

AGENDA
LICENSING/PERMIT COMMITTEE
Kenosha Municipal Office Building – Room 202
Monday, November 10, 2014
6:30 p.m.

Chairman: Curt Wilson
Vice Chair: Patrick Juliana

Aldersperson: David Bogdala
Aldersperson: G. John Ruffolo
Aldersperson: Kurt Wicklund

CALL TO ORDER
ROLL CALL

Approval of the minutes of the meeting held October 27, 2014.

NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.

1. Applications for new Operator's (Bartender) licenses, with a recommendation from the City Attorney to grant, subject to:
 - **10 demerit points:**
 - a. Felicia Krystavel
 - **30 demerit points:**
 - b. Kelsey Witmer
 - c. Ignazio DeBartolo
 - **75 demerit points:**
 - d. David Jansa
2. Application of Naadia Garcia for a new Operator's (Bartender) license, with a recommendation from the City Attorney to deny, based on material police record and false application. *(Referred from the Common Council meeting on November 3, 2014)*
3. Application of Rachel Stonis for a new Operator's (Bartender) license, with a recommendation from the City Attorney to deny, based on material police record.
4. Application of Adrianna Hernandez for a new Operator's (Bartender) license, with a recommendation from the City Attorney to defer.
5. Application of David Whitrock for a new Taxi Driver's license, with a recommendation from the City Attorney to deny, based on material police record. *(Referred from the Common Council meeting on November 3, 2014)*
6. Application of Joseph Michaelis for a new Taxi Driver's license, with a recommendation from the City Attorney to deny, based on material police record.
7. Application of The Port, LLC, for a Yearly Cabaret License located at 714 – 50th Street (Port of Kenosha Beverage House), with no adverse recommendations. (2nd District)
8. Application of Baseball Like It Oughta Be, LLC, for a Yearly Cabaret License located at 7817 Sheridan Road (Kenosha Kingfish), with no adverse recommendations. (12th District)

9. Applications for Pet Fancier Permits:
 1. Angel Derby-Soules (5506 31st Ave., 11th District)
 2. Cassandra Brown (5032 14th Ave., 7th District)
 3. Valarie Karas (6909 27th Ave., 8th District)
10. Proposed Ordinance by Alderperson Jan Michalski – To Repeal and Recreate Section 13.01 Regarding Scrap Salvage Dealers and Scrap Salvage Collectors. (*Deferred from the meetings on September 29th and October 27th, 2014*)
11. Discussion regarding the Cabaret License of HAPA, LLC, Edward Habel, Agent, located at 2200 – 60th Street (Pub 22). (2nd District)

Regarding items 12 through 17, the Licensing/Permit Committee may go into Closed Session regarding any or all of these items, pursuant to §§19.85(1)(a) and (b), Wisconsin Statutes to deliberate about disciplinary cases which were subjects of quasi-judicial hearings before the Committee. The Licensing/Permit Committee may or may not reconvene into open session.

12. Complaint by the City Clerk seeking revocation of the Operator's (Bartender) License of Paula Rodgers.
13. Complaint by the City Clerk seeking revocation of the Operator's (Bartender) License of Taylor Cofield.
14. Complaint by the City Clerk seeking revocation of the Operator's (Bartender) License of Julie DeFranco.
15. Complaint by the City Clerk seeking revocation of the Operator's (Bartender) License of Alexis Hoff.
16. Complaint by the City Clerk seeking revocation of the Class "A" Retail Beer/ "Class A" Retail Liquor License of Mega Marts, LLC, d/b/a Pick 'n Save #6871, Kai Kleimola, Agent, 2811 – 18th Street. (4th District) (*Deferred from the meetings on September 24th, October 13th, and October 27, 2014*)
17. Findings of Fact, Conclusions of Law and Recommendation to suspend for thirty (30) days the Class "A" Retail Beer License of Koche, LLC, d/b/a Tom's BP, Sheryl John, Agent, 2528 – 75th Street. (8th District)

**CITIZENS COMMENTS/BUSINESS AS AUTHORIZED BY LAW
ALDERPERSON COMMENTS**

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.

IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE, PLEASE CALL 653-4020 BEFORE THIS MEETING.

Licensing/Permit Committee
Minutes of the Meeting Held October 27, 2014

A meeting of the Licensing/Permit Committee was held on October 27th, 2014, in Room 202 of the Kenosha Municipal Building.

The meeting was called to order at 6:35 p.m. by Chair Wilson.

At roll call, the following members were present: Alderpersons Juliana, Wicklund and Bogdala. Alderperson Ruffolo was absent. Deputy City Attorney Matt Knight was present.

Approval of the minutes of the regular meeting held October 13th, 2014.

It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to approve. Motion carried unanimously.

1. Applications for new Operator's (Bartender) licenses, with a recommendation from the City Attorney to grant, subject to:
 - **0 demerit points:**
 - a. Trisha Gritzuk
 - b. Ashley Altreuther
 - c. Prince Jones
 - **15 demerit points:**
 - d. Lanita Mintz – *present and spoke*
 - **20 demerit points:**
 - e. Stephanie Whipple
 - **25 demerit points:**
 - f. Amber Banike – *present and spoke*
 - **30 demerit points:**
 - g. Rachel Smith – *present and spoke*
 - **45 demerit points:**
 - h. Evelyn Brown

It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to concur with the recommendation of the City Attorney. Motion carried unanimously.

2. Applications for new Operator's (Bartender) licenses, with a recommendation from the City Attorney to deny, based on:
 - **material police record and false application:**
 - a. Naadia Garcia
 - b. Amanda Pacheco

It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to concur with the recommendation of the City Attorney. Motion carried unanimously.

3. Application of Jennifer French for a new Taxi Driver's license, with a recommendation from the City Attorney to grant, subject to 45 demerit points.

It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to concur with the recommendation of the City Attorney. Motion carried unanimously.

4. Application of David Whitrock for a new Taxi Driver's license, with a recommendation from the City Attorney to deny, based on material police record. *(Deferred from the meeting on October 13, 2014)*

It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to concur with the recommendation of the City Attorney. Motion carried unanimously.

5. Application of Matthew Tindall for a new Taxi Driver's license, with a recommendation from the City Attorney to deny, based on material police record and false application.

Applicant was present and spoke. Alderperson Wicklund and Juliana spoke. Attorney Knight spoke. It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to approve, subject to 95 demerit points. Motion carried 3-1, with Alderperson Bogdala voting nay.

6. Review of the Economic Impact Statements for the period of July 1, 2013 through June 30, 2014: *(Deferred from the meeting on October 13, 2014)*

- a. Walgreens #09605, (1810 – 30th Avenue, 4th District).
- b. Walgreens #03738, (7535 Green Bay Road, 14th District).
- c. Walgreens #03617, (3805 – 80th Street, 14th District)

Robert Hilber was present and spoke. Alderperson Bogdala and Attorney Knight spoke. It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to receive and file. Motion carried unanimously.

7. Application of Ozinga Ready Mix Concrete, Inc., for a Temporary Cement Batch Plant License located at 8020 Green Bay Road. (14th District)

Applicant was present and spoke. Alderperson Bogdala and Attorney Matt Knight spoke. It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to approve. Motion carried unanimously.

8. Proposed Ordinance by Alderperson Jan Michalski – To Repeal and Recreate Section 13.01 Regarding Scrap Salvage Dealers and Scrap Salvage Collectors. *(Deferred from the meeting on September 29, 2014)*

Alderperson Wilson passed the gavel and spoke. Attorney Matt Knight spoke. It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to defer to the meeting on November 10, 2014. Motion carried unanimously.

9. Complaint by the City Clerk seeking revocation of the Class "A" Retail Beer License of Koche, LLC, d/b/a Tom's BP, Sheryl John, Agent, 2528 – 75th Street. (8th District) *(Deferred from the meetings on September 24th and October 13th, 2014)*

Attorney Knight appeared on behalf of the City. Licensee appeared by Attorney Thomas Santarelli. Outside counsel Steve Cain appeared on behalf of the committee. Attorney Santarelli stipulated to the facts contained within the Complaint. It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to go into closed session at 7:03 p.m. Motion carried unanimously. It was moved by Alderperson Juliana, seconded by Alderperson Wicklund to reconvene at 7:09 p.m. Motion carried unanimously. It was moved by Alderperson Wicklund, seconded by Alderperson Juliana to suspend the Class "A" Retail Beer License for a period of thirty (30) consecutive days. Motion carried unanimously.

10. Complaint by the City Clerk seeking revocation of the Class "A" Retail Beer/ "Class A" Retail Liquor License of Mega Marts, LLC, d/b/a Pick 'n Save #6871, Kai Kleimola, Agent, 2811 – 18th Street. (4th District) *(Deferred from the meetings on September 24th and October 13th, 2014)*

Attorney Knight appeared on behalf of the City. Licensee appeared by Attorneys Christopher Strohbehn and Steven McGavern. Mega Marts, LLC, employees Kai Kleimola,

John Boyle and Alma Ruiz also appeared. Outside counsel Steve Cain appeared on behalf of the committee. Alderpersons Wilson, Juliana, Wicklund and Bogdala spoke. Attorneys Knight and Cain spoke. It was moved by Alderperson Bogdala to defer for 30 days. Motion died for lack of a second. It was moved by Alderperson Bogdala to defer for 2 weeks. Motion died for lack of a second. It was moved by Alderperson Bogdala, seconded by Alderperson Juliana to defer for 30 days. Motion carried 3-1, with Alderperson Wilson voting nay. It was moved by Alderperson Wicklund, seconded by Alderperson Juliana to reconsider. Motion carried unanimously. It was moved by Alderperson Bogdala, seconded by Alderperson Juliana to defer to the meeting on November 10, 2014. Motion carried unanimously.

CITIZEN COMMENTS: Robert Hilber spoke on behalf of Walgreens, stating that all businesses lose money and are impacted by liquor license suspensions and asked that the committee treat all businesses fairly regarding suspension of business beer/liquor licenses.

STAFF/ALDERMEN COMMENTS: Chief Morrissey spoke regarding the impact that specific D.J.'s performing at local establishments have on public safety and welfare, as well as increased risk for officers' safety. Chief Morrissey requested that Pub 22 be brought forward to the next Licensing/Permit Committee meeting on November 10, 2014.

Alderperson Juliana spoke regarding a past police ride along he participated in and the committee will do whatever they can to address the officer's safety issue, and spoke regarding researching licensing D.J.'s. He also stated that there is no prejudgment on revocation hearings.

There being no further business to come before the Licensing/Permit Committee, it was moved, seconded and unanimously carried to adjourn at 7:50 p.m.

Police Record Report

APPLICANT INFORMATION			
Date of Application	Name of Applicant	Applicant's Date of Birth	Driver's License Status
10/31/2014	David Jansa		Valid
License Number	Address of Applicant	Business (where license is to be used)	Business Address
N150789	5734 Cambridge Ln #3 Mt. Pleasant, WI	Kemper Center	

DATE OF CHARGE	OFFENSE	CASE STATUS	OFFENSE LISTED ON APPLICATION	POINTS
4/29/2011	LICENSE NOT ON PERSON	GUILTY	N	0
8/3/2012	OPERATING W/O LICENSE	GUILTY	Y	5
11/13/2012	OPERATING WHILE SUSPENDED	GUILTY	Y	10
2/14/2013	OPERATING WHILE SUSPENDED	GUILTY	N	20
8/16/2013	OPERATING WHILE SUSPENDED	GUILTY	N	20

CITY ATTORNEY'S RECOMMENDATION		
Offense Demerit Points	55	
Were all offenses listed on the application?	N = 20	
TOTAL DEMERIT POINTS	75	

CITY ATTORNEY'S COMMENTS

FINAL RECOMMENDATION
<input checked="" type="checkbox"/> GRANT , Subject to <input type="text" value="75"/> Demerit Points
<input type="checkbox"/> DENY , based on material police record (substantially related to the license activity)
<input type="checkbox"/> DEFER or GRANT subject to Non-Renewal Revocation due to False Application

2

APPLICANT INFORMATION			
Date of Application	Name of Applicant	Applicant's Date of Birth	Driver's License Status
10/16/2014	Naadia Garcia		Valid
License Number	Address of Applicant	Business (where license is to be used)	Business Address
N150767	5918-31st Ave, #4	Shenanigan's	

DATE OF CHARGE	OFFENSE	CASE STATUS	OFFENSE LISTED ON APPLICATION	POINTS
12/20/2011	OPERATING W/O LICENSE (2ND W/IN 3 YRS)	GUILTY	Y	5
5/10/2011	STOLEN PROPERTY, RECEIVE (<=\$2500)	GUILTY	Y	20
7/4/2011	RETAIL THEFT \$1-49	GUILTY	N	10
12/17/2012	VANDALISM/RESIDENCE	GUILTY	Y	20
2/20/2010	DRUG/POSSESS MARIJUANA	GUILTY	N	20
11/9/2011	NO VALID DL	GUILTY	Y	10

CITY ATTORNEY'S RECOMMENDATION		
Offense Demerit Points	85	
Were all offenses listed on the application?	N - 20	
TOTAL DEMERIT POINTS	105	

CITY ATTORNEY'S COMMENTS

FINAL RECOMMENDATION	
<input type="checkbox"/>	GRANT, subject to <input type="checkbox"/> Demerit Points
<input checked="" type="checkbox"/>	DENY, based on material police record and False Application
<input type="checkbox"/>	DEFER or GRANT subject to Non-Renewal Revocation due to False Application

Letter completed 10-22

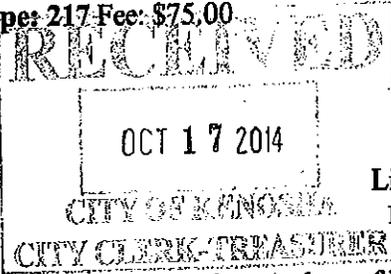
E-MAILED OCT 17 2014 REC'D



OPERATOR'S (BARTENDER) LICENSE

FILED	10/17/14
INITIALS	SP
ADVERSE/NO ADV	
LP	10-27
CC	

Type: 217-Fee: \$75.00



License # N150767
Provisional Issued: yes no

Beverage Course Completed
 HOLD for Beverage Course

I hereby apply for an Operator's License to serve Alcoholic Beverages in any place of business operated under a Class "B", "Class B", Class "A", "Class A", and/or "Class C" License in the City of Kenosha to and including the 30th day of June, 2016. (Unless sooner revoked). I hereby note that I am responsible for knowing and abiding by the contents of Chapter 125, Wisconsin Statutes and Chapter 10 of the Code of General Ordinances and that my license may be suspended, revoked, or not renewed, and/or I may be subject to a civil forfeiture for non-compliance therewith.

