AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE MEETING
Kenosha Municipal Building - Room 202
Monday, May 10, 2010
5:00 PM
(Following Park Commission Meeting)

Chairman:	Jesse L. Downing
Vice Chair:	Anthony Kennedy
Aldermen:	Michael J. Orth
	Lawrence F. Green
	Rocco J. LaMacchia, Sr

Call to Order
Roll Call

A. APPROVAL OF MINUTES

A-1. Approval of the minutes of the regular meeting held April 26, 2010.

C. REFERRED TO COMMITTEE

C-1. Proposed Ordinance to Recreate, Renumber, Amend, and Create Various Sections of 13.02 J (*of the Code of General Ordinances)* entitled "Pawnbrokers and Dealer Requirements". *(Licensing/Permit approved 5-0)*

DISCUSSION ITEM: Religious Institutions – Sign Ordinance Requirements.

CITIZENS COMMENTS/ALDERMEN COMMENTS
OTHER BUSINESS AS AUTHORIZED BY LAW

IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE, PLEASE CALL 653-4050 BEFORE THIS MEETING

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY BE PRESENT AT THE MEETING, AND ALTHOUGH THIS MAY CONSTITUTE A QUORUM OF THE COMMON COUNCIL, THE COUNCIL WILL NOT TAKE ANY ACTION AT THIS MEETING.

PUBLIC SAFETY & WELFARE COMMITTEE
- MINUTES -
Monday, April 26, 2010

The regular meeting of the Public Safety & Welfare Committee was held on Monday, April 26, 2010 in Room 202 of the Kenosha Municipal Building. The meeting was called to order at 6:00 pm. The following members were present: Chairman Downing, Alderman Orth, Kennedy, Green, and LaMacchia. Staff members in attendance were Kevin Risch.

It was moved by Alderman Orth, seconded by Alderman LaMacchia, to approve the minutes of the meeting held on Monday, April 12, 2010 and the special meeting held April 19, 2010. Motion passed 5-0.

C-1. Aldermanic Request to Install No Parking, 8:00am – 5:00pm, Monday – Friday, April 1st to October 31st west Side of 10th Avenue – 5100 block.
(District 2) (Staff recommends approval of a trial)
It was moved by Alderman Orth, seconded by Alderman Green, to approve a 90 day trial. Motion passed 5-0.

C-2. Election of Vice Chair.
Alderman Kennedy nominated himself, econded by Alderman Orth, to elect Alderman Kennedy as Vice Chair. Motion passed 5-0.

C-3. Reschedule Meeting of May 31, 2010 (Memorial Day).
Meeting was reschedule for May 24, 2010, time to be determined.

ALDERMAN COMMENTS: Alderman Orth thanked Alderman Kennedy for being vice chair.

ADJOURNMENT - *There being no further business to come before the Public Safety & Welfare Committee, it was moved, seconded and unanimously carried to adjourn at 6:08 pm.*

C-1

ORDINANCE NO. _____

REDLINE
04.28.10

BY: ALDERPERSON PROZANSKI
ALDERPERSON DOWNING
ALDERPERSON MISNER
ALDERPERSON ORTH
ALDERPERSON GREEN
ALDERPERSON JULIANA
ALDERPERSON NUDO
ALDERPERSON BOGDALA

TO RECREATE, RENUMBER, AMEND, AND CREATE VARIOUS SECTIONS OF 13.02 J OF THE CODE OF GENERAL ORDINANCES ENTITLED "PAWNBROKERS AND DEALER REQUIREMENTS"

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Paragraph 13.02 J.3 is hereby recreated and renumbered as follows:

3. Records.

a. Except as provided in **§b.,** for each transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from a customer, a pawnbroker, secondhand article dealer or secondhand jewelry dealer shall:

(1) ~~r~~Require the customer to complete and sign, in ink, the appropriate form provided by the City of Kenosha or the Department of ~~Justice.~~ Agriculture. No entry on such form may be erased, mutilated or changed. The pawnbroker, secondhand article dealer or secondhand jewelry dealer shall retain an original and a duplicate of each form for not less than one (1) year after the date of the transaction except as provided in **¶5.,** and during that period shall make the duplicate available to any law enforcement officer for inspection at any reasonable time.

