



City of Racine

Meeting Agenda - Final

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

Public Safety and Licensing Committee

*Chairman Q.A. Shakoor, II, Vice Chair Gregory Holding
Alderman David L. Maack, Alderman Jim Kaplan, Alderman Robert Mozol*

Monday, November 12, 2007

5:00 PM

City Hall, Room 205

Call To Order

Approval of Minutes for the October 22, 2007 Meeting.

Public Comment

07-1387 **Subject:** Communication from the Purchasing agent requesting to discuss the recommendation for the Leasing/Management of the City Golf Courses.

07-1391 **Subject: Direct Referral,** Final payment for engineering services for preparing plans and specifications for Window and Door Replacement at Dr. Bryant Community Center by Industrial Roofing Services Inc.

07-1390 **Subject: Direct Referral.** Change order #1 and Final Payment on Contract 41-07 (K7-049), Door and Window Replacement at Dr. Bryant Community Center by Lueck's Inc.

07-1267 **Subject:** (Direct Referral) Request of the Committee for the appearance of the Agent (Mike Kurhajec) for Coasters 1301 N. Main Street due to the numerous incidents that were on the history report.

Recommendation of the Public Safety & Licensing Committee on

10-22-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007.

Fiscal Note: N/A

07-1222 **Subject:** Report from the Police Department regarding an incident with a baseball bat at Warning Track, 1301 Washington Avenue on 9-1-07.

Recommendation of the Public Safety & Licensing Committee on

10-08-07: That the item be deferred to the next Public Safety & License Committee Meeting October 22, 2007 and the agent be sent a certified

letter to appear.

Recommendation of the Public Safety & Licensing Committee on

10-22-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007 at the request of the owner.

Fiscal Note: N/A

[07-1268](#)

Subject: (New) Application of Simone Enterprises, LLC., Harinder Kaur, Agent, for a Class "A" Retail Fermented Malt Beverage license for 1223 Eleventh Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on

10-22-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007 per request of the applicant.

Fiscal Note: N/A

[07-1359](#)

Subject: (New) Application of Super Mercado Jimenez, Ricardo Jimenez (Agent) for a Class "A" Retail Fermented Malt Beverage license for 2210 Sixteenth Street. (3rd District)

[07-1329](#)

Subject: (New) Application of Aranda Mario Alonzo, Sr., for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1240 Washington Avenue. (3rd District)

[07-0948](#)

Subject: (Direct Referral) Request of the Committee for the appearance of James Gregory, Agent for Racine Produce, 3701 Durand Avenue, for an incident that appeared on the June 2007 Licensed Premise Report.

Recommendation of the Public Safety & Licensing Committee on

7-23-07: That the item be deferred and the agent be required to appear.

Recommendation of the Public Safety & Licensing Committee on

8-13-07: That the item be deferred until the August 27, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee on

08-27-07: That the item be deferred until the September 10, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee on

10-22-07: That the item be deferred and a subpoena issued from the City Attorney's Office ordering James Gregory to appear in front of the Public Safety & Licensing Committee.

Fiscal Note: N/A

07-1343

Subject: (Direct Referral) Communication from Alderman of the 4th District requesting to discuss complaint, incidents at the "Winner's Circle" Tavern located at 1403 Superior Street.

Ord.19-07

Ordinance No. 19-07

To amend Article 1, Chapter 6 of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic Beverages.

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

Part 1:

Article 1. Chapter 6 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of Article 1:

"Sec. 6-20. Purpose.

The identification of purchasers/providers of keg fermented malt beverages (beer) for consumption by underage persons is a major law enforcement concern in the City of Racine. When keg fermented malt beverages are found where underage persons are present it is necessary to readily identify those responsible. The investigation of offenses involving the furnishing of alcohol to minors and related offenses involving keg fermented malt beverages is inhibited by the inability to identify who purchased the keg alcohol.