Last Name: GARCIA First Name: NAADIA MI: E
(NOTE: Name must appear exactly as it appears on driver's license or state ID)

Date of Birth: _____ Gender: F Phone: (262) 484-3199

Home Address: 5918 31st AVE #4 KENOSHA WI 53144
CITY STATE ZIP

Email: Naadia420@gmail.com
(correspondence will be via email if address is given)

Driver's License or State ID Number WI _____
STATE NUMBER

Name of Business Where License will be used Shenanigans
(PLEASE NOTE: license may be utilized in the City of Kenosha only.)

ANSWER THE FOLLOWING QUESTIONS TRULY AND COMPLETELY:

1. Have you, as an adult, ever been convicted of a major crime (felony), minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin, or in any other State; or do you have a charge pending at this time? Yes No If yes, state: charge, year, result:
R.S.P., 2010, misd. sentenced completed.
Bail jumping, 2011, dismissed-read in.
Criminal damage, 2012, misd. timeserved.

2. Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State? Yes No If yes, explain:
for both my misd. I did sit in county jail

3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?
 Yes No If yes, explain:

4. Have you received any traffic citations in Wisconsin or in any other state within the past five (5) years; or do you have any such citations pending? Yes No If yes, state: charge, year, result:

I recieved 2 ~~more~~ tickets for driving my vehical with suspended plates in 2014 and driving w/o licenced driver, & set belt.

5. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination? Yes No
If yes, state: charge, year, result:

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

N/A

7. List all addresses at which you have lived in the past five (5) years:

5915 18th AVE Kenosha WI
5918 31st AVE Kenosha WI

READ CAREFULLY BEFORE SIGNING: I hereby certify that I am the applicant named in this application, and I have read and answered each and every question truly, correctly, and completely, under penalty of law for failure to do so. If this application contains statements or information which is untrue, incorrect and/or incomplete in any material respect, it may be denied.

Applicant's Signature: Maadia Garcia Date: 10-16-14

I have received a copy of the NOTICE pertaining to LICENSE/PERMIT APPLICATIONS from the City Clerk's Office NG
(Applicant's Initials)

APPLICANT INFORMATION			
Date of Application	Name of Applicant	Applicant's Date of Birth	Driver's License Status
10/24/2014	Rachel Stonis		Revoked
License Number	Address of Applicant	Business (where license is to be used)	Business Address
N150776	913-72nd Street	Warehouse 56	

DATE OF CHARGE	OFFENSE	CASE STATUS	OFFENSE LISTED ON APPLICATION	POINTS
8/24/2010	OPERATING W/O LICENSE	GUILTY	Y	5
8/26/2010	OPERATING W/O LICENSE	GUILTY	Y	10
3/15/2011	OPERATING W/O LICENSE	GUILTY	Y	10
4/7/2011	IMPLIED CONSENT	GUILTY	Y	
4/7/2011	OPERATING WHILE INTOXICATED 2ND OFFENSE	GUILTY	Y	80
4/13/2011	OPERATE W/O VALID LICENSE (2ND W/IN 3 YRS)	GUILTY	Y	10
7/1/2011	OPERATING WHILE SUSPENDED	GUILTY	Y	10
4/19/2012	CONTEMPT, BAIL JUMPING 2012CM568 2 counts	GUILTY	Y	20 + 40

CITY ATTORNEY'S RECOMMENDATION		
Offense Demerit Points	185	
Were all offenses listed on the application?	Y	
TOTAL DEMERIT POINTS	185	

CITY ATTORNEY'S COMMENTS

FINAL RECOMMENDATION
<input type="checkbox"/> GRANT, subject to <input type="checkbox"/> Demerit Points
<input checked="" type="checkbox"/> DENY, based on material police record (substantially related to the license activity)
<input type="checkbox"/> DEFER or GRANT subject to Non-Renewal Revocation due to False Application

Adverse



OPERATOR'S (BARTENDER) LICENSE

Type: 217 Fee: \$75.00

FILED	10/24/19
INITIALS	<i>DS</i>
ADVERSE/NO ADV	
LP	_____
CC	_____

- Beverage Course Completed
- HOLD for Beverage Course

License # #150776
 Provisional Issued: yes no

I hereby apply for an Operator's License to serve Alcoholic Beverages in any place of business operated under a Class "B", "Class B", Class "A", "Class A", and/or "Class C" License in the City of Kenosha to and including the 30th day of June, 2019. (Unless sooner revoked). I hereby note that I am responsible for knowing and abiding by the contents of Chapter 125, Wisconsin Statutes and Chapter 10 of the Code of General Ordinances and that my license may be suspended, revoked, or not renewed, and/or I may be subject to a civil forfeiture for non-compliance therewith.

Last Name: Stonis First Name: Madhel MI: _____
 (NOTE: Name must appear exactly as it appears on driver's license or state ID)

Date of Birth: 4/10/1984 Gender: F Phone: 262 914 3760
 Home Address: 913 72nd st Kenosha WI 53143
CITY STATE ZIP

Email: _____
 (correspondence will be via email if address is given)

Driver's License or State ID Number WI 9 _____
STATE NUMBER
 Name of Business Where License will be used Warehouse Etc
 (PLEASE NOTE: license may be utilized in the City of Kenosha only.)

ANSWER THE FOLLOWING QUESTIONS TRULY AND COMPLETELY:

- Have you, as an adult, ever been convicted of a major crime (felony), minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin, or in any other State; or do you have a charge pending at this time? Yes No If yes, state: **charge, year, result:**
OAR 1st 2007, Guilty DWI 2nd + Operating w/PAK
2012 guilty, Operating w/o valid license 2nd + 3 yrs 2011
guilty, Refuse to take test for intoxication. 2011, guilty
Bail Jumping - misdemeanor 2012, guilty
Bail Jumping - misdemeanor 2012, guilty
- Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State? Yes No If yes, explain:
In the state of WI due to my DWI 2nd
and to pay off fines that I did not have
the money to pay for.

OVER-

3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?

Yes No If yes, explain:

WI due to OWI 1st, OWI 2nd unpaid tickets and in IL due to having an IL I.D. at time of OWI 2nd

4. Have you received any traffic citations in Wisconsin or in any other state within the past five (5) years; or do you have any such citations pending? Yes No If yes, state: charge, year, result:

SE 2010 guilty OWL 2010 guilty, CNT 2010 guilty OWL 2010 guilty OWL 2011 guilty, OWI 2012 guilty, IC 2011 guilty, FDL 2011 guilty, CPN 2011 guilty, CNT 2011 guilty, OWS 2011 guilty, CNT 2011 guilty

5. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination? Yes No

If yes, state: charge, year, result:

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

Bristol Oaks Golf Club + Banquet 16801 75th St Bristol WI
Depis Pub + Grill 6018 10th St Racine WI
Baker Street 6208 Greenbary Rd Kenosha WI

7. List all addresses at which you have lived in the past five (5) years:

2018 Edina Blvd 2105 JI 6099 8757 Old greenbary Rd Pleasant Prairie WI, 1931 Abraham St Racine WI, 419 1/2 10th St Racine WI, 913 72nd St Kenosha WI

READ CAREFULLY BEFORE SIGNING: I hereby certify that I am the applicant named in this application, and I have read and answered each and every question truly, correctly, and completely, under penalty of law for failure to do so. If this application contains statements or information which is untrue, incorrect and/or incomplete in any material respect, it may be denied.

Applicant's Signature: Michael Stornio Date: 10.24.14

I have received a copy of the NOTICE pertaining to LICENSE/PERMIT APPLICATIONS from the City Clerk's Office


(Applicant's Initials)

Adverse



OPERATOR'S (BARTENDER) LICENSE

Type: 217 Fee: \$75.00

FILED	<u>10-20-14</u>
INITIALS	<u>RS</u>
ADVERSE/NO ADV	
LP	
CC	

- Beverage Course Completed
- HOLD for Beverage Course

License # M50778

I hereby apply for an Operator's License to serve Alcoholic Beverages in any place of business operated under a Class "B", "Class B", Class "A", "Class A" License in the City of Kenosha to and including the 30th day of June, 2016. (Unless sooner revoked). I hereby note that I am responsible for knowing and abiding by the contents of Chapter 125, Wisconsin Statutes and Chapter 10 of the Code of General Ordinances and that my license may be suspended, revoked, or not renewed, and/or I may be subject to a civil forfeiture for non-compliance therewith.

Last Name Hernandez First Name Adrianna MI M
(NOTE: Name must appear exactly as it appears on driver's license or state ID)

Date of Birth _____ Gender F Phone # 262-358-3713

Home Address 4507 37th Ave

City/State/Zip Kenosha WI 53144

Email Hernanda115@gtc.edu

Driver's License or State ID Number WI
STATE NUMBER

Name of Business Where License will be used _____
(PLEASE NOTE: license may be utilized in the City of Kenosha only.)

ANSWER THE FOLLOWING QUESTIONS TRULY AND COMPLETELY:

1. Have you, as an adult, ever been convicted of a major crime (felony), minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin, or in any other State; or do you have a charge pending at this time? Yes No

If yes state: **charge, year, result**

Driving without a seat belt x3 Speeding x2
Driving without insurance x2 Disorderly conduct - Stevens point
Assault and battery - Milw. 2010
12-2009

2. Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State? Yes No If yes, explain:

3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?

Yes No If yes, explain:

Non payment of tickets. Payed tickets
on 10-17-14 and pending
reinstatement

4. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years; or do you have any such citations pending? Yes No

If yes, state: charge, year, result

Speeding x 2 in 2014 Driving without
insurance x 2 in 2014 Driving without
Seat belt x 3

5. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination? Yes No

If yes, state: charge, year, result

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

Manheim Milwaukee, Walmart, Highlands Petro,
Staff Works, Staffing Partners, JPS

7. List all addresses at which you have lived in the past five (5) years:

4507 37th Ave Kenosha WI 53144
2124 Kensington Dr, Rd Sturtevant WI 53197
1909 S Army Pl. Milwaukee WI 53201

8. I have read and understand the "Applicants Please Read" section of this application. I hereby certify that I am the applicant named in this application, and I have read and answered each and every question truly, correctly, and completely, under penalty of law for failure to do so.

Signed:

Adriana Hernandez

Date:

10.21.14

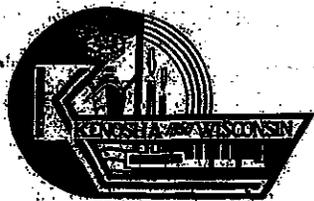
APPLICANTS PLEASE READ

NOTICE: If this application contains statements or information which is untrue, incorrect and/or incomplete in any material respect, it will be denied.

Per §1.225 of the Code of General Ordinances, "The first Twenty-Five Dollars of the application fee for any License/Permit shall be retained by the City in the event of a License/Permit denial or the withdrawal of the application by applicant for administrative and processing costs, and the balance, if any, refunded to the applicant."

defer letter mailed 10/14

letter emailed 9/25



E-MAILED SEP 24 2014 REC'D
TAXI DRIVER'S LICENSE

Type: 144 Fee: \$30.00

FILED	9-24-14
INITIALS	RS
ADVERSE/NO ADV	
LP	10-B
CC	

Expires: April 30, 2015

License # N15 6031

The undersigned requests that a license be granted in accordance with Chapter XIII, Section 13.07 G. of the Code of General Ordinances of the City of Kenosha, and certifies that the following information is true and correct to the best of his/her knowledge.

Last Name: Whitrock First Name: David MI: 5
(NOTE: Name must appear exactly as it appears on driver's license or state ID)

Date of Birth: _____ Gender: M Phone: 608 339 1458

Home Address: 7221 122 av 53142 room 305

City/State/Zip: Kenosha/WI

Email: dwhitrock@yahoo.com (correspondence will be via email if address is given)

Driver's License or State ID Number _____
STATE NUMBER

Name of Business Where License will be used Keno Cab

ANSWER THE FOLLOWING QUESTIONS TRULY AND COMPLETELY:

1. Have you, as an adult, ever been convicted of a major crime (felony), minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin, or in any other State; or do you have a charge pending at this time? Yes No

If yes, state: **charge, year, result**

armed robbery, 1980, convicted

2. Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State? Yes No If yes, explain:

1980 armed robbery conviction

3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?

Yes No If yes, explain:

WI, in 1981, I think, speeding, suspended then revoked for driving on suspended license

4. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years; or do you have any such citations pending? Yes No

If yes, state: charge, year, result

5. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination? Yes No

If yes, state: charge, year, result

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

NONE

7. List all addresses at which you have lived in the past five (5) years:

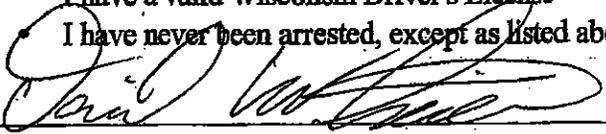
1395 S. Cumberland Lane, Friendship WI (13 yrs) 53934

8. I hereby certify that I am the applicant named in this application, and I have read and answered each and every question truly, correctly, and completely, under penalty of law for failure to do so.