(2) Require the customer to provide a fingerpring impression, in ink, in the appropriate location on the form provided by the City of Kenosha or Department of Agriculture. No impression on such form may be erased, mutilated or changed.

(~~2~~3) Take a color photograph, a digital image or a video recording of:
_(a) Each customer involved in a billable transaction.
_(b) Every item pawned or sold.

If a photograph is taken, it must be at least two inches in length by two inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the Chief of Police, or the Chief's designee, upon request. The major portion of the photograph must include an identifiable facial image of the person who pawned or sold the item. Items photographed must be accurately depicted.

If a digital image is taken, it must be in a format specified by the police department, electronically cross-referenced to the reportable transaction they are associated with. Such images must be available to the Chief of Police, or the Chief's designee, upon request. The major portion of the image must include an identifiable facial image of the person who pawned or sold the item. Items recorded by digital image must be accurately depicted.

If a video photograph is taken, the video camera must focus on the person pawning or selling the item so as to include an identifiable image of that person's face. Video recordings must be available to the Chief of Police, or the Chief's designee, upon request. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate.

Photographs, digital images and video recordings shall be retained by the pawnbroker, secondhand article dealer or secondhand jewelry dealer for not less than one (1) year after the date of the transaction.

The Licensee must inform the person that he or she is being photographed and/or videotaped by displaying a sign of sufficient size in a conspicuous place on the premises.

b. For every secondhand article ~~purchased, received or exchanged by a secondhand article dealer from a customer off the secondhand article dealer's premises or~~ consigned to the secondhand article dealer for sale on the secondhand article dealer's premises, the secondhand article dealer shall keep a written inventory. In this inventory the secondhand article dealer shall record the name and address of each customer, the date, time and place of the transaction and a detailed description of the article which is the subject of the transaction. The customer shall sign his or her name, address and telephone number on a declaration of ownership of the secondhand article identified in the inventory and shall state that he or she owns the secondhand article. The secondhand article dealer shall retain an original and a duplicate of each entry and declaration of ownership relating to the purchase, receipt or exchange of any secondhand article for not less then one (1) year after the date of the transaction except as provided for in **¶5.,** and shall make duplicates of the inventory and

Section Two: Subparagraph 13.02 J.4 (b) and 13.02 J.4 (c) is hereby amended as follows:

4. Holding Period.

b. Except as provided in **§e.**, any secondhand article purchased or received by a secondhand article dealer shall be kept on the secondhand article dealer's premises or other place for safekeeping for not less than ~~ten (10)~~ **thirty (30)** days after the date of purchase or receipt.

c. Except as provided in **§e.**, any secondhand jewelry purchased or received by a secondhand jewelry dealer shall be kept on the secondhand jewelry dealer's premises or other place for safekeeping for not less than ~~fifteen (15)~~ **thirty (30)** days after the date of purchase or receipt.

Section Three: Subsection 13.02 J.7, ~~and~~ Subsection 13.02 J.8, and 13.02 J.9 is hereby created as follows:

7. Altered Serial Number. No pawnbroker, secondhand article dealer or secondhand jewelry dealer may receive any item of property that possesses an altered or obliterated serial number or

operation identification number or any item of property that has had its serial number removed.

8. Business at Only One Place. A License under this chapter authorizes the Licensee to carry on its business only at the permanent place of business designated in the License. However, upon written request, the Chief of Police, or the Chief s designee, may approve an off-site locked and secured storage facility. The Licensee shall permit an inspection of the facility in accordance with this Chapter. All provisions of this Chapter regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the city code. The Licensee must either own the building in which the business is conducted, and any approved off-site storage facility, or have a lease on the business premises that extends for more than six (6) months.

9. Waiting Period.

a. When a pawnbroker lends money on the deposit or pledge of any article or jewelry, or purchases any article or jewelry he or she may not complete payment on the transaction until seventy-two (72) hours have elapsed from the time that the pawnbroker has received the article or jewelry. All payments made by the pawnbroker shall be made by check or money order.

b. When a Secondhand Article Dealer or Secondhand Jewelry Dealer purchases any article or jewelry he or she may not complete payment on the transaction until seventy-two hours have elapsed from the time that the Secondhand Article Dealer or Secondhand Jewelry Dealer has received the article or jewelry. All purchases made by the Secondhand Article Dealer or Secondhand Jewelry Dealer shall be made by check or money order.

