnbroker, secondhand jewelry dealer, secondhand article dealer, or secondhand article dealer mall or flea market owner.

(b) With respect to an applicant, all or any part of whose secondhand dealer business involves transactions as a pawnbroker, the applicant provides to the City Clerk a bond



of five thousand dollars (\$5,000.00), with not less than two sureties, for the observation of all municipal ordinances relating to secondhand dealers and pawnbrokers.

(c) The appropriate license fee for each individual premise has been paid.

(d) No license issued under this Section may be transferred.

(e) Each license for a pawnbroker, secondhand article dealer or secondhand jewelry dealer is valid from January 1 until the following December 31.

(f) Each license for a secondhand article dealer mall or flea market is valid for 2 years, from May 1 of an odd-numbered year until April 30 of the next odd-numbered year.

#### (8) Pawnbroker and Secondhand Dealer Requirements

(a) *Identification.* No pawnbroker, secondhand article dealer or secondhand jewelry dealer may engage in a transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from a customer without first securing adequate identification from the customer. At the time of the transaction, the pawnbroker, secondhand article dealer or secondhand jewelry dealer shall require the customer to present one of the following types of identification:

1. A county identification card.
2. A state identification card.
3. A valid Wisconsin motor vehicle operator's license.
4. A valid motor vehicle operator's license, containing a picture issued by another state.
5. A military identification card.
6. A valid passport.
7. An alien registration card.
8. A senior citizen's identification card containing a photograph.
9. Any identification document issued by a state or federal government, whether or not containing a picture, if the pawnbroker, secondhand dealer or secondhand jewelry dealer obtains a clear imprint of the customer's right index finger.
10. Any valid college, university, or technical school identification card.
11. A valid identification card or motor vehicle operator's license issued by a tribal government or foreign country.

(b) *Transactions with minors.*

1. Except as provided in sub. 2. below, no pawnbroker, secondhand article dealer or secondhand jewelry dealer may engage in a transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from any minor.

2. A pawnbroker, secondhand article dealer or secondhand jewelry dealer may engage in a transaction described under sub. 1. above, if the minor is accompanied by his or her parent or guardian at the time of the transaction or if the minor provides the pawnbroker, secondhand article dealer or secondhand jewelry dealer with the parent's or guardian's written consent to engage in the particular transaction.

(c) *Records.* For each transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from a customer, a pawnbroker, secondhand article dealer or secondhand jewelry dealer, it shall be the duty of every license holder to keep a record of all articles and jewelry purchased, received, or exchanged by her/him and it is required that a detailed description be obtained of all property purchased. Said description shall contain such information as to identify said property correctly; and shall include type of property, serial number, model number, color description and purchase price of said property. At the time of any reportable transaction other than a renewal, extension, or redemption, every secondhand dealer shall immediately record in English the following information by using a computerized record approved by the Police Department:

1. A complete and accurate description of each item, including, but not limited to any trademark, identification number, serial number, model number, brand name or other identifying mark on such an item, except that the title, artist or author of audio tapes, compact discs, laser discs, records, videotapes, digital video discs, or other similar audio visual recording media need not be described.

2. The licensee must also take a color, digitized photograph of every item pawned or sold that does not have a unique serial or identification number permanently engraved or affixed, excluding only electronic media. One group photo shall suffice for mass items such as several coins acquired in one transaction. If a photograph is taken, it must be at least two inches in length by two inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the chief of police, or the chief's designee, upon request. Items photographed must be accurately depicted and submitted as digital images, in a format specified by the issuing authority, electronically cross-referenced to the reportable transaction they are associated with. Entries of required digital images shall be retained a minimum of 90 days.

3. The purchase price, amount of money loaned upon or pledged therefore.

4. For pawn transactions, the maturity date of the transaction and the amount due,

including monthly and annual interest rates and all pawn fees and charges.

5. Date, time, and place the item of property was received by the secondhand dealer, and the unique alpha and/or numeric transaction identifier that distinguishes it from all other transactions in the secondhand dealer's records.

6. To the extent that it is not provided as part of the record of the customer's identification retained by the secondhand dealer, full name, current residential address, current telephone number, date of birth, and accurate description of the person from whom the item of property was received, including sex, color of eyes, and color of hair.

7. The identification number and the state of issue of the identification presented by the seller pursuant to this Chapter.

8. The signature of the person identified in the transaction.

9. For renewals, extensions, and redemptions the secondhand dealer must record the original transaction identifier, the date of the current transaction, and the type of transaction.

10. Computerized records must be maintained for at least one (1) year from the date of transaction. During this time, the records must at all reasonable times be open to inspection by the Police Department. Notwithstanding public records laws under Wis. Stats. §§ 19.21-.39, a law enforcement agency receiving these records may disclose the information contained therein only to another law enforcement agency.

11. The pawnbroker or secondhand article and jewelry dealer must display a sign of sufficient size in a conspicuous place on the premises, which informs all patrons that all transactions are reported daily to the police department.

*(d) Daily Reports to Police.*

1. Pawnbrokers and secondhand article and jewelry dealers must provide to the Police Department all required information pursuant to State Statute, by transmitting it from their computer to the North Eastern Wisconsin Property Reporting System (NEWPRS), the web server designated by the Green Bay Police Department. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the police department using procedures that address security concerns of the pawnbroker or secondhand article and jewelry dealer and the police department.

2. If a pawnbroker or secondhand article and jewelry dealer is unable to successfully transmit the required reports by modem, the pawnbroker or secondhand article and jewelry dealer must provide the police department with printed copies of all reportable transactions by 12:00 noon the next business day.