I also certify that:

- I am able to read and write the English language
- I am not addicted to the use of intoxicating liquor or drugs
- I am at least 18 years of age
- I have a valid Wisconsin Driver's License
- I have never been arrested, except as listed above

Applicant's Signature:



Date:

9-24-14

I have received a copy of the NOTICE pertaining to LICENSE/PERMIT APPLICATIONS from the City Clerk's Office

DJ.W
(Applicant's Initials)

***After filing this application for a Taxi Driver's License with the City Clerk, you must go to the Safety Building at 1000 55th Street to have your picture and fingerprints taken. You must do this Monday through Friday between the hours of 1:00 and 3:00 pm only.**

Wisconsin Circuit Court Access (WCCA)

State of Wisconsin vs. David J. Whitrock

Adams County Case Number 2002CM000372

Filing Date	Case Type	Case Status
09-18-2002	Criminal	Closed
Defendant Date of Birth	Address	
	1395 S. Cumberland Lane, Friendship, WI 53934	
Branch Id	DA Case Number	
	2002AD000589	

Charge(s)

Count No.	Statute	Description	Severity	Disposition
1	947.01	County Ord. 8-87 - Disorderly Conduct	Forf. U	Guilty / No Contest

Defendant Owes the Court: \$ 0.00

Responsible Official	Prosecuting Agency	Prosecuting Attorney	Defense Attorney
Polivka, Duane	District Attorney	Thibodeau, Mark D	Kessler, Sheila Janelle

Defendant

Defendant Name	Date of Birth	Sex	Race¹
Whitrock, David J.		Male	
Address			Address Updated On
1395 S. Cumberland Lane, Friendship, WI 53934			09-18-2002
JUSTIS ID	Finger Print ID		
Defendant Attorney(s)			
Attorney Name	Entered		
Kessler, Sheila Janelle	10-07-2002		

Charge(s)/Sentence(s)

Charge Detail

The Defendant was charged with the following offense:

Count	Statute	Offense
-------	---------	---------

No.	Cite	Description	Severity	Date	Plea
1	947.01	County Ord. 8-87 - Disorderly Conduct	Forf. U	07-29-2002	No Contest on 03-19-2003.

On 03-19-2003 there was a finding of:

Action	Court Official
Guilty / No Contest	Polivka, Duane

On 03-19-2003 the following was ordered:

Sentence	Time	Begin Date	Notes
Forfeiture / Fine			If not paid in full timely, defendant shall spend 8 days county jail, consecutive to any other sentence, with huber privileges in accordance with jail rules.

Total Receivables

Court Assessments	Adjustments ³	Paid to the Court	Probation/Other Agency Amount ⁴	Balance Due to Court	Due Date ⁵
\$ 163.00	\$ 0.00	\$ 163.00	\$ 0.00	\$ 0.00	

- 1 The designation listed in the Race field is subjective. It is provided to the court by the agency that filed the case.
- 2 Non-Court activities do not require personal court appearances. For questions regarding which court type activities require court appearances, please contact the Clerk of Circuit Court in the county where the case originated.
- 3 Includes collection agency fees; bankruptcy discharge of debt; Department of Revenue collection fees; and forgiven debts due to indigence, death, time served, or community service.
- 4 Some amounts assessed by the courts are collected by the Department of Corrections or other agencies. This column is rarely updated by the courts and may be less than the actual amount owed.
- 5 For cases with multiple assessments, the due date represents the assessment with the latest date.
- 6 Your payment may not be processed immediately.

Debra L. Salas
City Clerk - Treasurer

Karen J. Forsberg
Deputy City Clerk-Treasurer



CITY OF KENOSHA
Department of
City Clerk/Treasurer

October 14, 2014

David J. Whitrock
7221 122nd Ave, Room 305
Kenosha, WI 53142

Re: License Application

Dear Applicant,

Your application was deferred by the License & Permit Committee. The Committee will review your application:

Date: Monday, October 27, 2014
Time: 6:30 pm
Room: 202

If the members of the Committee asked you to provide additional information before the next meeting, please submit to the City Clerk's Office by the Thursday before the above referenced License & Permit Committee meeting.

If the Committee does not defer your application at the above referenced meeting, it will be presented to the Common Council:

Date: Monday, November 3, 2014
Time: 7:00 pm
Room: 200

It is recommended that you attend these meetings; however, meeting dates and times are subject to change. Please check the current agenda at www.kenosha.org to ensure you attend the correct meeting(s). Should you have any questions please do not hesitate to call 262-653-4271 or email mnelson@kenosha.org.

Sincerely,

Michelle Nelson
Information Coordinator
City Clerk's Office

6

APPLICANT INFORMATION			
Date of Application	Name of Applicant	Applicant's Date of Birth	Driver's License Status
10/28/2014	Joseph Michaelis		Valid
License Number	Address of Applicant	Business (where license is to be used)	Business Address
	1766-12th Avenue	Not Listed	

DATE OF CHARGE	OFFENSE	CASE STATUS	OFFENSE LISTED ON APPLICATION	POINTS
6/12/2012	EXPOSING GENITALS TO A CHILD-FELONY	DISPO PENDING		100
6/12/2012	LEWD, LASCIVIOUS BEHAVIOR-EXPOSURE- MISD.	DISPO PENDING		50

CITY ATTORNEY'S RECOMMENDATION		
Offense Demerit Points	150	
Were all offenses listed on the application?	Y	
TOTAL DEMERIT POINTS	150	

CITY ATTORNEY'S COMMENTS

FINAL RECOMMENDATION	
<input type="checkbox"/>	GRANT, Subject to <input type="checkbox"/> Demerit Points
<input checked="" type="checkbox"/>	DENY, based on material police record (substantially related to the license activity)
<input type="checkbox"/>	DEFER or GRANT subject to Non-Renewal Revocation due to False Application

7254L-1

Adverse



TAXI DRIVER'S LICENSE

Type: 144 Fee: \$30.00

FILED _____
INITIALS _____
ADVERSE/NO ADV _____
LP _____
CC _____

Expires: April 30, _____

License # _____

The undersigned requests that a license be granted in accordance with Chapter XIII, Section 13.07 G. of the Code of General Ordinances of the City of Kenosha, and certifies that the following information is true and correct to the best of his/her knowledge.

Last Name: Michaels First Name: Joseph MI: Σ

(NOTE: Name must appear exactly as it appears on driver's license or state ID)

Date of Birth: 1-1-55 Gender: M Phone: 262-496-7815

Home Address: 1766 12th Ave

City/State/Zip: Kenosha WI 53140

Email: Jemichaelis@gmail.com (correspondence will be via email if address is given)

Driver's License or State ID Number WI STATE NUMBER

Name of Business Where License will be used _____

ANSWER THE FOLLOWING QUESTIONS TRULY AND COMPLETELY:

1. Have you, as an adult, ever been convicted of a major crime (felony), minor crime (misdemeanor), or of violating a municipal or county ordinance in Wisconsin, or in any other State; or do you have a charge pending at this time? Yes No

If yes, state: charge, year, result June 2012 - Exposure to Lewd Behavior

Court Date Dec 2014 HAS BEEN POSTPONED 28 MONTHS by DA

2. Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State? Yes No If yes, explain:

3. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State? Yes No If yes, explain:

4. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years; or do you have any such citations pending? Yes No
If yes, state: charge, year, result

5. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination? Yes No
If yes, state: charge, year, result

6. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

Volunteers of America

7. List all addresses at which you have lived in the past five (5) years:

1766 1st Ave Kenosha
8717 Elm St Pl. Prairie WI

8. I hereby certify that I am the applicant named in this application, and I have read and answered each and every question truly, correctly, and completely, under penalty of law for failure to do so.

I also certify that:

- I am able to read and write the English language
- I am not addicted to the use of intoxicating liquor or drugs
- I am at least 18 years of age
- I have a valid Wisconsin Driver's License
- I have never been arrested, except as listed above

Applicant's Signature:

Joseph E. Michaelis

Date:

10-28-14

I have received a copy of the NOTICE pertaining to LICENSE/PERMIT APPLICATIONS from the City Clerk's Office

(Applicant's Initials)

After filing this application for a Taxi Driver's License with the City Clerk, you must go to the Safety building at 1000 55th Street to have your picture and fingerprints taken. You must do this Monday through Friday between the hours of 1:00 and 3:00 pm only.



E-MAILED OCT 28 REC'D
CABARET LICENSE
YEARLY

Type: 212 Fee: \$300/year

Expires: June 30, 2015

Letter emailed 11-4
Copy to Ald. Jenkins (7)

FILED 10/23
INITIALS JG/ld
ADVERSE NO ADV
LP 11-10
CC

PLEASE NOTE: This license is non-renewable. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Committee on Licenses/Permits based thereon as to whether the license shall be granted. The Committee on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Committee shall recommend to the Common Council either the granting or denial of each application. (In accordance to Chapter X, Section 10.07 of the Code of General Ordinances of the City of Kenosha.)

1. Licensee Name: PORT OF KENOSHA BEVERAGE HOUSE (TRADE)
~~THE YORT, LLC~~ ← OTY CORP. District# 2
(NOTE: must be same name as beer/liquor license)

2. Trade Name: PORT OF KENOSHA BEVERAGE HOUSE Trade Address: 714 50th St.

3. If license is in the name of a Corporation or LLC, Agent Name: CRAIG PIAS

4. Date of Birth of Agent (if Corporation/LLC) or Individual: _____

5. Address: 714 50th St. Phone: 262-918-5334 Email: PIAS@SBCGLOBAL.NET
(correspondence will be via email if address is given)

6. Driver's License Number: _____
(must indicate if this is not a Wisconsin DL)

7. Have you, as an adult, ever been convicted of a major crime (felony) or minor crime (misdemeanor) in Wisconsin, or in any other State; or do you have a charge pending at this time? Yes No
If yes, state: charge, year, result

8. Have you, as an adult, ever been convicted of violating a municipal or county ordinance in Wisconsin or in any state; or do you have a charge pending at this time? Yes No
If yes, state: charge, year, result

9. Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State? Yes No If yes, explain:

10. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?
 Yes No If yes, explain:

11. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years; or do you have any such citations pending? Yes No
If yes, state: charge, year, result

12. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination? Yes No
If yes, state: charge, year, result

13. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

THE PORT OF KENOSHA BEVERAGE HOUSE 714 50th ST. - DAN NICOLAZZI

14. List all addresses at which you have lived in the past five (5) years:

4917 7th Ave UPPER SOUTH
4510 5th Ave UPPER

READ CAREFULLY BEFORE SIGNING: Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge. (Individual applicants and each member of a partnership must sign; designated corporate officers must sign.)

Applicant's Signature: 
(Individual/Agent of Corporation)

Date: 10/22/14

I have received a copy of the NOTICE pertaining to LICENSE/PERMIT APPLICATIONS from the City Clerk's Office


(Applicant's Initials)

8
Letter emailed
copy to Ald Baefrom



CABARET LICENSE YEARLY

Type: 212 Fee: \$300/year

Expires: June 30, 2005

FILED 10/25/14
INITIALS JS
ADVERSE NO ADV
LP 11-10
CC _____

PLEASE NOTE: This license is non-renewable. Applications shall be referred by the City Clerk to the Police Department. The Police Department shall make a report, in writing, to the City Attorney as to any police record of the applicant, which may reflect upon good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation to the Committee on Licenses/Permits based thereon as to whether the license shall be granted. The Committee on Licenses/Permits shall review all applications, any reports, the recommendation of the City Attorney and all other information before it. Said Committee shall recommend to the Common Council either the granting or denial of each application. (In accordance to Chapter X, Section 10.07 of the Code of General Ordinances of the City of Kenosha.)

1. Licensee Name: BASEBALL LIVE IT OUGHT BE LLC District# 12
(NOTE: must be same name as beer/liquor license)

2. Trade Name: KENOSHA KINGFISH Trade Address: 7817 SHERIDAN RD

3. If license is in the name of a Corporation or LLC, Agent Name: CONOR A. CALARA

4. Date of Birth of Agent (if Corporation/LLC) or Individual: _____
608. Conor

5. Address: 633 SLEAGUE ST Phone: 509.7367 Email: kingfishbaseball.com
MADISON WI 53711 (correspondence will be via email if address is given)

6. Driver's License Number: _____
(must indicate if this is not a Wisconsin DL)

7. Have you, as an adult, ever been convicted of a major crime (felony) or minor crime (misdemeanor) in Wisconsin, or in any other State; or do you have a charge pending at this time? Yes No
If yes, state: charge, year, result

8. Have you, as an adult, ever been convicted of violating a municipal or county ordinance in Wisconsin or in any state; or do you have a charge pending at this time? Yes No
If yes, state: charge, year, result

9. Have you, as an adult, ever served time; or have been sentenced to serve time in a jail or prison in Wisconsin or any other State? Yes No If yes, explain:

10. Have you ever had your driver's license suspended or revoked in Wisconsin or in any other State?

Yes No If yes, explain:

11. Have you received any traffic citations in Wisconsin or in any other State within the past five (5) years; or do you have any such citations pending? Yes No

If yes, state: charge, year, result

Speeding, 2014
Speeding, 2014

12. Have you, as an adult, within the past five (5) years, while operating a business or engaged in a profession, been convicted of any state or federal charges; or do you have charges pending at this time involving unfair trade practices, unethical conduct, or discrimination? Yes No

If yes, state: charge, year, result

13. List the name and address of all employers for which you have worked and/or businesses you have operated in the past five (5) years:

MADISON MALLARDS LLC 2920 N SHERMAN AVE MADISON WI 53704
KENOSHA KINGFISH 7817 SHERIDAN RD KENOSHA WI 53143
GREEN BAY BULLDOGS GREEN BAY, WI
CRAFT BEER PARTNERS LLC 633 SPRAGUE ST MADISON WI 53711

14. List all addresses at which you have lived in the past five (5) years:

633 SPRAGUE ST MADISON WI 53711

READ CAREFULLY BEFORE SIGNING: Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge. (Individual applicants and each member of a partnership must sign; designated corporate officers must sign.)

