



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Agenda - Final Public Safety and Licensing Committee

Chairman Jeff Coe
Vice Chair Raymond DeHahn
Tracey Larrin
Steve Smetana
Melissa Lemke

Tuesday, December 12, 2017

5:30 PM

City Hall, Room 307

Call To Order

Approval of Minutes for the November 28, 2017 Meeting.

[1166-17](#) **Subject: (New)** Application of Main Massage, LLC - Jingai Wang, Owner for a Massage Establishment Permit for 1324 N. Main Street. (4th District)

[1103-17](#) **Subject: (Direct Referral)** Request of the Committee for the appearance of Natasha C. Wilson, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 11-28-2017: That the Operator's license application for Natasha C. Wilson be deferred until December 12, 2017 to allow for the applicant to appear before the committee.

Fiscal Note: N/A

[1104-17](#) **Subject: (Direct Referral)** Request of the Committee for the appearance of Suzanne M. Wenzell-Wendt, applicant for an Operator's License.

[1061-17](#) **Subject: (Direct Referral)** Communication from the Public Safety and Licensing Committee requesting the appearance of Hammes Tavern LLC, Michael J. Hammes, Agent, located at 2005 Taylor Ave to discuss possible violations under section 6-86(a) of the ordinance for failing to operate continuously.

Recommendation of the Public Safety and Licensing Committee on 11-14-17: That the item be deferred for 30 days to allow for the owner, Michael J. Hammes, to re-open and bring the business back to compliance.

Fiscal Note: N/A

[1200-17](#) **Subject:** Communication from the Public Safety and Licensing Committee requesting the appearance of Maxine's, Evelyn Scheibner,

Agent, located at 835 Washington Ave. to discuss recent incidents at the licensed premise.

[1121-17](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for The Branch 1501 LLC, dba The Branch at 1501, located at 1501 Washington Avenue, Kristina Campbell, Agent. (3rd District).

Recommendation of the Public Safety and Licensing Committee on 11-28-2017: That the (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for The Branch 1501 LLC, dba The Branch at 1501, located at 1501 Washington Avenue, Kristina Campbell, Agent be deferred for two weeks to allow for the appeal period for the previous license holder to end on December 7, 2017 before granting the license.

Fiscal Note: N/A

[Ord.0017-17](#)

Ordinance 17-17 - Prohibiting Bullying and Harassment

An ordinance to amend Chapter 66, Article II, of the Municipal Code of the City of Racine, Wisconsin.

WHEREAS, bullying and harassment disrupt a safe environment in the city; interfere with one's ability to succeed or excel in a safe environment in the city and interfere with one's ability to participate and benefit from programs, activities, worksites, and opportunities offer to the community; and

WHEREAS, the Common Council finds it is in the public interest to assure that every person is valued and respected regardless of perceived differences, and may live free from bullying, harassment and intimidation

NOW, THEREFORE, the Common Council of the City of Racine, Racine County, Wisconsin, does ordain as follows:

Part 1: Create Sec. 66-35. - Unlawful use of computerized communication systems, of the Municipal Code of the City of Racine, Wisconsin as follows:

(1) As used in this section, message means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature, or any transfer of a computer program, as defined in Wis. Stat. sec. 943.70(1)(c).

(2) No person shall:

(a) With intent to frighten, intimidate, threaten, abuse, or harass another

person, send a message to the person on an electronic mail or other computerized communication system and in that message threatens to inflict injury or physical harm to any person or the property of any person.

(b) With intent to frighten, intimidate, threaten, abuse, or harass another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and in that message threatens to inflict injury or physical harm to any person or the property of any person.

(c) With intent to frighten, intimidate, threaten, or abuse another person, send a message to the person on an electronic mail or other computerized communication system and in that message uses any obscene, lewd, or profane language or suggests any lewd or lascivious act.

(d) With intent to frighten, intimidate, threaten, or abuse another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and in that message uses any obscene, lewd, or profane, language or suggests any lewd or lascivious act.

(e) With intent to frighten, intimidate, threaten, or abuse another person, send a message to the person on an electronic mail or other computerized communication system while intentionally preventing or attempting to prevent the disclosure of his or her own identity.

(f) While intentionally preventing or attempting to prevent the disclosure of his or her identity and with intent to frighten, intimidate, threaten, or abuse another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message.

(g) With intent to harass, annoy, or offend another person, send a message to the person on an electronic mail or other computerized communication system and in that message uses any obscene, lewd, or profane language or suggests any lewd or lascivious act.

(h) With intent to harass, annoy, or offend another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and in that message uses any obscene, lewd, or profane language or suggests any lewd or lascivious act.

(i) With intent solely to harass another person, send repeated messages to the person on an electronic mail or other computerized communication

system.

(j) With intent solely to harass another person, sends repeated messages on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the messages.

(k) With intent to harass or annoy another person, send a message to the person on an electronic mail or other computerized communication system while intentionally preventing or attempting to prevent the disclosure of his or her own identity.

(l) While intentionally preventing or attempting to prevent the disclosure of his or her identity and with intent to harass or annoy another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message.

(m) Knowingly permit or direct another person to send a message prohibited by this section from any computer terminal or other device that is used to send messages on an electronic mail or other computerized communication system and that is under his or her control.

Part 2: Create Sec. 66-36. - Harassment, of the Municipal Code of the City of Racine, Wisconsin as follows:

(1) As used in this section, course of conduct means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

(2) No person, with intent to harass or intimidate another person, shall:

(a) Strike, shove, kick, or otherwise subject the person to physical contact or attempts or threatens to do the same.

(b) Engage in a course of conduct or repeatedly commits acts that harass or intimidate the person and which serve no legitimate purpose.

Part 3: Create Sec. 66-37. - Bullying, of the Municipal Code of the City of Racine, Wisconsin as follows:

(1) As used in this section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

Bullying is a form of harassment and is defined as an intentional course of

conduct which is reasonably likely to intimidate, emotionally abuse, slander, threaten or intimidate another person and which serves no legitimate purpose.

Course of conduct is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

Harassment is any conduct, whether verbal, physical, written, or by means of any mode of communication, which is prohibited by section 66-31, 66-32, 66-33, 66-34, 66-35, or 66-36 of the City of Racine Code of Ordinances, or is any intentional course of conduct that is likely to create an intimidating, hostile, or offensive environment, and that serves no legitimate purpose.

(2) No person shall engage in any bullying or harassment of a person or induce another person to engage in such bullying or harassment.

(3) No person shall retaliate against any person who reports any conduct that is prohibited by this section.

(4) No custodial parent or guardian of any unemancipated person under eighteen years of age to allow or permit such unemancipated person to violate the provisions of this section. The fact that prior to the present offenses a parent, guardian, or custodian was informed in writing by a law enforcement officer of a separate violation this section by the same minor occurring within ninety days prior to the present offense shall constitute a rebuttable presumption that such parent, guardian, or custodian allowed or permitted the present violation.

(5) This section shall not be construed to apply to any constitutionally protected activity or speech.

Part 4: Create Sec. 66-38. - Penalty for violation, of the Municipal Code of the City of Racine, Wisconsin as follows:

Any person convicted of a violation of this article shall forfeit an amount as provided in section 1-15.

Part 5: 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: N/A

Sponsors:

Jeff Coe

[1208-17](#)

Subject: (Direct Referral) License Premise Report for December 12,

2017

Public Comment

Adjournment

If you are disabled and have accessibility needs or need information interpreted for you, please contact the Clerk's Office at 262-636-9171 at least 48 hours prior to this meeting.