

49.



# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
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O-2010-0007      Ordinance      Introduced

An Ordinance to Create Section 9.02(3m)(c)(1) and 9.02(3m)(c)(1)(a) of the West Allis Revised Municipal Code Relating to Class C Licenses.

Introduced: 2/2/2010

Controlling Body: License & Health Committee

Sponsor(s): License & Health Committee

### COMMITTEE RECOMMENDATION

*Approves / pass*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>2-2-10</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Kopplin				
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic				
	<input type="checkbox"/>	<input type="checkbox"/>	Narlock				
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke				
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale				
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>5</u>	<u>0</u>		

### SIGNATURE OF COMMITTEE MEMBER

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

### COMMON COUNCIL ACTION

*PASS*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>2-2-10</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Kopplin	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Narlock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	-Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>10</u>	<u>-</u>		



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Ordinance

**File Number: O-2010-0007**

**Final Action:**

**Sponsor(s):** License & Health Committee

FEB 02 2010

An Ordinance to Create Section 9.02(3m)(c)(1) and 9.02(3m)(c)(1)(a) of the West Allis Revised Municipal Code Relating to Class C Licenses.

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 9.02(3m)(c)(1) and 9.02(3m)(c)(1)(a) of the Revised Municipal Code of the City of West Allis are hereby created to read:

### 9.02 ALCOHOLIC BEVERAGES.

\* \* \*

#### (3m) "CLASS C" LICENSES.

\* \* \*

(c) Granting of License. A "Class C" license may be granted to an applicant only if the applicant meets the qualifications set forth in sec. 125.04(5) of the Wisconsin Statutes; the premises to be licensed is a restaurant in which the sale of alcohol beverages accounts for or will account for less than fifty percent (50%) of gross receipts; the restaurant does not contain a barroom; and, no "Class B" license is available, pursuant to the quota set forth in sec. 9.01 of the Revised Municipal Code.

1. No "Class C" license or permit may be issued for premises the main entrance of which is less than 300 feet from the main entrance of any public or parochial school, hospital or church, except that this prohibition may be waived by a majority vote of Common Council. The distance shall be measured by the shortest route along the highway from the main entrance of the school, church or hospital to the main entrance of the premises covered by the license or permit.

a. The prohibition in this subsection does not apply to any premises covered by a "Class C" license or permit on the date this ordinance is published or premises covered by a "Class C" license or permit prior to the occupation of real property within 300 feet thereof by any school, hospital or church building.

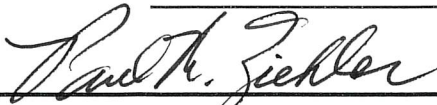
PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-CreateSec9.02(3m)(c)(1)(a)ClassCLicense-Restriction

**PASSED**

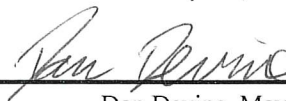
FEB 02 2010



Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

**APPROVED**

2/5/10



Dan Devine, Mayor

COMMUNITY **CNI** NEWSPAPERS

AFFIDAVIT OF PUBLICATION

0003480635

WEST ALLIS CITY OF-LEGALS  
CLERK/TREASURER'S OFFICE  
7525 W GREENFIELD AVE

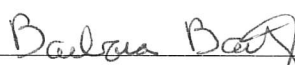
West Allis, WI 53214

Patti Guerrero hereby states that she is authorized by Journal Sentinel Inc. to certify on behalf of Journal Sentinel Inc., publisher of Community Newspapers, public newspapers of general circulation, printed and published in city and county of Milwaukee; was published in the My Community Now- Midwest on 2/18/2010; that said printed copy was taken from said printed newspaper(s).

  
\_\_\_\_\_  
Patti Guerrero

State of Wisconsin )  
                                                          ) SS:  
County of Milwaukee)

Subscribed and sworn before me this 24<sup>th</sup> day of Feb, 2010.

  
\_\_\_\_\_

Notary Public State of Wisconsin

My Commission Expires 4-10-11



**NOTICE OF  
NEWLY ENACTED ORDINANCE**

Please take notice that the City of West Allis enacted Ordinance No. O-2010-0007, An Ordinance to Amend Section 9.02(3m)(c) and create Section 9.02(3m)(c)(1) and Section 9.02(3m)(c)(1)(a) of the West Allis Revised Municipal Code Relating to Class C Licenses, on February 5, 2010. The ordinance prohibits businesses from obtaining a Class C alcohol license if the main entrance of the premises is less than 300 feet from the main entrance of any school, hospital, or church, with some exceptions. The full text of Ordinance No. O-2010-0007 may be obtained at the City Clerk/Treasurer's Office, 7525 W. Greenfield Ave., West Allis, WI 53214 and through the Legislative Information Center on the City's Website at <http://www.ci.west-allis.wi.us>. Clerk/Treasurer's telephone: (414) 302-8200.

Paul M. Ziehler,  
City Administrative Officer,  
Clerk/Treasurer

Published: 2/18/10