Applicant's Signature: _____



(Individual/Agent of Corporation)

Date: OCT 29 2014

I have received a copy of the NOTICE pertaining to LICENSE/PERMIT APPLICATIONS from the City Clerk's Office

CAC
(Applicant's Initials)



E-MAILED OCT 28 REC'D

copy to Ald ^{copy} ~~copy~~ letter mailed 9a
No adverse

PET FANCIER PERMIT
City Ordinances §14.013 D.

FILED 10-20-14
INITIALS JAD
LP 11-10

Type: 85 Fee: \$35.00/year

Expires: December 31, 2014
 NEW RENEWAL

1. Name Angel Derby-Soules
2. Driver's License Number _____
3. Address 5506 31st Ave Kenosha WI 53144 District # 11
4. Phone Number 262-676-3447 Email: Angel.Derby.Soules@
5. Number of dogs* 5 Number of cats 0
(limit of up to five (5) dogs, cats, or combination thereof.)

*Working dogs such as service dogs, medical alert dogs and certified therapy dogs are not included in the pet limit calculation. However, they must remain licensed in the City.

6. Are there any working, service, medical alert or certified therapy dogs included in #5?
If so, please attach accreditation. Check here if attached Emotional support.
7. Attach proof of current dog and/or cat licenses. Check here if attached.
8. Do you currently have, or have you had within the past two (2) years, a conviction for animal cruelty, neglect or mistreatment of an animal? no yes

If yes, please explain _____

Angel Derby Soules
Signature of Applicant

10/19/14
Date



PET FANCIER PERMIT
City Ordinances §14.013 D.

Type: 85 Fee: \$35.00/year

Expires: December 31, 2015
 NEW RENEWAL

FILED 10/28/14
INITIALS JB
LP 11-10

L# 150004

letter emailed
copy to Ald Juliana
No adverse (96)

- Name Cassandra & Brown
- Driver's License Number _____
- Address 5032 14th Ave Kenosha Wi 53140 District # 7
- Phone Number 262-344-2262 Email: Tubby1212@SBCGlobal.net
- Number of dogs* 1 Number of cats 3
(limit of up to five (5) dogs, cats, or combination thereof.)

*Working dogs such as service dogs, medical alert dogs and certified therapy dogs are not included in the pet limit calculation. However, they must remain licensed in the City.

- Are there any working, service, medical alert or certified therapy dogs included in #5?
If so, please attach accreditation. Check here if attached NO
- Attach proof of current dog and/or cat licenses. Check here if attached.
- Do you currently have, or have you had within the past two (2) years, a conviction for animal cruelty, neglect or mistreatment of an animal? no yes

If yes, please explain _____

Cassandra Brown
Signature of Applicant

10-28-14
Date

11/05/14 Amendments

SPONSOR: ALDERPERSON JAN MICHALSKI

**TO REPEAL AND RECREATE SECTION 13.01 REGARDING
SCRAP SALVAGE DEALERS AND SCRAP SALVAGE COLLECTORS**

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

Section One: Subsection 13.01 of the Code of General Ordinances for

the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

A. Purpose. The Common Council of the City of Kenosha, Wisconsin makes the following findings:

1. "**Scrap Salvage**", as defined herein, is, or in the future may be, stored in a dangerous or unsanitary manner in yards, open areas or in other places within the City; and,

2. The places in which "Scrap Salvage", as defined herein, is stored, or in the future may be stored, tend to become overgrown with weeds, littered with rubbish and debris; and infested with rats, mice, insects, reptiles, and other vermin; and,

3. Such conditions tend to attract children and endanger their lives and health; spread disease; invite plundering; attract vagrants; create fire hazards and other safety and health hazards; create, extend, and aggravate urban blight; interfere with the enjoyment of and reduce the value of private property; and interfere with the comfort and well-being of the public; and,

4. Thieves and receivers of stolen property frequently attempt to dispose of stolen property by representing it to be legitimately acquired "Scrap Salvage".

Based upon said findings, it is determined that adequate protection of the public health, safety, and welfare requires that the business of handling and dealing in "Scrap Salvage" be regulated and controlled, and such is the purpose of this Ordinance.

B. Definitions. Except where otherwise indicated by the context, the following definitions shall apply in the interpretation and enforcement of this Ordinance:

~~41.~~ "**Person**" ~~shall~~ means any person, firm, partnership, association, corporation, company, or organization of any kind.

~~52.~~ "**Scrap Salvage**" ~~shall~~ means any of the following or combination thereof: old iron, steel, brass, copper, tin, lead or other base metals; used lumber, used conveyor belts, used barrels, used appliances not intended for resale as such; old cordage, ropes, rags, fibers or fabrics; old tires or rubber; old bottles or other glass; bones; wastepaper and other waste or discarded material which might be prepared to be used again in some other form; and motor vehicles, no longer used as such, to be used for scrap metal or for the stripping of parts. "Scrap Salvage" shall not include materials or objects accumulated by a manufacturer as by-products,

waste, or scraps from their own manufacturing process or used as an integral part of its own manufacturing process when stored upon manufacturer's premises, when "Scrap Salvage" is shielded from view by a fence meeting the requirements of Subsection K.1.o. of this Ordinance as to size and construction. "Scrap Salvage" shall not include used household furniture, used appliances taken in trade and held for less than thirty (30) days, used wearing apparel, railroad ties intended for landscaping purposes, used brick and tile which is stacked and bound, used plumbing fixtures, excluding pipes, used precious metal or metals, used jewelry, used tools and other used articles or personal property, which are bought and sold, without substantial alteration, as secondhand property to be used for the purpose for which originally manufactured or produced. "Scrap Salvage" shall not include aluminum cans collected for the purpose of recycling or returnable glass bottles collected for the purpose of refilling when either is stored in a wholly enclosed building or structure.

83. "Scrap Salvage Yard" ~~shall~~ means a yard, lot, or place, covered or uncovered, outdoors or in an enclosed building or structure, containing "Scrap Salvage", as defined above, upon which occurs one or more acts of buying, keeping, dismantling, crushing, recycling, chipping, reducing, stripping, reusing, processing, selling, or offering for sale any "Scrap Salvage", in whole units or by parts, for a business or commercial purpose, whether or not the proceeds from such act or acts are to be used for charitable purposes.

74. "Scrap Salvage Dealer" ~~shall~~ means a person who operates a "Scrap Salvage Yard", as defined above, within the City.

65. "Scrap Salvage Collector" ~~shall~~ means a person who buys, sells, collects, or delivers "Scrap Salvage" which is acquired from another person as a business or employment within the City, but who is not an operator of a "Scrap Salvage Yard"—within the City or an employee of such an operator.

36. "Business Premises", "Licensed Premises" or "Premises" ~~shall~~ means the area of a "Scrap Salvage Yard" as described in a "Scrap Salvage Dealer's" license ~~or application for license, as provided for in this Ordinance, and granted~~ approved by the Common Council. The term "Licensed Premises" also means the area described in an application filed with the City Clerk for a Scrap Salvage Yard license before such application has been finally considered by the Common Council.

27. "Fire Lane" ~~shall~~ means a roadway ~~which~~ that is accessible year round and of sufficient size, configuration and location so as to permit firefighting and emergency equipment access to all acres of the "Scrap Salvage Yard".

1. "Exterior Premises" has the definition given to the term in Chapter 16.

C. License Requirements/ Prohibitions/ Exceptions.

1. License Required. It shall be unlawful for any person to act as a "Scrap Salvage Dealer" or "Scrap Salvage Collector" within the City whether personally, by agents or employees, singly, or along with some other business or enterprise, without first having obtained a license therefor from the Common Council in accordance with the provisions of this Ordinance.

2. Separate Licenses. A "Scrap Salvage Dealer" who operates more than one (1) "Scrap Salvage Yard" within the City shall be required to have in effect a separate license for each "Scrap Salvage Yard".

3. Other Licenses And Permits. A license issued hereunder shall not exempt the holder thereof from obtaining such other licenses and permits as may be relevant and otherwise required by the City or by any other governmental agency.

~~4. Aluminum Cans. No "Scrap Salvage Collector" or "Scrap Salvage Dealer" License is required~~

~~hereunder for the collection of aluminum cans for the purpose of recycling thereof, as authorized by the Zoning Ordinance, where they are stored in a wholly enclosed building or structure.~~

5. Compliance With License Requirements. It shall be unlawful for any licensee to perform a licensed activity contrary to the terms of this Ordinance.

~~**46. Compliance With Order Of City Enforcing Departments.** It shall be unlawful for any licensee to fail to obey any final order of any enforcing department which was issued under the authority hereof.~~

6. Exceptions to the Requirements of this Section

~~**a7. Returnable Glass Bottles.** No "Scrap Salvage Collector" or "Scrap Salvage Dealer" License is required for the collection of returnable glass bottles for the purpose of the refilling thereof, when they are stored in a wholly enclosed building or structure.~~

~~**b. Aluminum Cans.** No Scrap Salvage Collector or Scrap Salvage Dealer License is required hereunder for the collection of aluminum cans for the purpose of recycling thereof, as authorized by the Zoning Ordinance, where they are stored in a wholly enclosed building or structure.~~

~~**8c. City Licensed Towers.** No "Scrap Salvage Collector" or "Scrap Salvage Dealer" License is required for a Tower licensed under §13.12 of the Code of General Ordinances while engaged in a licensed activity thereunder.~~

~~**d. NonProfit And Charitable Entities.** Nonprofit and charitable entities and persons acting on behalf thereof need not obtain a license hereunder where old newspapers, cardboard, aluminum cans or returnable glass bottles are collected solely for the purpose of fund raising and sold directly to a Scrap Salvage Dealer or Scrap Salvage Collector, and where such activity is conducted for no more than thirty (30) days, individually or consecutively, within any calendar year, and where Scrap Salvage is stored within a building or enclosed structure, and secured so as not to become litter.~~

~~It shall be unlawful for any unlicensed nonprofit or charitable entities or persons acting on behalf thereof to act in the capacity of a Scrap Salvage Dealer or Scrap Salvage Collector, except within the limitations above provided.~~

~~**9e. City.** The City of Kenosha is excluded from the licensing requirements hereof.~~

D. Enforcement. The Director of the Department of Community Development and Inspections, or designee thereof, ~~and the Police Chief, or designee thereof,~~ shall ~~have share the primary~~ responsibility to enforce this Ordinance. ~~through the coordination of inspections and shall be responsible for submitting inspection reports of all enforcing departments to the Common Council and its licensing committee.~~

~~Citizens may file complaints with any Department having enforcement powers; and it shall be the duty of each Department to investigate complaints when the Department has enforcement authority. Further it shall be the duty of any Department receiving a complaint which is not within their jurisdiction to take the complaint and refer it to the Department having proper jurisdiction. After normal City Municipal Building working hours, all complaints shall be made to the Police Department, who, where the complaint is outside of its jurisdiction, shall take the complaint and refer it to the Department having proper jurisdiction.~~

~~The Director of the Department of Community Development and Inspections, or designee thereof, and the Police Chief, or designee thereof, shall have share the responsibility of investigating complaints and/or activities to the effect that some person is engaged in an activity requiring a license hereunder without first~~

having obtained said license. ~~Said investigation shall be sent to the City Attorney who shall make a final determination on said matter and issue cease and desist orders where appropriate.~~

This Ordinance shall be enforced by the following City Departments (enforcing departments) as follows:

1. By the Director of the Department of Community Development and Inspections or designee thereof, with respect to the Building (**Chapter IX**), ~~and~~ Sign (**Chapter XV**) and Property Maintenance (**Chapter XVI**) Codes, the Zoning Code, and with respect to provisions of this Ordinance regulating fences and height of "Scrap Salvage" piles.

2. By the Fire Chief, or designee thereof with respect to the Fire (**Chapter III**) Code and with respect to the provisions of this Ordinance related to "Fire Lanes" and fire control, fire prevention and fire fighting.

3. By the Police Chief, or designee thereof, with respect to ~~Traffic Regulations (Chapter VII)~~, Good Order and Conduct (**Chapter XI**) and with respect to the crime prevention and detection provisions of this Ordinance.

4. By the Health Administrator, or designee thereof, with respect to the Health (**Chapter IV**) and Noise (**Chapter XXIII**) Codes, and with respect to the health and sanitation provisions of this Ordinance.

E. Inspections.

~~1. Scrap Salvage Dealers. Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the premises proposed to be licensed or licensed Licensed Premises, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance, without first obtaining a special inspection warrant. Inspections shall be made during normal hours of business operation in the absence of emergency circumstances that which require prompt action to protect the public health, safety and welfare or to preserve evidence of noncompliance with this Ordinance. The unreasonable failure to permit inspections shall be grounds for license denial, nonrenewal, suspension or revocation.~~

Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the equipment associated with the operations of the Scrap Salvage Dealer or proposed to be used by an applicant for a Scrap Salvage Dealer license, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance.

~~Upon notice of application by the City Clerk to the enforcing departments, they shall inspect the premises/equipment of each new license applicant and licensee seeking license renewal, where they have duties with respect thereto, as part of the application/license renewal process and prior to application review. The Fire Chief, or designee thereof, shall make periodic inspections of Licensees premises/equipment during the license period and report apparent violations of this Ordinance over which it does not have jurisdiction to any enforcing department having jurisdiction thereover. Enforcing departments may also inspect the premises/equipment of any Licensee upon a complaint being made with respect thereto by any person.~~

2. Scrap Salvage Collectors. Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the portions of the Exterior Premises of the residence of the licensee/applicant to which the licensee/applicant has legal authority to enter, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance, without the necessity of the authorized representative first obtaining a special inspection warrant. Inspections shall be made during daylight in the absence of emergency circumstances

that require prompt action to protect the public health, safety or welfare or to preserve evidence of noncompliance with this Ordinance. The unreasonable failure to permit inspections is grounds for license denial, nonrenewal, suspension or revocation.