Registration/identification information must be available on all keg fermented malt beverages in the City. Individual identification number, purchaser and retail seller identity information will better enable law enforcement to identify providers of keg fermented malt beverages to underage persons. Therefore, it is in the public interest to place reasonable keg registration/identification rules as hereafter set forth. This ordinance provides for the registration and documentation of retail sales of keg fermented malt beverage.

Sec. 6-21. Registration and Return Procedure.

All retail sales/purchases of fermented malt beverages by keg container of a two gallon volume or more in the City for off site (at a location which does not hold a liquor or fermented malt beverage license) consumption must comply with the following registration, documentation and labeling requirements and restrictions imposed by this ordinance:

(a) Purchasers shall provide a current government issued photo identification with the purchaser's name, address and individual identification number to the seller who shall then record and document that information in a log. The log shall also contain the individual keg identification assigned to the keg by the seller, and include the date of sale and indicate that the photo identification that

was produced was matched to the purchaser. The log shall also contain some identifier of each person, owner/employee who sold to each purchaser. This information shall be kept by the seller for a minimum period of six months from the date of sale.

(b) Sellers shall assign, record and attach to each retail keg sold for off site consumption an individual keg identification number/tamper-proof tag, at or before the time of sale to the purchaser, and the tamper-proof tag shall also include a prominent warning thereon that it is illegal to alter, damage or remove the tamper-proof tag from the keg, and that it is illegal to sell or distribute, or to permit the sale or distribution of fermented malt beverages from the keg to underage persons.

(c) Sellers of keg fermented malt beverages shall obtain the individual keg identification tamper-proof tag from the City Clerk's office which shall record to whom the consecutively numbered tamper-proof tags are distributed and shall restrict the distribution of the tamper-proof tags to licensed alcoholic beverage retailers. The City Clerk shall keep the record of distribution for one year.

(d) Sellers shall collect a deposit in an amount set by the retailer for each keg. Purchasers shall return kegs to the retail seller where it was purchased with the individual keg identification tamper-proof tag attached, intact and legible on or before sixty (60) days from the date of sale or the deposit shall be forfeited.

(e) Sellers shall record the date on which the keg is returned, who returned the keg and indicate whether the keg identification tamper-proof tag is present or absent by notation on the log.

(f) Sellers shall remove the individual keg identification tamper-proof tags from the kegs when they are returned and shall maintain them with the keg registration records.

(g) Sellers shall produce keg registration logs/records to the Racine police department upon request.

(h) This ordinance does not apply to keg sales to liquor or fermented malt beverage licensees.

Sec. 6-22. Keg possession requirements and restrictions.

No person shall possess a keg container of fermented malt beverages of two gallons or more which was purchased in the City of Racine for consumption, after the effective date of this ordinance, without an intact and legible individual keg identification tamper-proof tag attached (except for retail sellers of keg fermented malt beverages and liquor and fermented malt beverage licensees).

Sec. 6-23. Penalty for violation.

A seller or purchaser or other person who violates any of the above

requirements and/or restrictions imposed by sections 6-21 and 6-22 shall be subject to a forfeiture not to exceed \$ 500 and costs. Any unregistered keg found in violation of section 6-22 is subject to seizure by the Racine police department.”

Part 3:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

Sponsors: Gregory Holding

Ord.21-07

Ordinance No. 21-07

To amend Section 66-2(a) of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Acts constituting offenses under chapter; penalties.

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

Part 1:

Section 66-2(a) of the Municipal Code of the City of Racine is hereby amended by adding the following at the end:

“(3) Is the holder of a license to sell alcohol and/or tobacco, if the offense concerns the sale of alcohol to a person under the age of 21 or the sale of tobacco to a person under the age of 18.”

Part 2:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

**Recommendation of the Public Safety & Licensing Committee on
10-22-07:** That the item be deferred to the next Public Safety & Licensing
Committee Meeting November 12, 2007.

Fiscal Note: N/A

Sponsors: Q.A. Shakoor II

[07-1413](#)

Subject:(Direct Referral) License Premise Report October 2007.

[07-1399](#)

Subject: (Direct Referral) Applications for Operator's (Bartender's)
Licenses.

Miscellaneous Business

Adjournment

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