Section Four: This Ordinance shall become effective September 1, 2010 upon passage and

publication.

ATTEST:_____City Clerk

APPROVED:_____Mayor Date:_____

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT,
Deputy City Attorney

Discussion Item

DEPARTMENT OF NEIGHBORHOOD SERVICES AND INSPECTIONS

JAMES M. SCHULTZ
Director

Building Inspection • Property Maintenance • Zoning Enforcement

TO: Alderman Jesse L. Downing, Chairman
and Members of the Public Safety and Welfare Committee

FROM: Paula A. Blise, MBA,CCEA, Zoning Coordinator
Department of Neighborhood Services and Inspections

SUBJECT: Religious Institutions - Sign Ordinance Requirements

DATE: May 3, 2010

The issue of whether or not to exempt religious institutions from the City of Kenosha Sign Ordinance requirement to obtain a sign permit for temporary banners and/or signs, has recently become the subject of debate. The City of Kenosha Sign Ordinance requires that all entities, profit or non-profit, obtain permits to install temporary and permanent exterior signs.

This item is brought forth to determine whether or not an amendment to exclude religious institutions from permit requirements is appropriate; and, to obtain guidance to enact standards in this regard.

In order to assist you in this undertaking, attached please find information derived from other Wisconsin municipalities pertaining to sign ordinance standards associated with religious institutions.

Staff will be available to respond to any questions or concerns in this matter.

PAB:kah
Attachment

625 52nd Street, Room 100 • Kenosha, WI 53140 • (262) 653-4263 • Fax (262) 653-4254

RELIGIOUS INSTITUTIONS - WISCONSIN SIGN ORDINANCE EXAMPLES	
LOCATION	***ORDINANCE LANGUAGE***
Twin Lakes No permit required for public, charitable, and religious institution bulletin signs	Bulletin signs for public, charitable, or religious institutions which shall be located on the premises of the institution being served and shall be limited to one such sign for each institution except on comer lots where two signs, one facing each street, shall be permitted. One bulletin sign shall not exceed thirty-two square feet (32 sq.ft.) in area.
Slinger No permit required for public, charitable, and religious institutions	Bulletin boards on ground signs or wall signs for public, charitable, or religious institutions not to exceed fifty square feet (50 sq.ft.) in area located on the premises. Such signs shall meet the setback requirement of the district in which they are located.
City of Appleton No permit required for banners for any entity	The following are signs that do not require a sign permit: <u>Banners.</u> Time limit of one-hundred twenty (120) consecutive days per banner applies. Temporary signs not exceeding thirty-two square feet (32 sq.ft.) pertaining to campaigns or events of civic, philanthropic, educational, or religious organizations, provided such signs are posted not more than thirty (30) days before an event and removed within two (2) days after the event.
Greenfield No exemption - Permit required for all entities	Permit required for temporary church and school signs, subject to the following criteria: • Not more than (1) banner can be displayed at one time • Maximum size: 24 sq.ft. • Cannot be freestanding • No more than four (4) times per year, with a 30-day time lapse between installations • Not permitted on sites with changeable copy signs
City of Milwaukee No permit required for special events, church festivals. <u>This does not apply to sales promotions.</u>	Temporary Banners and other nonrigid signs <u>prohibited, except in special instances, as listed below:</u> <u>Special Sign Types:</u> Temporary Banner Signs – General. Temporary banner signs are prohibited, except for the following: Temporary banner signs advertising special events, such as but not limited to, anniversary celebrations (but not including sales promotions). Not more than two (2) signs of this type may be erected on a premises in one calendar year; and, the cumulative display period for such signs shall not exceed sixty (60) days.

City of Mequon Permit exemption for bulletin boards associated with public, charitable or religious institutions - banners are prohibited.	Banners, pennants, streamers, balloons, non-rigid materials are prohibited. An exemption from permit requirements is only associated with bulletin boards not over 15 sq.ft. in size for public, charitable, or religious institutions, not to exceed seven feet (7') in height and subject to all other ordinance provisions.
City of Brookfield No exemption - Permit required for all entities	Banners may not exceed 30 sq.ft. in area and no business shall be issued sign permits for more than four (4) banners in any year. Religious institutions are not exempt from permit requirements.
City of Madison No exemption - Permit required for all entities	Permit required for flags, decorative, and promotional banners. No exemption for religious institutions.