_____ Applicants and Licensees shall permit authorized representatives of any Department of the City having enforcement powers hereunder to inspect the equipment associated with the operations of the Scrap Salvage Collector or proposed to be used by an applicant for a Scrap Salvage Collector license, with or without advance notice, as often as may be required to permit said Departments to perform their duties and assure compliance with this Ordinance.

F. Application. An applicant for a license under this Ordinance shall file with the City Clerk a written application, which is true, correct and complete, signed by himself, if an individual, by all partners if a partnership, and by the president or chief officer of a corporation or other organization, upon forms provided by the City Clerk, together with a fee as hereinafter prescribed. The application shall be sworn to by each of its signers before a notary public or other officer authorized by law to administer oaths and shall include the following information or material:

1. With respect to "Scrap Salvage Dealers":

a. Exact address or location of the place where the business is or is proposed to be carried on, plus a sketch of the actual premises to be used in connection with the business, giving distances in feet and showing fire lanes, property lines, buildings, and abutting roads.

b. A description of the type of construction of any building and structure to be used in connection with the licensed business; a sketch showing the location of such buildings or structures on the business premises, with respect to their distance from roads and fire lanes and a diagram or plan giving distances and heights, showing floors, exits, entrances, windows, ventilators, and walls.

c. A description of any equipment or machinery which will be utilized to process "Scrap Salvage" and a description of motor vehicles which will be used to collect or haul "Scrap Salvage" in the operation of the licensed business, including their I.D., D.M.V. and L.C. numbers, where applicable.

d. Such other information as is reasonably necessary to effectuate the purposes of this Ordinance and to arrive at a fair determination of whether the terms of this Ordinance have been complied with.

e. Proof of insurance/financial responsibility for all motor vehicles which will be utilized in the operation of the licensed business, in accordance with the requirements of State law.

f. Proof that licensee's name is conspicuously and legibly printed on all motor vehicles to be used in the operation of the licensed business.

g. Proof of current registration of all motor vehicles to be used in the course of performing licensed activities.

h. A list of all persons who will operate motor vehicles in the course of performing licensed activities and proof of their possessing a valid and appropriate Wisconsin Driver's License.

2. With respect to "Scrap Salvage Collectors":

a. A photograph of all persons required to sign the application, taken within sixty (60) days immediately prior to the date of the filing of the application, which shall be at least 2" by 2", showing their head and shoulders in a clear and distinguishing manner.

b. A description of motor vehicles which will be used to collect or haul "Scrap Salvage" in the operation of the licensed business, including I.D., M.V.D. and L.C. numbers, where applicable.

c. Such other information as is reasonably necessary to effectuate the purposes of this Ordinance and to arrive at a fair determination of whether the terms of this Ordinance have been complied with.

d. Proof of insurance/financial responsibility for all motor vehicles which will be utilized in the operation of the licensed business, in accordance with the requirements of State law.

e. Proof that licensee's name is conspicuously and legibly printed on all motor vehicles to be used in the operation of the licensed business.

f. Proof of current registration of all motor vehicles to be used in the course of performing licensed activities.

g. A list of all persons who will operate motor vehicles in the course of performing licensed activities and proof of their possessing a valid and appropriate Wisconsin Driver's License.

h. the address of the residence of the applicant.

G. Recommendation. Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Community Development and Inspections, Fire Department, Health Department and Police Department. The Department of Community Development and Inspections, Fire Department and Health Department, either jointly or severally, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements hereof, along with any other pertinent information. The Police Department shall report in writing, to the City Attorney, as to any police record of applicant which may reflect upon their good moral character or business responsibility. The City Attorney shall examine said record and make a recommendation based thereon as to whether or not the license should be granted. Such reports shall be delivered to the City Clerk or clerk for the Committee on Licensing who, in turn, shall deliver them with the application, to the Committee on Licensing. Such Committee shall recommend to the Common Council either the granting or denial of the application or such other action as may be appropriate.

H. License.

1. Form. The "Scrap Salvage Dealer's" License as issued, shall bear the following language on its face: "IMPORTANT - This license applies only to the described premises approved by the Common Council and authorizes the Licensee to operate a "Scrap Salvage Yard" in a lawful place and manner only; it is not a substitute for any Certificate of Occupancy, Building Permit, Conditional Use Permit or other licenses, certificates, or permits that might be required by law of the Licensee, and it does not relieve the Licensee of the responsibility of having all such required licenses, permits or certificates at all times and complying with all other laws, rules and regulations affecting the business premises".

2. Fee.

a. Scrap Salvage Dealer: \$350

b. Scrap Salvage Collector: ~~\$75~~+50

3. Term.

a. Scrap Salvage Dealer: May 1 through April 30.

b. Scrap Salvage Collector: May 1 through April 30.

4. Renewal. License renewal applications shall be the same as new license applications, except that Licensee's report of police record need only be updated, and except that renewal applications must be filed with the City Clerk by March 15th in order to provide for continuous licensing.

5. Transfer/Assignment. Licenses are not transferable or assignable, and may not be utilized and approved by the Common Council.

I. Amendment/Correction. Applicants and Licensees shall have the duty to amend and correct their application within ten (10) days of such time as any information stated therein is known by Applicant/Licensee to be untrue, incorrect or incomplete. However, no material change in personnel, scope of operation, or site of operation shall be effective without the advance approval thereof by the Common Council based upon a specific request for such approval.

~~———— J. NonProfit And Charitable Entities. Nonprofit and charitable entities and persons acting on behalf thereof need not obtain a license hereunder where old newspapers, cardboard, aluminum cans or returnable glass bottles are collected solely for the purpose of fund raising and sold directly to a "Scrap Salvage Dealer" or "Scrap Salvage Collector", and where such activity is conducted for no more than thirty (30) days, individually or consecutively, within any calendar year, and where "Scrap Salvage" is stored within a building or enclosed structure, and secured so as not to become litter.~~

~~———— It shall be unlawful for any unlicensed nonprofit or charitable entities or persons acting on behalf thereof to act in the capacity of a "Scrap Salvage Dealer" or "Scrap Salvage Collector", except within the limitations above provided.~~

K. General Operating Requirements.

1. Scrap Salvage Dealers. The following general operating requirements shall apply to all "Scrap Salvage Dealers" licensed in accordance with the provisions of this Ordinance:

- a. The license issued pursuant to this Ordinance shall be plainly displayed on the business premises.
- b. The "Scrap Salvage Yard" shall, at all times be maintained in as clean, sanitary and neat of a condition as such premises will reasonably permit.
- c. An area which is not described in the approved license application shall not be used in the conduct of licensed business.
- d. No water shall be allowed to stand on the premises in such manner as to, in the opinion of the Health Administrator, constitutes a breeding place for insects or disease which may endanger health.
- e. Grass and other ground cover on the premises shall be kept at a height of not more than eight (8) inches. The premises shall be substantially free of noxious weeds.
- f. No garbage, refuse or other waste liable to give off a foul odor or attract vermin shall be kept on the premises, except for domestic garbage which shall be kept in containers which are, in the opinion of the Health Administrator, rodentproof, and removed from the premises as often as is necessary to provide a sanitary environment, but at no less an interval than on a weekly basis.
- g. No "Scrap Salvage" which is stored on the premises shall be allowed to rest upon or protrude over any public street, walkway, or curb or become scattered about or blown off the premises.
- h. "Scrap Salvage" on the premises, which is not stored in racks or containers, shall be stored in piles not exceeding thirty (30) feet in height, at an angle of forty (40°) degrees or less from the ground, and shall be arranged so as to permit access to all such "Scrap Salvage" for firefighting purposes. "Scrap Salvage" which is stored in racks or containers shall not be stored at a height in excess of twenty-five (25) feet.
- i. No combustible material of any kind not necessary for the operation of the licensed business, whether within or without a building or structure, shall be kept on the premises, except with the written permission of the Fire Department. The premises shall not be allowed to become a fire hazard.
- j. "Scrap Salvage" may not be broken into smaller pieces on the premises through the use of a ball or object dropped from a crane or apparatus, without Licensee first obtaining a permit therefor from the Common Council which may be granted and issued only upon a showing by Licensee that such activity will be conducted in a manner which is safe and lawful and which will not injure the public health, safety or welfare. Licensee may be requested, as part of the application process, to conduct or arrange for a demonstration, on site if possible, of the acts which are subject to this permit requirement before the Building Inspector or other designee of the Common Council who may make appropriate observations and cause noise, vibration and other tests to be conducted. The Common Council may place reasonable restrictions on the permitted activity, regulating the time, place and manner of operation.
- k. Licensee shall not directly or indirectly purchase "Scrap Salvage" from any person that they know, or should know, cannot rightfully or lawfully sell it or deliver clear title thereto.
~~l. Except for leaves and plant clippings which may be burned in accordance with §3.23 of the Fire Code, no "Scrap Salvage" or other material shall be burned on the premises.~~

m. No process shall be utilized to reduce "Scrap Salvage" in size which causes vibrations which may damage the property of another or which may be injurious to the public health, safety and welfare. Complaints in this regard shall be processed by the Health Department, which may issue abatement orders, following notice and an opportunity to be heard.

n. Chapter XXIII of the Code of General Ordinances, "Noise Control", shall be strictly complied with.

o. The Exterior Premises of the Licensed Premises~~open area of the premises~~ whereupon "Scrap Salvage" is stored shall be enclosed with a solid, vertical wall or fence of a minimum height of six (6) feet measured from ground level, except where "Scrap Salvage" is shielded from view by an earthen berm of a minimum height of six (6) feet in which event the required fence need not shield "Scrap Salvage" from view. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of the licensed business. Fences must be sturdily constructed, safe vertical straight, well maintained and must shield "Scrap Salvage" from view. Fences must be protected with paint or other preservatives. Fences must not create an appearance of patchwork which is indicative of a state of disrepair. Fences shall be of uniform color which will not detract from the value of abutting and neighboring real estate. No signs may be painted on or attached to any fence, except for a sign of not more than eight (8) square feet, located at an entranceway thereto which provides the name of the business. Fences must be constructed in such a fashion and of such materials and color as are approved by the Building Inspector prior to fence construction, repair or replacement. Chainlink fencing shall be appropriate where opaque strips are inserted in the fence. No fence may be constructed or replaced without the approval of the Building Inspector, or designee thereof, which approval may be denied if the above standards have not been complied with or if the construction of a proposed new fence or replacement fence would violate any other provision of law. No "Scrap Salvage" may be stored outside of said fence or may be stored so as to rest against said fence, protrude through it, or hang over it. Fence gates shall be kept closed when not required to be open for ingress or egress, except where a buffer fence is constructed in the vicinity of fence gates within the "Scrap Salvage Yard" which shields "Scrap Salvage" from view when the gates are open. In all other respects, fences shall be installed and constructed in accordance with City Ordinances.

p. No "Scrap Salvage Dealer" licensed hereunder or his agent or employee shall, except for aluminum cans, purchase or receive any "Scrap Salvage" for use in the licensed business from any person under the age of eighteen (18) years without the written consent of a parent or guardian of such person. Such writing shall be held available for inspection by any member, or representative, of the Police Department for one (1) year.

q. Each acquisition of such "Scrap Salvage" as is capable of being used for its original and intended purpose without repair or alteration, including all motor vehicle parts, except for bulk purchases from industrial and commercial concerns, shall be recorded in English in a permanent type register kept on the business premises, giving the name and residence address of the person from whom the acquisition was made, a description of the "Scrap Salvage" acquired, any identification or serial number, and the date of the transaction. Such data shall be held available for inspection by any member, or representative, of the Police Department for one (1) year. The identification of each seller of a motor vehicle or motor vehicle part shall be checked and the type of identification checked noted, except where the purchase is from a licensed motor vehicle dealer, an insurance company, a City licensed tower or an auction.

r. No "Scrap Salvage Yard" shall be allowed to become a public or attractive nuisance; nor shall any "Scrap Salvage Yard" be operated in such manner as to adversely affect the public health, safety, or welfare.

s. There shall be full compliance with the City Building, Fire and Health Codes and with all other City, County, State and Federal laws, rules or regulations which may be applicable.

t. The Fire Department may order Licensees to install fire lanes, following notice and opportunity to be heard, and upon providing a reasonable time for compliance.

u. The terms of a Conditional Use Permit which are not inconsistent with this Ordinance, shall be complied with at all times as a condition of license maintenance.

v. No "Scrap Salvage" shall be collected which is placed on a City right-of-way for City collection and

no "Scrap Salvage" shall be deposited or sorted on a City right-of-way or removed from the property of any nonconsenting person or party.

w. The licensed premises must possess appropriate zoning for the licensed business or constitute a lawful nonconforming use.

x. Motor vehicles which are used in the licensed business shall hold and display an L.C. and M.V.D. number where such number is required by State law, rule or regulation, shall be insured or financially responsible in accordance with State law, shall be properly and currently registered with the State Motor Vehicle Department, and shall have the licensee's name conspicuously and legibly printed thereon.

