



# City of Racine

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

## Meeting Agenda - Final Public Safety and Licensing Committee

*Chairman Aron Wisneski  
Vice Chairman Gregory Holding  
Robert Mozol  
Jim Kaplan  
Melissa Kaprelian-Becker*

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Monday, August 22, 2011

5:30 PM

City Hall, Room 205

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### Call To Order

### Approval of Minutes for the July 25, 2011 Meeting.

- [11-6700](#)      **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting permission to waive bidding relative to the purchase and installation of playground equipment, and instruct the Purchasing Agent to obtain from Miller & Associates.
- [11-6767](#)      **Subject:** [Direct Referral] Communication from the Director of Parks, Recreation and Cultural Services requesting to rescind the request that Coca-Cola, Inc. be the exclusive provider of beverages at the community centers; further request the Mayor and City Clerk enter into an agreement with Pepsi-Cola General Bottlers, Inc., a wholly owned subsidiary of Pepsi Beverages Company, to be the exclusive provider of beverages at the community centers.
- [11-6722](#)      **Subject:** (New) Application of Roberts Roost LLC, Edward Scharding, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 600 Sixth Street. (1st District)
- [11-6760](#)      **Subject:** (New) The application of Maurice Caldwell and Jeanette Caldwell, Affordable Luxury Limo for a Public Passenger Vehicle Operator's Business License, and Public Passenger Driver's License for Maurice Caldwell
- [11-6723](#)      **Subject:** (Direct Referral) Request the appearance of the owner/agent for The Club, 1240 Washington Avenue due to incidents at their establishment on June 25, July 8, and July 16, 2011.
- [11-6775](#)      **Subject:** (Direct Referral) The **renewal** application of Rejuvenations for a Massage Establishment Permit for 215 Sixth Street. (1st District)
- [11-6689](#)      **Subject:** (New) Application for Ancient Horizon, Abdbari Ali, for a

Secondhand Jewelry Dealer's License for 5762 Durand Avenue. (14th District)

**Recommendation of the Public Safety and Licensing Committee on 7-25-11:** That the item be deferred for two weeks.

[11-6724](#)

**Subject:** (Direct Referral) Sale of Abandoned Vehicles 07-28-11

[11-6787](#)

**Subject:** (Direct Referral) Operator's (Bartender's) Licenses for 08/22/2011.

[11-6785](#)

**Subject:** (Direct Referral) Alcohol Compliance Checks Report for fall 2011

[11-6786](#)

**Subject:** (Direct Referral) Licensed Premise Report and DRC Reports for 8/22/2011 meeting.

[11-6718](#)

**Subject:** Communication from the President of the Common Council wishing to discuss City of Racine policy with respect to firearms in light of 2011 Wisconsin Act 35.

[11-6784](#)

**Subject:** Communication from the City Clerk requesting the committee look at implementing a policy to deal with late renewals for various licenses issued through the City Clerk's Office.

[Ord.7-11](#)

Ordinance No. 7-11

To amend Article IV. - Operator's License by removing all references to provisional licenses, 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 IV of the Municipal Code of the city of Racine is hereby amended to read as follows:

**"Article IV. - OPERATOR'S LICENSE**

Sec. 6-131. Operator's license required.

Sec. 6-132. Sales authorized; fee.

Sec. 6-133. Qualifications for operator's license.

Sec. 6-135. Additional qualifications of operator's license.

Sec. 6-136. Application.

Sec. 6-137. Nonrenewal, suspension and revocation.  
Secs. 6-138--6-160. Reserved.

**Sec. 6-131. Operator's license required.**

There shall be upon the premises operated under a retail Class "A" or Class "B" fermented malt beverage license or "Class A" or "Class B" intoxicating liquor license, or temporary Class "B", or "Class C" wine license or "Class B" license at all times, the licensee or some person who shall have an operator's license under Wis. Stats. § 125.17, and who shall be responsible for the acts of all persons serving as waiters, or serving in any other manner, any fermented malt beverages or intoxicating liquor to customers. For the purpose of this section, any member of the licensee's immediate family who has attained the age of 18 shall be considered the holder of an operator's license. No person other than the licensee shall serve fermented malt beverages or intoxicating liquor in any place operated under a retail Class "A" or Class "B" fermented malt beverage license or "Class A" or "Class B" intoxicating liquor license, or "Class C" wine license, unless he shall possess on his person such operator's license unless he shall be under the immediate supervision of the licensee or a person holding an operator's license or who shall at the time of such service be upon such premises. The retail Class "A" or Class "B" fermented malt beverage licensee or "Class A" or "Class B" intoxicating liquor licensee, "Class C" wine licensee shall be responsible for the observance of this provision and shall be subject to the penalties provided for any violation thereof on the premises for which he holds the retail Class "A" or Class "B" fermented malt beverage license or "Class A" or "Class B" intoxicating liquor license, "Class C" wine license.

