

Ordinance 0008-22 – Qualifications for Operator’s License; false statement; denials.

An ordinance to amend Chapter 6, 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Part 1: Chapter 6, Section 6-133(a)(1)d, is repealed and recreated as follows:

- d. *Felony conviction.* Any felony conviction in any court in any state or of the United States, within the ten years immediately preceding the application.

Part 2: Chapter 6, Section 6-133(a)(1)e, is created as follows:

- e. *Pending charges.* Provided the offense is substantially related, any pending charge for an exempt offense or a violent crime against a child, as defined under Wis. Stat. § 111.335(1m).

Part 3: Chapter 6, Section 6-133(a)(2), is repealed and recreated as follows:

- (2) The city clerk shall refer any person who has an arrest or conviction record pursuant to subsection (a)(1) to the public safety and licensing committee. Prior to the denial of any license based on the person’s arrest or conviction record, unless the offense is otherwise exempt under Wis. Stat. § 111.335(4)(c)2, the committee shall allow the applicant to present evidence of rehabilitation and fitness to engage in the licensed activity pursuant to Wis. Stat. § 111.335(4)(c). If the committee determines that the applicant meets the qualifications for an operator’s license and is otherwise fit to engage in the licensed activity, the city clerk may issue such license without referring the matter to the common council. If the committee recommends denial of such license, the city clerk shall refer the matter to the common council, who shall make the final determination.

Part 4: Delete Chapter 6, Section 6-133(a)(3).

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.

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 5 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.