2. Scrap Salvage Collectors. The following general operating requirements shall apply to all "Scrap Salvage Collectors" licensed in accordance with this Ordinance:

a. Licensees shall have the license issued to them under this Ordinance in their immediate possession at all times when acting as a "Scrap Salvage Collector" in the City and shall exhibit it to any person upon request.

b. Licensee, except for aluminum cans, shall not purchase or receive any "Scrap Salvage" from any person under the age of eighteen (18) years without the written consent of a parent or guardian of such person. Licensee shall retain such writing for a period of at least one (1) year, and shall produce it within a reasonable time upon the request of any member, or representative of a member of the Police Department.

c. Licensee shall record in English, in a permanent type register, each acquisition of such "Scrap Salvage" as is capable of being used for its original and intended purpose, including all motor vehicle parts, except for bulk purchases from industrial and commercial concerns, within the City, giving the name and residence address of the person from whom the acquisition was made, a description of the "Scrap Salvage" acquired, any identification or serial number, and the date of the transaction. Licensee shall retain such data for a period of at least one (1) year, and shall produce them within a reasonable time upon the request of any member or representative of the Police Department. The identification of each seller of a motor vehicle or motor vehicle part shall be checked, and the type of identification checked, noted, except where the purchase is from a licensed motor vehicle dealer, an insurance company, a City licensed tower or an auction.

d. Licensee shall not directly or indirectly purchase "Scrap Salvage" from any person that they know, or should know, cannot rightfully or lawfully sell it or deliver clear title thereto.

e. No "Scrap Salvage" shall be collected which is placed on a City right-of-way for City collection and no "Scrap Salvage" shall be deposited or sorted on a City right-of-way or removed from the property of any nonconsenting person or party.

f. Motor vehicles which are used in the licensed business shall hold and display an L.C. and M.V.D. number where such number is required by State law rule or regulation, shall be insured or financially responsible in accordance with State law, shall be properly and currently registered with the State Motor Vehicle Department, and shall have the licensee's name conspicuously and legibly printed thereon.

g. Scrap Salvage Collectors must notify the City Clerk in writing of any changes to the residence of the licensee or the equipment being used by the licensee, as soon as practicable

L. Licensees/Responsibility. "Scrap Salvage Dealers" and "Scrap Salvage Collectors" shall, with respect to the conduct of their business, have a duty to supervise their agents and employees and shall be responsible for the acts thereof.

M. Suspected Stolen and Evidentiary Scrap Salvage. The Police Department may order any licensee hereunder to retain any "Scrap Salvage" ~~upon the premises~~ which is suspected to be stolen, for a period not to exceed thirty (30) days pending an investigation. The Police Department, at any time, may seize ~~from the premises~~, as evidence, any "Scrap Salvage" ~~that~~~~which~~ they have probable cause to believe is

~~stolen, and may hold said "Scrap Salvage" for so long as it shall have evidentiary value. Any seized item shall be released within a reasonable time upon prosecution being denied by any prosecuting attorney.~~ Any enforcing department may order a Licensee to retain "Scrap Salvage" upon the premises which is suspected of being held in violation of this Ordinance for a period not to exceed thirty (30) days during which an investigation can be conducted. Any enforcing department may take samples of "Scrap Salvage" for purposes of testing or arrange for any other governmental agency to do so.

N. Conditional Use Permits. Conditional Use Permits, as required by the Zoning Ordinance, shall be required prior to any unlicensed premises being licensed and prior to the expansion of any existing licensed premises, and each license shall be conditioned upon obtaining and complying with the provisions of a Conditional Use Permit, where required. A Conditional Use Permit may contain requirements over and above the requirements of this Ordinance, but may not negate any of the requirements of this Ordinance, and if it would do so, any conflicting provisions thereof shall be null and void.

O. Appeals From Orders. A Licensee, where the public health, safety and welfare is not in immediate jeopardy, may appeal to the Common Council any order issued by any enforcing Department under authority of this Ordinance by filing a written Notice of Appeal with said Department within ten (10) days of receipt of said order, or within the compliance period, whichever is shorter. The Common Council may direct that the appeal be heard by a Committee thereof.

P. Revocation and Suspension Of Licenses. The Common Council may, for just cause, suspend, revoke or not renew any license herein provided, upon serving such party written notice of the charges forming a basis for the proposed penalty, in the same manner as that for the service of a Summons in a civil action. Just cause shall include, but not be limited to:

1. Failing to maintain a status of good moral character and business responsibility.
2. Obtaining the license through fraud or misrepresentation.
3. Operating contrary to the terms of this Ordinance.
4. Failing to commence doing business within ninety (90) days of being granted a license or within ninety (90) days of the first day of the license term, whichever is longer, unless an extension of time is applied for and granted by the Finance Committee.
5. Suspending doing business for a period of ninety (90) consecutive days, unless permission is applied for and granted by the Finance Committee.

Q. Disciplinary Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, may be held before the Common Council or before the Committee charged with license review responsibilities.

The Committee on Licensing, when it conducts a hearing, shall submit a report to the City Common Council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the City Common Council should take with respect to the license. Said Committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or Licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The City Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Common Council, after considering the Committee's report and any arguments presented by complainant or Licensee, finds the complaint to be true, or if there is no objection

to a report recommending a suspension, revocation or nonrenewal of the license, it shall be suspended, revoked or not renewed as provided by law. If the City Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose license is affected. The Common Council may also order corrective action to be taken within a specified time as a condition of license maintenance, at any time, following notice and an opportunity to be heard.

R. Penalty. Any person who shall violate any of the terms and conditions of this Ordinance shall, upon conviction thereof, forfeit not more than Five Hundred (\$500) Dollars, plus the costs of prosecution, and in default of the timely payment thereof be confined in the County Jail for a period not to exceed (30) days.

S. Violations. Each day of a violation of this Ordinance shall be considered a separate offense.

Section Two: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

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JONATHAN A. MULLIGAN
ASSISTANT CITY ATTORNEY
CHRISTINE M. GENTNER
ASSISTANT CITY ATTORNEY

October 28, 2014

Edward Habel, Agent
HAPA, LLC d/b/a/ Pub 22
2200 - 60th Street
Kenosha, WI 53140

Re: HAPA, LLC d/b/a Pub 22 Cabaret License

Dear Mr. Habel

The Licensing & Permit Committee will be discussing the Cabaret License of HAPA, LLC (Pub 22) at it's meeting on:

Monday, November 10, 2014
6:30 p.m.
Room 202
Kenosha Municipal Building, 625-52nd Street

You and/or your representative are required to attend this meeting. Failure to attend this meeting could result in the assignment of demerit points to your license and/or further disciplinary proceedings.

If you have any questions, please contact 653-4170

Very Truly Yours,

Matthew A. Knight
Deputy City Attorney

MAK/df

CFSVW07

Agency: 00

01/01/2014 thru 10/27/2014

Search Criteria used:

Agency	Incident	Date	Time	House No	DIR	Street	Apt No	Activity
00	002014158518	10/26/2014	0122	2200		60TH ST		LOUD MUSIC
00	002014158024	10/25/2014	0410	2200		60TH ST		TAVERN DIST FU
00	002014157992	10/25/2014	0132	2200		60TH ST		DC/TAVERN DISTURBANCE
00	002014157975	10/25/2014	0039	2200		60TH ST		SERVICE
00	002014156854	10/22/2014	2131	2200		60TH ST		SUSPICIOUS
00	002014150341	10/10/2014	0141	2200		60TH ST		TRF/RECKLESS DRIVING
00	002014145728	10/01/2014	0204	2200		60TH ST		DC CONDUCT
00	002014144645	09/29/2014	0209	2200		60TH ST		REPOSSESS
00	002014140266	09/20/2014	2317	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014139692	09/19/2014	2221	2200		60TH ST		LOUD MUSIC
00	002014139666	09/19/2014	2125	2200		60TH ST		LOUD MUSIC
00	002014138565	09/18/2014	0156	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014133549	09/09/2014	0059	2200		60TH ST		SUSPICIOUS
00	002014133473	09/08/2014	2137	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014131791	09/05/2014	2226	2200		60TH ST		DC CONDUCT
00	002014130594	09/03/2014	2340	2200		60TH ST		LOUD MUSIC
00	002014129300	09/01/2014	2225	2200		60TH ST		LIQ LAWS FU
00	002014128866	09/01/2014	0405	2200		60TH ST		LIQ LAWS
00	002014128831	09/01/2014	0150	2200		60TH ST		DC/FIGHT IN PUBLIC
00	002014128807	09/01/2014	0038	2200		60TH ST		DC CONDUCT
00	002014125155	08/25/2014	1843	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014124167	08/24/2014	0102	2200		60TH ST		SERVICE
00	002014124152	08/24/2014	0037	2200		60TH ST		LOUD MUSIC
00	002014122865	08/21/2014	2358	2200		60TH ST		LOUD MUSIC
00	002014120234	08/17/2014	1720	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014120221	08/17/2014	1657	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014118249	08/14/2014	1144	2200		60TH ST		SRV/MOTORIST ASST
00	002014118064	08/13/2014	2326	2200		60TH ST		LOUD MUSIC
00	002014109935	07/30/2014	2109	2200		60TH ST		LOUD MUSIC
00	002014109390	07/29/2014	2218	2200		60TH ST		DC CONDUCT
00	002014108828	07/28/2014	2036	2200		60TH ST		SERVICE
00	002014108779	07/28/2014	1854	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014107790	07/27/2014	0219	2200		60TH ST		LIQ LAWS
00	002014107786	07/27/2014	0210	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014104958	07/23/2014	0033	2200		60TH ST		LOUD MUSIC
00	002014101942	07/17/2014	2317	2200		60TH ST		LOUD MUSIC
00	002014100218	07/14/2014	2235	2200		60TH ST		TRF/RECKLESS DRIVING
00	002014097451	07/10/2014	0254	2200		60TH ST		LIQ LAWS
00	002014095048	07/06/2014	0210	2200		60TH ST		ADDL PATROL
00	002014095039	07/06/2014	0133	2200		60TH ST		LIQ LAWS
00	002014095038	07/06/2014	0129	2200		60TH ST		DC CONDUCT
00	002014095026	07/06/2014	0040	2200		60TH ST		TRF/RECKLESS DRIVING
00	002014095025	07/06/2014	0038	2200		60TH ST		SUSPICIOUS
00	002014094982	07/05/2014	2308	2200		60TH ST		SUSPICIOUS
00	002014094413	07/05/2014	0032	2200		60TH ST		CHECK ON
00	002014094197	07/04/2014	2114	2200		60TH ST		SERVICE

Agency: 00
Search Criteria used:

01/01/2014 thru 10/27/2014

Agency	Incident	Date	Time	House No	DIR	Street	Apt No	Activity
00	002014093092	07/02/2014	2301	2200		60TH ST		LOUD MUSIC
00	002014090901	06/29/2014	0442	2200		60TH ST		DC CONDUCT
00	002014088995	06/25/2014	2154	2200		60TH ST		LOUD MUSIC
00	002014086425	06/21/2014	0119	2200		60TH ST		LOUD MUSIC
00	002014085104	06/18/2014	1543	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014084814	06/18/2014	0226	2200		60TH ST		10-50 PD
00	002014084313	06/17/2014	0924	2200		60TH ST		10-50 PI FU
00	002014083432	06/15/2014	1623	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014080588	06/10/2014	1020	2200		60TH ST		10-50 PI FU
00	002014080500	06/10/2014	0725	2200		60TH ST		10-50 PI FU
00	002014080073	06/09/2014	1208	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014079099	06/07/2014	1415	2200		60TH ST		10-50 PI FU
00	002014078875	06/07/2014	0014	2200		60TH ST		TRF/FATAL ACCIDENT
00	002014078904	06/07/2014	0234	2200		60TH ST		10-50 PI FU
00	002014075780	06/01/2014	1541	2200		60TH ST		LOCKOUT MV
00	002014071931	05/26/2014	0627	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014071224	05/24/2014	2321	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014071130	05/24/2014	2104	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014070612	05/23/2014	2329	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014069387	05/21/2014	2327	2200		60TH ST		DC CONDUCT
00	002014066938	05/17/2014	1557	2200		60TH ST		10-50 PD
00	002014066646	05/17/2014	0053	2200		60TH ST		DC/TAVERN DISTURBANCE
00	002014063392	05/11/2014	0045	2200		60TH ST		LOUD MUSIC
00	002014063356	05/10/2014	2303	2200		60TH ST		DC CONDUCT
00	002014062770	05/09/2014	2143	2200		60TH ST		SERVICE
00	002014062242	05/09/2014	0014	2200		60TH ST		SRV/CITIZEN ASST
00	002014059072	05/03/2014	0033	2200		60TH ST		LIQ LAWS
00	002014059054	05/03/2014	0003	2200		60TH ST		SUSPICIOUS
00	002014055992	04/27/2014	0017	2200		60TH ST		SUSPICIOUS
00	002014055566	04/26/2014	0157	2200		60TH ST		SUSPICIOUS
00	002014055544	04/26/2014	0105	2200		60TH ST		CK WELFARE
00	002014055516	04/25/2014	2356	2200		60TH ST		LOUD MUSIC
00	002014055040	04/25/2014	0638	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014052061	04/19/2014	0059	2200		60TH ST		LOUD MUSIC
00	002014052050	04/19/2014	0025	2200		60TH ST		DC CONDUCT
00	002014051549	04/18/2014	0026	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014047262	04/10/2014	0014	2200		60TH ST		LOUD MUSIC
00	002014046237	04/08/2014	0258	2200		60TH ST		THEFT
00	002014045933	04/07/2014	1501	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014045198	04/06/2014	0057	2200		60TH ST		LOUD MUSIC
00	002014045150	04/05/2014	2242	2200		60TH ST		LIQ LAWS
00	002014044667	04/04/2014	2214	2200		60TH ST		ANIMAL AT LG
00	002014043174	04/02/2014	0043	2200		60TH ST		LOUD MUSIC
00	002014033605	03/13/2014	0038	2200		60TH ST		LOUD MUSIC
00	002014027789	03/01/2014	0033	2200		60TH ST		LOUD MUSIC
00	002014027680	02/28/2014	2017	2200		60TH ST		CAD-TRAF VEH LAWS

