



# City of West Allis

## Legislation Details (With Text)

**File #:** O-2009-0017 **Version:** 1

**Type:** Ordinance **Status:** Passed

**File created:** 6/2/2009 **In control:** License and Health Committee (INACTIVE)

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**Title:** An Ordinance to Amend Subsections 9.033(1), (2)(c), (2)(d), (7)(c)4, (9)(a) and Renumbering (16) to (13) of the West Allis Revised Municipal Code Relating to Tavern Entertainment License - Special Entertainment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. O-2009-0017 Packet Doc

Date	Ver.	Action By	Action	Result
6/2/2009	1	Common Council		
6/2/2009	1	Common Council	Passed	Pass
6/2/2009	1	License and Health Committee (INACTIVE)		Pass

An Ordinance to Amend Subsections 9.033(1), (2)(c), (2)(d), (7)(c)4, (9)(a) and Renumbering (16) to (13) of the West Allis Revised Municipal Code Relating to Tavern Entertainment License - Special Entertainment.

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

PART I. Subsections 9.033(1), (2)(c), (2)(d), (7)(c)4 and (9)(a) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

9.033 TAVERN ENTERTAINMENT LICENSE - SPECIAL ENTERTAINMENT.

(1) License Required.

No person holding a retail Class "B" fermented malt beverage, Class "B" intoxicating liquor, or Class "C" wine license, nor the licensee's agents or employees, shall provide, maintain, suffer or permit in or upon the licensed premises [as described in §§ 125.26(3), 125.51(3)(d), and 125.51(3m)(d), Wis. Stats.], any singing or dancing floor shows, cabaret shows, lingerie shows, exotic dancing, or similar type of show or entertainment, whether live or prerecorded music is used or not, without having first obtained a license therefor as hereinafter provided. Such entertainment shall discontinue thirty (30) minutes prior to the established closing time for the licensed premises. No instrumental music license under Section 9.032 shall be required of any person holding a valid license under this section.

(2) Location.

No person shall be granted an entertainment license if the licensed premises is located:

\* \* \*

(c) Within five hundred (500) feet of another business holding an entertainment license under this section or Section 9.034 of the Revised Municipal Code.

(d) Within five hundred (500) feet of any pre-existing school, church, or day-care center as defined in Sections 9.28(1)(h), 9.28(1)(j), and 9.28(1)(l) of the Revised Municipal Code.

\* \* \*

(7) Processing of Application and Issuance of License.

\* \* \*

(c) The Common Council shall examine all applications filed and shall make or cause to be made such further investigation as it deems necessary. The Common Council shall approve a license only if it finds all of the following:

\* \* \*

4. That the proposed entertainment will comply with all applicable rules, regulations, ordinances, and state laws, specifically including, but not limited to, noise limitations, performance standard, and distancing requirements under Sections 7.035, 9.02(19), 18.03(3)(m) of the Revised Municipal Code.

\* \* \*

(9) Renewal of License.

(a) Every license issued pursuant to this section shall terminate on June 30th pursuant to Section 9.015, unless sooner revoked, and must be renewed before operation is allowed in the following license year. Any operator desiring to renew a license shall make application to the Clerk/Treasurer. The application for renewal must be filed on or before May 1st. Operators filing a renewal application shall provide the information required by Subsection 9.033(3) and shall be processed pursuant to Subsection 9.033(7).

\* \* \*

PART II. Subsection 9.033(16) of the Revised Municipal Code of the City of West Allis is hereby renumbered to read:

(13) Pre-Existing Entertainment Licenses and Discontinuation of Operation. Holders of Class "B" fermented malt beverage, Class "B" intoxicating liquor, or Class "C" wine licenses who also possess an entertainment license at the time of passage of this ordinance are exempt from the locations provisions of Paragraph 9.033(2). Any transfer of the entertainment license from the licensed premises to any other premises shall cause said entertainment license to lapse and become void. Any discontinuation in the operation of the licensed premises for a period of six (6) months shall also cause the entertainment license to lapse and become void. A licensee whose license has lapsed and become void shall thereafter be subject to the location requirements in Paragraph 9.033(2).

PART III. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby amended.

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

ATTO-AmendSec9.033-TavernEntLic-SpecEnt