3. If the problem is determined to be in the pawnbroker's or secondhand article and jewelry dealer's system and is not corrected by the close of the first business day following the failure, the pawnbroker or secondhand article and jewelry dealer must provide the required reports as detailed in State Statute, and shall be charged a daily reporting failure fee of \$10.00 until the error is corrected; or, if the problem is determined to be outside the pawnbroker's or secondhand article and jewelry dealer's system, the pawnbroker or secondhand article and jewelry dealer must provide the required reports pursuant to State Statute and resubmit all such transactions via modem when the error is corrected.

4. Regardless of the cause or origin of the technical problems that prevented the pawnbroker or secondhand article and jewelry dealer from uploading the reportable transactions, upon correction of the problem, the pawnbroker or secondhand article and jewelry dealer shall transmit every reportable transaction from every business day the problem has existed.

5. The provisions of this section notwithstanding, the police department may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.

6. Subsection (d) shall not apply to businesses that did not have 200 reportable transactions in the past calendar year. However, any such pawnbroker or secondhand article and jewelry dealer must follow the daily reporting procedure for each reportable transaction by submitting a written transaction form approved by the police department to the department on the business day following the date of the reportable transaction.

*(e) Holding period.*

1. Except as provided in subsection (e)(5), any secondhand article or secondhand jewelry purchased or received by a pawnbroker shall be kept on the pawnbroker's premises or other place for safekeeping for not less than thirty (30) days after the date of purchase or receipt, unless the person known by the pawnbroker to be the lawful owner of the secondhand article or secondhand jewelry recovers it.

2. Except as provided in subsection (e)(5), any secondhand article purchased or received by a secondhand article dealer shall be kept on the secondhand article dealer's premises or other place for safekeeping for not less than ten (10) days after the entry of the computerized record required in section (c) above, which must be filed immediately on the date of purchase or receipt.

3. Except as provided in subsection (e)(5), any secondhand jewelry purchased or received by a secondhand jewelry dealer shall be kept on the secondhand jewelry dealer's premises or other place for safekeeping for not less than fifteen (15) days after the entry of the computerized record required in section (c) above, which must be filed immediately on the date of purchase or receipt.

4. During the period specified in subsection (e)(1), (e)(2), or (e)(3), the secondhand article or secondhand jewelry shall be held separate and apart and may not be altered in any manner. The secondhand article dealer or secondhand jewelry dealer shall permit any law enforcement officer to inspect the secondhand article or secondhand jewelry during this period. Within twenty-four (24) hours after a written request of a law enforcement officer during this period, a secondhand article dealer or secondhand jewelry dealer shall make available for inspection any secondhand article or secondhand jewelry which is kept off the premises for safekeeping. Any law enforcement officer who has reason to believe any secondhand article or secondhand jewelry was not sold or exchanged by the lawful owner may direct a secondhand article dealer or secondhand jewelry dealer to hold that secondhand article or secondhand jewelry for such reasonable length of time as the law enforcement officer considers necessary to identify it.

5. Subsections (e)(1) to (e)(4) of this section do not apply to any of the following:

(a) A coin of the United States, any gold or silver coin or gold or silver bullion.

(b) A secondhand article or secondhand jewelry consigned to a secondhand article dealer or secondhand jewelry dealer.

(9) Secondhand Article Dealer Mall or Flea Market

(a) The owner of any premises or land upon which two or more persons operate as secondhand article dealers may obtain a secondhand article dealer mall or flea market license for the premises or land if the following conditions are met:

(1) Each secondhand article dealer occupies a separate sales location and identifies himself to the public as a separate secondhand article dealer.

(2) The secondhand article dealer mall or flea market is operated under one name and at one address, and is under the control of the secondhand article dealer mall or flea market license holder, and is zoned appropriately.

(3) All sales are completed at a central location under the control of the secondhand article dealer mall or flea market license holder, who maintains a record of all sales.

(b) The secondhand article dealer license holder and each secondhand article dealer operating upon the premises or land licensed under this section shall comply with sub. (8) above.

Part 2: Repeal and recreate Sec. 22-892 -License Required, to read as follows:

**Sec. 22-892 – Penalty for violation of articles.**

(1) Upon conviction for a first offense under this article, a person shall forfeit not less

than \$50.00 nor more than \$1,000.00. Upon conviction for a second or subsequent offense under this article, a person shall forfeit not less than \$500.00 nor more than \$2,000.00.

(2) Each violation of this article and each day a violation continues or occurs shall constitute a separate offense. The monetary penalties prescribed by this Section shall not preclude the denial or revocation of a license required under this article to do business.

Part 3: Repeal and recreate Sec. 22-893 -Same - Application; investigation of applicant, to read as follows:

**Sec. 22-893 – License revocation.**

(a) The Common Council may revoke any license issued by it under this article for fraud, misrepresentation or false statement contained in the application for a license or for any violation of this article or of Wis. Stats. §§ 134.71, 943.34, 948.62 or 948.63.

(b) Any license or permit issued pursuant to this Chapter may be suspended or revoked by a court or competent jurisdiction upon conviction of an ordinance or statutory violation.

Part 4: Repeal and recreate Sec. 22-894 -Same -issuance; transfer; term, to read as follows:

**Sec. 22-894 – Severability.**

If any Section of this ordinance is found to be unconstitutional or otherwise invalid, the validity of the remaining Sections shall not be affected.

Part 5: To repeal Sections 22-895 through 22-910.

Part 6: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law, but all existing license holders shall have no later than March 31, 2013 to comply with computerized record reporting provisions in this ordinance.

Passed by the Common Council:

\_\_\_\_\_  
Approved:

\_\_\_\_\_  
Mayor

Attest:

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City Clerk

Fiscal Note: N/A