*(Code 1973, § 24.11.010; Ord. No. 17-91, pt. 3, 5-21-91; Ord. No. 39-92, pt. 2, 1-19-93; Ord. No. 23-95, pt. 5, 10-3-95; Ord. No. 7-00, pt. 11, 5-17-00; Ord. No. 34-06, pt. 2, 9-19-06; Ord. No. 5-07, pt. 2, 3-20-07)*

**State law references:** Operator's license, Class "A" or Class "B" licensed premises, Wis. Stats. § 125.32(2); operator's license, "Class A" or "Class B" premises, Wis. Stats. § 125.68.

**Sec. 6-132. Sales authorized; fee.**

(a) Operator's license. An operator's license shall authorize the holder to serve or purvey those alcohol beverages for which sale is authorized at the premises where the operator is employed. The licenses shall expire on the second June 30 following issuance. The fee for an operator's license will be prorated as follows:

12--24 months . . . \$ 75.00

9--12 months . . . 40.00  
3 months or less . . . 75.00 for the  
next licensing period  
and the three months  
would not be charged.

*(Code 1973, § 22.01.040(e), (f); Ord. No. 17-91, pt. 1, 5-21-91; Ord. No. 39-92, pt. 1, 1-19-93; Ord. No. 2-93, pt. 3, 2-2-93; Ord. No. 8-93, pt. 2, 4-19-93; Ord. No. 23-04, pts. 1, 2, 8-17-04; Ord. No. 33-06, pt. 1, 9-5-06; Ord. No. 34-06, pt. 3, 9-19-06; Ord. No. 5-07, pt. 3, 3-20-07)*

**State law references:** Operator's license, Wis. Stats. § 125.17.

**Sec. 6-133. Qualifications for operator's license.**

(a) An operator's license may be issued by the city clerk to a person who is at least 18 years of age, does not have an arrest or conviction record, subject to Wis. Stats. §§ 111.321, 111.322, 111.335 and 125.12(1)(b), and has successfully completed a responsible beverage server training course as provided in Wis. Stats. § 125.17(6), or is exempt thereunder. A person who is denied a license under this section may appeal in writing to the Public safety and Licensing Committee.

(b) The operator shall carry his operator's license on his person at all times during which the licensee is providing services under the operator's license.  
*(Code 1973, § 22.01.040(e); Ord. No. 17-91, pt. 1, 5-21-91; Ord. No. 39-92, pt. 1, 1-19-93; Ord. No. 2-93, pt. 3, 2-2-93; Ord. No. 8-93, pt. 2, 4-19-93; Ord. No. 23-95, pt. 6, 10-3-95; Ord. No. 20-97, pt. 1, 12-17-97; Ord. No. 46-04, pt. 1, 12-7-04)*

**State law references:** Operator's license, Wis. Stats. § 125.17.

**Sec. 6-135. Additional qualifications of operator's license.**

Operator's licenses shall be granted only to persons who qualify for such licenses under the provisions of Wis. Stats. § 125.04(5).

*(Code 1973, § 22.01.050; Ord. No. 8-93, pt. 3, 4-19-93)*

**State law references:** Qualifications for operator's license, Wis. Stats. § 125.04(5)(d).

**Sec. 6-136. Application.**

Written application for an operator's license shall be filed with the city clerk upon forms provided by the city clerk. Such application shall contain the name, residence and age of the applicant. Such application shall further state such additional information as the city clerk shall require.

*(Code 1973, § 22.01.100; Ord. No. 8-93, pt. 5, 4-19-93; Ord. No. 34-06, pt. 5, 9-19-06; Ord. No. 5-07, pt. 5, 3-20-07)*

**Sec. 6-137. Nonrenewal, suspension and revocation.**

(a) Licenses issued under this article may not be renewed, or may be suspended or revoked, by the common council. An operator's license issued

under this article may not be renewed, or may be suspended or revoked, by the common council as provided in Wis. Stats. § 125.12.

(b) When any license issued under this article is suspended or revoked, no refund of any unearned portion of the fee paid therefore shall be made. When a license is revoked under this section, the revocation shall be recorded by the city clerk and no other license issued under this article may be granted within 12 months of the date of revocation to the person whose license was revoked. (Code 1973, § 22.01.130(a); Ord. No. 8-93, pt. 7, 4-19-93)

**State law references:** Revocation, suspension, refusal to issue or renew, Wis. Stats. § 125.12.

**Secs. 6-138--6-160. Reserved."**

Part 2:

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

Passed by the Common Council:

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

\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_

City Clerk

**Sponsors:** Aron Wisneski

## Adjournment

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