Agency: 00

01/01/2014 thru 10/27/2014

Search Criteria used:

Agency	Incident	Date	Time	House No	DIR	Street	Apt No	Activity
00	002014025460	02/24/2014	0724	2200		60TH ST		RECKLESS DRV FU
00	002014023315	02/19/2014	2119	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014021676	02/16/2014	1924	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014021340	02/15/2014	2339	2200		60TH ST		TRF/PARKING COMPL
00	002014021324	02/15/2014	2302	2200		60TH ST		LOUD MUSIC
00	002014021314	02/15/2014	2244	2200		60TH ST		LOUD MUSIC
00	002014021082	02/15/2014	1431	2200		60TH ST		10-50 PD FU
00	002014020856	02/15/2014	0059	2200		60TH ST		LOUD MUSIC
00	002014020661	02/14/2014	1732	2200		60TH ST		10-50 PD
00	002014018923	02/10/2014	2359	2200		60TH ST		MED CALL
00	002014017757	02/08/2014	1426	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014017501	02/07/2014	2234	2200		60TH ST		LOUD MUSIC
00	002014015924	02/04/2014	2330	2200		60TH ST		LOUD MUSIC
00	002014014113	01/31/2014	2311	2200		60TH ST		LOUD MUSIC
00	002014013981	01/31/2014	1802	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014013280	01/30/2014	1213	2200		60TH ST		WARRANTS
00	002014011438	01/25/2014	2305	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014011319	01/25/2014	1732	2200		60TH ST		CAD-TRAF VEH LAWS
00	002014010941	01/25/2014	0044	2200		60TH ST		LOUD MUSIC
00	002014009598	01/22/2014	0948	2200		60TH ST		SRV/MOTORIST ASST
00	002014002962	01/08/2014	0100	2200		60TH ST		DC/FIGHT IN PUBLIC
00	002014001740	01/04/2014	2119	2200		60TH ST		CAD-TRAF VEH LAWS

Total Number of Matches: 114



COPY

12

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF PAULA RODGERS

SUMMONS
ORDER TO APPEAR
AND SHOW CAUSE

TO: Paula Rodgers
2112 - 62nd Street, #A
Kenosha, Wisconsin

YOU ARE HEREBY ORDERED TO APPEAR AND SHOW CAUSE, on Monday, the 10th day of November, 2014, at 6:30 o'Clock in the P.M., in Room 202 of the Municipal Office Building, 625 52nd Street, Kenosha, Wisconsin, before the Committee on Licenses/Permits of the Common Council of the City of Kenosha, Wisconsin, AND SHOW CAUSE why the Operator (Bartender's) License should not be revoked for the reasons specified in the attached Complaint.

YOUR FAILURE TO APPEAR WILL RESULT IN THE
NON RENEWAL AND REVOCATION OF SAID LICENSE

Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN

By: 
DEBRA SALAS
City Clerk/Treasurer

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF PAULA RODGERS

COMPLAINT

NOW COMES DEBRA SALAS, City Clerk/Treasurer for the City of Kenosha, Wisconsin, and hereby states and complains on information and belief as follows:

1. Debra Salas is an adult resident of the State of Wisconsin, and is City Clerk/Treasurer for the City of Kenosha, Wisconsin.
2. Paula Rodgers, hereinafter "Licensee", at all times relevant herein, was and is an adult resident of the City of Kenosha, Wisconsin, and as of June 20, 2014, lived at 2112 - 62nd Street, #A, Kenosha, Wisconsin.
3. Licensee was initially granted an Operator (Bartender's) License, hereinafter referred to as "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", May 18, 2009, pursuant to Section 10.063 of the Code of General Ordinances of the City of Kenosha, Wisconsin.
4. That Licensee filed a renewal application for renewal of her License on June 20, 2014.
5. That Licensee had her License renewed by the Council on July 7, 2014, subject to a non-renewal/revocation hearing.
6. That Licensee was assessed five (5) demerit points based on a conviction of Sale of Cigarettes to a Minor, contrary to Section 13.09 C.1. of the General Code of Ordinances for the City of Kenosha pursuant to Sections 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on August 10, 2011, and resulting in a conviction in the City of Kenosha Municipal Court on August 31, 2011.
7. That Licensee was assessed twenty-five (25) demerit points based upon a

conviction of Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a) pursuant to Section 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on January 4, 2012, and resulting in a conviction in the City of Kenosha Municipal Court on January 25, 2012.

8. That Licensee was assessed twenty-five (25) demerit points based upon a conviction of Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a) pursuant to Section 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on August 7, 2012, and resulting in a conviction in the City of Kenosha Municipal Court on August 29, 2012.

9. That Licensee was assessed twenty-five (25) demerit points based upon a conviction of Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a) pursuant to Section 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on August 20, 2013, and resulting in a conviction in the City of Kenosha Municipal Court on September 11, 2013.

10. That Licensee's renewal application was untrue, incorrect and/or incomplete contrary to Section 1.22 A. of the Code of General Ordinances, to wit: Licensee failed to identify the convictions for Sale of Alcohol to an Underage Person which occurred on August 7, 2012 and August 20, 2013, previously identified above on her renewal application as required by question 1 of the renewal application.

11. Pursuant to Sections 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, in the event an application is determined to be untrue, incorrect or incomplete upon review, the application shall be assessed twenty (20) demerit points.

12. That Licensee had her License renewed by the Council on July 1, 2013, subject to a non-renewal/revocation hearing.

13. The Licensee has accumulated one hundred (100) demerit points within two

consecutive license terms under Section 10.063 of the Code of General Ordinances:

14. Under Section 10.063.D.2.b. of the Code of General Ordinances, the accumulation of one hundred (100) demerit points within two consecutive license terms subjects the Licensee to the non-renewal, revocation, or suspension of said License, as determined by the Common Council.

NOW, THEREFORE, Complainant requests the non-renewal, revocation, or suspension of the License held by Licensee.

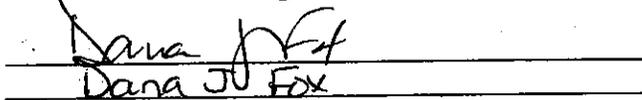
Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN



DEBRA SALAS
City Clerk/Treasurer
City of Kenosha, Wisconsin

Subscribed and sworn to before me
this 30th day of October, 2014.



Dana J. Fox

Notary Public, Kenosha County, WI.
My Commission is permanent/expires on 7-20-18

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney



COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF TAYLOR COFIELD

SUMMONS
ORDER TO APPEAR
AND SHOW CAUSE

TO: Taylor Cofield
3916 Washington Rd., #215
Kenosha, Wisconsin

YOU ARE HEREBY ORDERED TO APPEAR AND SHOW CAUSE, on Monday, the 10th day of November, 2014, at 6:30 o'Clock in the P.M., in Room 202 of the Municipal Office Building, 625 52nd Street, Kenosha, Wisconsin, before the Committee on Licenses/Permits of the Common Council of the City of Kenosha, Wisconsin, AND SHOW CAUSE why the Operator (Bartender's) License should not be revoked for the reasons specified in the attached Complaint.

YOUR FAILURE TO APPEAR WILL RESULT IN THE
NON RENEWAL AND REVOCATION OF SAID LICENSE

Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN

By: 
DEBRA SALAS
City Clerk/Treasurer

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF TAYLOR COFIELD

COMPLAINT

NOW COMES DEBRA SALAS, City Clerk/Treasurer for the City of Kenosha, Wisconsin, and hereby states and complains on information and belief as follows:

1. Debra Salas is an adult resident of the State of Wisconsin, and is City Clerk/Treasurer for the City of Kenosha, Wisconsin.

2. Taylor Cofield, hereinafter "Licensee", at all times relevant herein, was and is an adult resident of the City of Kenosha, Wisconsin, and as of May 13, 2014, lived at 3916 Washington Road, #215, Kenosha, Wisconsin.

3. Licensee was initially granted an Operator (Bartender's) License, hereinafter referred to as "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", April 15, 2013, pursuant to Section 10.063 of the Code of General Ordinances of the City of Kenosha, Wisconsin, subject to eighty (80) demerit points.

4. That Licensee filed a renewal application for renewal of her License on May 13, 2014.

5. That Licensee had her License renewed by the Council on June 2, 2014, subject to a non-renewal/revocation hearing.

6. That Licensee's renewal application was untrue, incorrect and/or incomplete contrary to Section 1.22 A. of the Code of General Ordinances, to wit: Licensee failed to identify the conviction for Underage Consumption of Alcohol, the violation having occurred on June 24, 2011, and resulting in a conviction in the Village of Pleasant Prairie Municipal Court on July 27, 2011, on her renewal application as required by question 1 of the renewal application.

7. Pursuant to Sections 10.03 D.2.b. and 10.063 D.6. of the Code of General Ordinances, in the event an application is determined to be untrue, incorrect or incomplete upon review, the application shall be assessed twenty (20) demerit points.

8. That Licensee had his License renewed by the Council on July 1, 2013, subject to a non-renewal/revocation hearing.

9. The Licensee has accumulated one hundred (100) demerit points within two consecutive license terms under Section 10.063 of the Code of General Ordinances.

10. Under Section 10.063.D.2.b. of the Code of General Ordinances, the accumulation of one hundred (100) demerit points within two consecutive license terms subjects the Licensee to the non-renewal, revocation, or suspension of said License, as determined by the Common Council.

NOW, THEREFORE, Complainant requests the non-renewal revocation or suspension of the License held by Licensee.

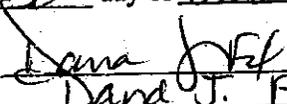
Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN



DEBRA SALAS
City Clerk/Treasurer
City of Kenosha, Wisconsin

Subscribed and sworn to before me
this 30th day of October, 2014.



Dana J. Fox
Notary Public, Kenosha County, WI.
My Commission is permanent/expires on 7-20-18.

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney



COPY

14

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF JULIE DEFRANCO

SUMMONS
ORDER TO APPEAR
AND SHOW CAUSE

TO: Julie DeFranco
7612 - 25th Ave.
Kenosha, Wisconsin

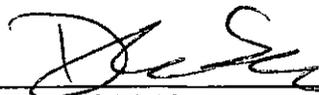
YOU ARE HEREBY ORDERED TO APPEAR AND SHOW CAUSE, on Monday, the 10th day of November, 2014, at 6:30 o'Clock in the P.M., in Room 202 of the Municipal Office Building, 625 52nd Street, Kenosha, Wisconsin, before the Committee on Licenses/Permits of the Common Council of the City of Kenosha, Wisconsin, AND SHOW CAUSE why the Operator (Bartender's) License should not be revoked for the reasons specified in the attached Complaint.

YOUR FAILURE TO APPEAR WILL RESULT IN THE
NON RENEWAL AND REVOCATION OF SAID LICENSE

Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN

By:


DEBRA SALAS
City Clerk/Treasurer

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF JULIE DEFRANCO

COMPLAINT

NOW COMES DEBRA SALAS, City Clerk/Treasurer for the City of Kenosha, Wisconsin, and hereby states and complains on information and belief as follows:

1. Debra Salas is an adult resident of the State of Wisconsin, and is City Clerk/Treasurer for the City of Kenosha, Wisconsin.

2. Julie DeFranco, hereinafter "Licensee", at all times relevant herein, was and is an adult resident of the City of Kenosha, Wisconsin, and as of May 6, 2014, lived at 7612 - 25th Ave., Kenosha, Wisconsin.

3. Licensee was initially granted an Operator (Bartender's) License, hereinafter referred to as "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", July 5, 2006, pursuant to Section 10.063 of the Code of General Ordinances of the City of Kenosha, Wisconsin.

4. That Licensee filed a renewal application for renewal of her License on May 6, 2014.

5. That Licensee had her License renewed by the Council on June 2, 2014, subject to a non-renewal/revocation hearing.

6. That Licensee was assessed fifty (50) demerit points based on a conviction of operating while under the influence, 1st offense, contrary to Wisconsin Statute Section 346.63(1)(a) pursuant to Sections 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on July 15, 2011, and resulting in a conviction in the City of Kenosha Municipal Court on September 15, 2011.

7. That Licensee was assessed twenty-five (25) demerit points based on a conviction of Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a) pursuant to Sections 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on December 16, 2011, and resulting in a conviction in the City of Kenosha Municipal Court on January 6, 2012.

8. That Licensee was assessed fifteen (15) demerit points based upon a conviction of Permitting an Underage Person on Licensed Premises, contrary to Wisconsin Statute Section 125.07(3)(b) pursuant to Sections 10.063 D.2. b. and 10.063 D.6. of the Code of General ordinances. Said violation having occurred on December 16, 2011, and resulting in a conviction in the City of Kenosha Municipal Court on January 6, 2012.

9. That Licensee's renewal application was untrue, incorrect and/or incomplete contrary to Section 1.22 A. of the Code of General Ordinances, to wit: Licensee failed to identify the convictions for Sale of Alcohol to an Underage Person and Permitting an Underage Person on Licensed Premises, previously identified above on her renewal application as required by question 1 of the renewal application.

10. That Licensee was assessed twenty (20) demerit points for filing an untrue, incorrect and/or incomplete application pursuant to Sections 10.063 D.2.b. and 10.063 D.6. of the General Code of Ordinances.

11. That Licensee had her License renewed by the Council on June 2, 2014, subject to a non-renewal/revocation hearing.

12. The Licensee has accumulated one hundred ten (110) demerit points within two consecutive license terms under Section 10.063 of the Code of General Ordinances.

13. Under Section 10.063.D.2.b. of the Code of General Ordinances, the accumulation of one hundred (100) demerit points within two consecutive license terms subjects the Licensee to the non-renewal, revocation, or suspension of said License, as determined by the Common

Council.

NOW, THEREFORE, Complainant requests the revocation of the License held by Licensee.

