



# City of West Allis

## Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
2009-0582	Communication	Introduced
Communication from Robert Braun requesting consideration to revoke the operating license of Family Video Store #355 located at 1715 S. 76 Street.		
<b>Introduced:</b> 9/15/2009		<b>Controlling Body:</b> Safety & Development Committee

### COMMITTEE RECOMMENDATION File

	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
ACTION DATE:	_____	_____	Barczak				
<u>9/15/09</u>	_____	_____	Czaplewski				
	_____	_____	Kopplin	✓			
	✓	_____	Lajsic	✓			
	_____	_____	Narlock	✓			
	_____	✓	Reinke	✓			
	_____	_____	Roadt				
	_____	_____	Sengstock				
	_____	_____	Vitale	✓			
	_____	_____	Weigel				
			TOTAL	<u>5</u>	<u>0</u>		

**SIGNATURE OF COMMITTEE MEMBER**

Chair \_\_\_\_\_ Vice-Chair \_\_\_\_\_ Member \_\_\_\_\_

### COMMON COUNCIL ACTION place on file

	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
ACTION DATE:	_____	✓	Barczak	✓			
<u>9-15-09</u>	_____	_____	Czaplewski	✓			
	✓	_____	Kopplin	✓			
	_____	_____	Lajsic	✓			
	_____	_____	Narlock	✓			
	_____	_____	Reinke	✓			
	_____	_____	Roadt	✓			
	_____	_____	Sengstock				✓
	_____	_____	Vitale	✓			
	_____	_____	Weigel	✓			
			TOTAL	<u>9</u>			<u>1</u>

unanimous

August 27, 2009

**RECEIVED**

CITY OF WEST ALLIS  
7525 W GREENFIELD AVE  
WEST ALLIS WI 53214

AUG 28 2009

CITY OF WEST ALLIS  
CLERK/TREASURER

ATTN: COMMON COUNCIL MEMBERS

RE: REQUEST TO CONSIDER REVOCATION OF OPERATING LICENSE OF  
FAMILY VIDEO STORE #355 LOCATED AT 1715 SOUTH 76<sup>TH</sup> STREET.

Dear Members

I would like to present evidence to the common council regarding the possible violation of an agreement between the City of West Allis and Family Video Store #355 located at 1715 south 76<sup>th</sup> street in West Allis. Family Video Store was issued a business license to operate on the condition that it would at no time rent, sell or display adult videos. Subsequent to the opening and operation of the business a back room evolved labeled YOU MUST BE 18 YEARS OF AGE TO ENTER. This room contains hundreds of adult videos along all the walls and a free standing display in the center of the room.

Both the City of West Allis and Family video are in violation of the original agreement; as such they have also violated the trust of the community who had a clear expectation to be free from an atmosphere that creates a public nuisance. Family Video is not the family friendly business it portrays consequently the City is empowered to suspend family video's business license to operate unless it immediately conforms the business to the standards set forth in the original agreement.

Why should any business or resident of West Allis respect laws, contracts or agreements if the City of West Allis is not enforcing them when violations occur? I respectfully request a review of all documentation relating to the issuance of Family Video's business license to consider what further action should be taken by the City of West Allis.

Respectfully,

Robert Braun



Christian Civil Liberty Union  
2634 W. Vliet Street  
Milwaukee, Wi 53205  
414-344-7478

SEE ATT.

mailed: Mayor  
Alderspersons  
Dev  
e: Ab.

ATT.



**CITY OF WEST ALLIS**  
**RECEIVED**  
WISCONSIN



AUG 28 2009

August 27, 2003

CITY OF WEST ALLIS  
CLERK/TREASURER

**Second Aldermanic District**  
**KURT KOPPLIN**  
**MARTIN J. WEIGEL**

RE: Proposed Family Video store, 7619 W. National Ave., West Allis, WI

Dear Resident:

On behalf of the City of West Allis, we would like to invite you to a neighborhood meeting to discuss the proposal of Family Video and Movie Club to locate its business at 7619 W. National Ave.

**The informational meeting will be held at**  
**West Allis City Hall, 7525 W. Greenfield Ave. Room 128,**  
**Tuesday, September 16, 2003 at 6:00 p.m.**

Family Video and Movie Club is proposing to purchase and occupy the former grocery store located at 7619 W. National Ave. (currently Thriftmart). As part of the service they provide, Family Video will offer a variety of movies for sale and for rental, including the latest Hollywood releases, kids' cartoons, sports and fitness movies, and educational movies. Family Video has also indicated that they will offer sales and rental of adult and sexually explicit videos within a separate 270-sq. ft. room located inside the building.

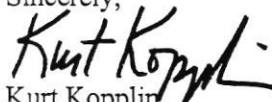
The property is zoned C-2, Neighborhood Commercial District, which permits videotape sales and rental as a permitted use. Legally, the City cannot prohibit the display or regulate the content of such material, however, the display of such material is controlled in accordance with Section 6.02 (11)(b) of the West Allis Revised Municipal Code. Section 6.02 regulates the display of sexually explicit material as follows:

**"Display of sexually explicit reading materials and video tapes. It shall be unlawful for any person to knowingly display sexually explicit reading materials and video tapes in any public place in the City of West Allis which is accessible to minors; provided, however, that such sexually explicit reading material and video tapes may be displayed behind a checkout counter or cash register stand or adjacent to such counters or stands, which have no rear access. In the alternative, any public place in the City of West Allis may display such sexually explicit reading material and video tapes in a specific area where only adults are allowed. Such area must contain a sign no smaller than two (2) feet stating "Adults Only." If the cover of such reading material or video tape displays a visual representation of a specified anatomical area or sexual conduct, such cover must have an opaque screen or border of sufficient height so that only the title is visible."**

On behalf of the City of West Allis, we would like to invite you to a neighborhood meeting to discuss the proposed Family Video use. In an attempt to inform the public, property owners within 1,200 feet of the store have been notified. A representative from Family Video will be available at the meeting to address your concerns.

If you have any questions, please contact Steven J. Schaer, Manager, Planning & Zoning Div. (414)-302-8460

Sincerely,

  
Kurt Kopplin  
Second District Alderperson

  
Martin J. Weigel  
Second District Alderperson

KK/MJW/jmg  
hml/vnm