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June 23, 2023

EKC Investments LLC  
DBA: Kane's Bar & Grill  
6922 W. Orchard Street  
West Allis, WI 53214

Agent: Ed Jones  
W215N5419 Adamdale Drive  
Menomonee Falls, WI 53051

**Notice of Non-Renewal for:**

- **ALC-22-1: "Class B" intoxicating liquor license and the Class "B" fermented malt beverage license and Public Entertainment License**
- **LWIR-CB4MZH: Retail Food License**

Ed Jones as agent for EKC Investments LLC,

Pursuant to Wis. Stat. § 125.12(3), you are hereby notified of the City's intention not to renew EKC Investments LLC's "Class B" intoxicating liquor license and Class "B" fermented malt beverage license, together referred to as the Class B Tavern License, the public entertainment license, and the retail food license.

The grounds for this non-renewal include:

The premises contemplated in the application is currently under a cease-and-desist order from the West Allis Health Department related to rodent activity at the premises. The establishment currently does not meet statutory qualifications for the food license pursuant to ATCP § 75.06. Additionally, pursuant to Wis. Stat. § 125.68(5), "no applicant may obtain a 'Class B' license or permit or a 'Class C' license unless the premises complies with the rules promulgated by the department of agriculture, trade and consumer protection governing sanitation of restaurants."

Wis. Stat. § 125.68(5) prohibits the municipality from issuing this license at this time. This also represents a violation of Wis. Stat. § 125.12(2)(ag)4 because you do not currently possess the qualifications to hold a license pursuant to state law.

The public entertainment license because the premises has caused a public nuisance related to the ongoing garbage and rodent issues at the premises, pursuant to West Allis Municipal Code § 9.51(1).



You may have an opportunity for a hearing on this matter to challenge this Notice of Non-renewal. To request a hearing in front of the West Allis Public Safety Committee, you must file a written request for a hearing to the West Allis Clerk's Office prior to the start of the upcoming license period on July 1, 2023. If you do not request a hearing, the licenses will not be renewed. You may also apply for a provisional retail license during the pendency of this matter but you may not operate unless or until you are authorized to operate pursuant to health orders and Wis. Stat. § 125.68(5).

If you do not choose to challenge this non-renewal, you may attempt to reapply for a new Class B Tavern License, public entertainment license, and food license when you meet statutory requirements for issuance of a license.

If you have additional questions, please contact the West Allis City Attorney's Office at 414-302-8450.

Sincerely,

A handwritten signature in black ink, appearing to read "N. S. Cerwin".

Nicholas S. Cerwin  
Principal Assistant City Attorney  
City of West Allis