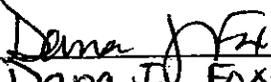
Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN



DEBRA SALAS
City Clerk/Treasurer
City of Kenosha, Wisconsin

Subscribed and sworn to before me
this 30th day of October, 2014.



Dana J. Fox
Notary Public, Kenosha County, WI.
My Commission is permanent/expires on 7-20-18.

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF ALEXIS HOFF

SUMMONS
ORDER TO APPEAR
AND SHOW CAUSE

TO: Alexis Hoff
6537 - 61st Avenue
Kenosha, Wisconsin

YOU ARE HEREBY ORDERED TO APPEAR AND SHOW CAUSE, on Monday, the 10th day of November, 2014, at 6:30 o'Clock in the P.M., in Room 202 of the Municipal Office Building, 625 52nd Street, Kenosha, Wisconsin, before the Committee on Licenses/Permits of the Common Council of the City of Kenosha, Wisconsin, AND SHOW CAUSE why the Operator (Bartender's) License should not be revoked for the reasons specified in the attached Complaint.

YOUR FAILURE TO APPEAR WILL RESULT IN THE
NON RENEWAL AND REVOCATION OF SAID LICENSE

Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN

By: 
DEBRA SALAS
City Clerk/Treasurer

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE

In The Matter Of:

THE OPERATOR (BARTENDER'S)
LICENSE OF ALEXIS HOFF

COMPLAINT

NOW COMES DEBRA SALAS, City Clerk/Treasurer for the City of Kenosha, Wisconsin, and hereby states and complains on information and belief as follows:

1. Debra Salas is an adult resident of the State of Wisconsin, and is City Clerk/Treasurer for the City of Kenosha, Wisconsin.
2. Alexis Hoff, hereinafter "Licensee", at all times relevant herein, was and is an adult resident of the City of Kenosha, Wisconsin, and as of June 6, 2014, lived at 6537 - 61st Avenue, Kenosha, Wisconsin.
3. Licensee was initially granted an Operator (Bartender's) License, hereinafter referred to as "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", September 16, 2012, pursuant to Section 10.063 of the Code of General Ordinances of the City of Kenosha, Wisconsin, subject to 40 demerit points.
4. That Licensee filed a renewal application for renewal of her License on June 6, 2014.
5. That Licensee had her License renewed by the Council on July 7, 2014, subject to a non-renewal/revocation hearing.
6. That Licensee was assessed twenty-five (25) demerit points based upon a conviction of Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a) pursuant to Sections 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on August 20, 2013, and resulting in a conviction in the City of Kenosha Municipal Court on September 11, 2013.
7. That Licensee was assessed fifty (50) demerit points based upon a conviction of

Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a) pursuant to Section 10.063 D.2.b., 10.063 D.6., and 10.063 D.8. of the Code of General Ordinances, said violation having occurred on August 22, 2013, and resulting in a conviction in the City of Kenosha Municipal Court on February 20, 2014.

8. That Licensee was assessed five (5) demerit points based on a conviction of Sale of Cigarettes to a Minor, contrary to Section 13.09 C.1. of the General Code of Ordinances for the City of Kenosha pursuant to Sections 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on July 28, 2014, and resulting in a conviction in the City of Kenosha Municipal Court on September 2, 2014.

9. That Licensee's renewal application was untrue, incorrect and/or incomplete contrary to Section 1.22 A. of the Code of General Ordinances, to wit: Licensee failed to identify the convictions for Sale of Alcohol to an Underage Person which occurred on August 22, 2013 and July 28, 2014, previously identified above on her renewal application as required by question 1 of the renewal application.

10. That Licensee was issued twenty(20) demerit points for filing an untrue, incorrect or false application pursuant to Section 10.063 D.2.b. and 10.063 D.6. of the Code of General Ordinances.

11. That Licensee had her License renewed by the Council on July 1, 2013, subject to a non-renewal/revocation hearing;

12. The Licensee has accumulated one hundred forty (140) demerit points within two consecutive license terms under Section 10.063 of the Code of General Ordinances.

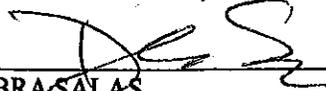
13. Under Section 10.063.D.2.b. of the Code of General Ordinances, the accumulation of one hundred (100) demerit points within two consecutive license terms subjects the Licensee to the non-renewal, revocation, or suspension of said License, as determined by the Common Council;

14: That filing an untrue, incorrect or incomplete renewal application for an Operator License is a basis for denying (revoking) applicant's Operator License.

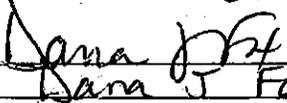
NOW, THEREFORE, Complainant requests the revocation of the License held by Licensee.

Dated at Kenosha, Wisconsin, this 30th day of October, 2014.

CITY OF KENOSHA, WISCONSIN


DEBRASALAS
City Clerk/Treasurer
City of Kenosha, Wisconsin

Subscribed and sworn to before me this 30th day of October, 2014.


Dana J Fox

Notary Public, Kenosha County, WI.
My Commission is permanent/expires on 7-2018.

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney



COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN

In The Matter Of:

The Class "A" Beer/ "Class A" Liquor License of
MEGA MARTS, LLC
d/b/a PICK 'N SAVE #6871
Kai Kleimola, Agent
2811 - 18th Street
Kenosha, WI 53140

SUMMONS
ORDER TO APPEAR
AND SHOW CAUSE

TO: Kai Kleimola, Agent
Pick 'n Save #6871
2811 - 18th Street
Kenosha, WI 53140

YOU ARE HEREBY ORDERED TO APPEAR AND SHOW CAUSE, on Wednesday, the 24th day of September, 2014, at 5:00 o'Clock in the P.M. in Room 202 of the Municipal Office Building, 625 52nd Street, Kenosha, Wisconsin, before the Committee on Licenses/Permits of the Common Council of the City of Kenosha, Wisconsin, AND SHOW CAUSE why the Class "A" Beer/ "Class A" Liquor License should not be revoked for the reasons specified in the attached Complaint.

YOUR FAILURE TO APPEAR WILL RESULT IN THE
NON RENEWAL AND REVOCATION OF SAID LICENSE

Dated at Kenosha, Wisconsin, this 15th day of September, 2014.

CITY OF KENOSHA, WISCONSIN

By: 
DEBRA SALAS
City Clerk/Treasurer

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN

In The Matter Of:

The Class "A" Beer/ "Class A" Liquor License of
MEGA MARTS, LLC
d/b/a PICK 'N SAVE #6871
Kai Kleimola, Agent
2811 – 18th Street
Kenosha, WI 53140

COMPLAINT

NOW COMES DEBRA SALAS, City Clerk/Treasurer for the City of Kenosha, Wisconsin, and hereby states and complains as follows:

1. Debra Salas is an adult resident of the State of Wisconsin, and is the City Clerk/Treasurer for the City of Kenosha, Wisconsin;
2. Mega Marts, LLC, d/b/a Pick 'n Save #6871, a Wisconsin Limited Liability Corporation duly organized under the laws of the State of Wisconsin, hereinafter "Licensee", operates its local store at 2811 – 18th Street, Kenosha, Wisconsin, 53140;
3. Licensee was initially granted a Class "A" Beer/ "Class A" Liquor License, hereinafter "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", on March 21, 2000, pursuant to Chapter 10 of the Code of General Ordinances of the City of Kenosha, Wisconsin;
4. On June 2, 2014, the Council granted renewal of said License pursuant to Section 10.063 C. of the Code of General Ordinances, Kenosha, Wisconsin, for the licensing period beginning on July 1, 2014, and concluding on June 30, 2015, subject to non-renewal revocation.
5. Licensee has had three (3) licensing agents during the licensing periods material hereto, Kathryn Neimeyer from July 15, 2013 through December 2, 2013; Chad Lehrke, December 2, 2013 through July 21, 2014; and Kai Kleimola, July 21, 2014 through the present

date;

6. That Licensee was assessed twenty-five (25) demerit points based upon a conviction of Licensee's employee, Margaret Conlee, and one companion citation issued to Kathryn Neimeyer, the Licensee's agent on the date of the violation, for Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a), pursuant to Sections 10.063 E.1. and 10.063 E.7., of the Code of General Ordinances, said violation having occurred on October 17, 2013, and resulting in a conviction in the Municipal Court for the City of Kenosha on January 8, 2014;

7. That Licensee was assessed twenty-five (25) demerit points based upon Licensee's conviction of municipal citation and companion citations issued to Licensee's agent at the time of the violation, Kathy Loberger, and Licensee's employee John Quinn, for Sale of Alcohol Without a Licensed Person on Premises, contrary to Wisconsin Statute Section 125.32(2), pursuant to Sections 10.063 E.1. and 10.063 E.7., of the Code of General Ordinances, said violation having occurred on October 24, 2013, and resulting in a conviction in the Municipal Court for the City of Kenosha on February 17, 2014;

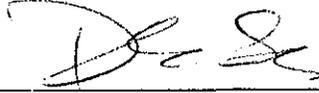
8. That Licensee, Licensee's agent and employees have violated Wisconsin Statute Chapter 125 two (2) times within three hundred sixty-five (365) consecutive days;

9. Pursuant to Section 10.063 E.1. of the Code of General ordinances, two (2) violations of Wisconsin Statute Chapter 125 within three hundred sixty-five (365) consecutive days subjects Licensee to a mandatory thirty (30) day suspension of said License held by Licensee as determined by Council.

NOW, THEREFORE, Complainant requests the suspension and/or revocation of the License held by Licensee.

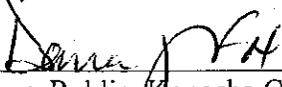
Dated at Kenosha, Wisconsin, this 15th day of September, 2014.

CITY OF KENOSHA, WISCONSIN



DEBRA SALAS
City Clerk/Treasurer

Subscribed and sworn to before me
this 15th day of September, 2014.



Notary Public, Kenosha County, WI
My Commission expires/is: 7-20-18

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

**COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN
LICENSING/PERMIT COMMITTEE**

In The Matter Of:

The Class "A" Retail Beer License of Koche, LLC, d/b/a Tom's BP, Sheryl John, Agent

Findings of Fact, Conclusions of Law and Recommendation

The Complaint of the City Clerk/Treasurer for the City of Kenosha seeking the suspension or revocation of the above captioned license came before the License and Permit Committee on October 27, 2014.

The members of the Licensing/Permit Committee present for the hearing on October 27, 2014, were Chairman Curt Wilson, Patrick Juliana, David Bogdala and Kurt Wicklund. Alderman G. John Ruffolo was absent.

The Licensing/Permit Committee was represented by special counsel, Steven M. Cain.

The City Clerk/Treasurer was represented by Deputy City Attorney Matthew A. Knight.

The Licensee appeared by Attorney Thomas Santarelli.

NOW THEREFORE, based on the stipulation and evidence received at the hearing, the arguments of counsel for the City, arguments of Counsel for Licensee, and the discussion by the members of the Licensing/Permit Committee, the Licensing/Permit Committee of the Common Council of the City of Kenosha makes the following Findings of Fact, Conclusions of Law and Recommendation:

FINDINGS OF FACT

1. Sheryl John, agent of Koche, LLC, d/b/a Tom's BP, hereinafter "Licensee", at all times relevant herein, was and is an adult resident of the City of Kenosha, Wisconsin, and as of April 15, 2014, resided at 7312 – 98th Avenue, Unit K, Kenosha, Wisconsin;

2. Licensee was initially granted a Class "A" Retail Beer License, hereinafter "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", on May 21, 2009, pursuant to Chapter 10 of the Code of General Ordinances of the City of Kenosha, Wisconsin;

3. On June 2, 2014, the Council granted renewal of said License pursuant to Section 10.063 C. of the Code of General Ordinances, Kenosha, Wisconsin, for the licensing period beginning on July 1, 2014, and concluding on June 30, 2015, subject to non-renewal revocation.

4. That Licensee was assessed twenty-five (25) demerit points based upon a conviction of Licensee's agent, Sheryl John, for Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a), pursuant to Sections 10.063 E.1. and 10.063 E.7., of the Code of General Ordinances, said violation having occurred on August 20, 2013, and resulting in a conviction in the Municipal Court for the City of Kenosha on January 15, 2014;

5. That Licensee was assessed twenty-five (25) demerit points based upon a conviction of Licensee's agent, Sheryl John, for Sale of Alcohol Without a Licensed Person on Premises, contrary to Wisconsin Statute Section 125.32(2), pursuant to Sections 10.063 E.1. and 10.063 E.7., of the Code of General Ordinances, said violation having occurred on October 16, 2013, and resulting in a conviction in the Municipal Court for the City of Kenosha on January 15, 2014;

CONCLUSIONS OF LAW

6. That Licensee's agent and employees have violated Wisconsin Statute Chapter 125 more than two (2) times within three hundred and sixty five (365) consecutive days;

7. Pursuant to Section 10.063 E.1.a. of the Code of General Ordinances, two (2) violations of Wisconsin Statute Chapter 125 within three hundred sixty-five (365) consecutive days subjects Licensee to a mandatory thirty (30) day suspension of said License held by Licensee as determined by Council.

RECOMMENDATION

Based on the allegations of the Complaint, the evidence and testimony received at the hearing, the arguments of Counsel for the City of Kenosha, the discussions by the members of the Licensing/Permit Committee, and the Findings of Fact and Conclusions of Law set forth above, the Licensing/Permit Committee recommends to the Common Council, by a vote of 4-0, that the Class "A" Beer License of Koche, LLC, d/b/a Tom's BP be suspended for thirty (30) days upon Common Council review.

Dated at Kenosha, Wisconsin, on this _____ day of _____, 2014.

LICENSING/PERMIT COMMITTEE

Curt Wilson, Chairperson

Patrick Juliana

Kurt Wicklund

David Bogdala

G. John Ruffolo

