

ORDINANCE No. 2014-14

An Ordinance Amending Section 7-2-24(c) of the Municipal Code Regarding Operators Licenses

The Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:

SECTION 1. That Section 7-2-24(c) of the Cedarburg Municipal Code shall be amended as follows, by inserting the text shown in **bold** and deleting the text shown ~~struck through~~:

SEC. 7-2-24 ISSUANCE OR DENIAL OF OPERATOR'S LICENSE.

(c) ~~Denial; Appeals.~~

(1) New License Applications.

a. If **the Common Council denies an application for a new operator's license application is denied by the Common Council**, the City Clerk shall, in writing, inform the applicant of the denial, **and of the reasons for the denial.**, ~~and of the opportunity to request a reconsideration of the application by the Common Council in open or closed session. Such notice shall be sent by certified and regular mail to, or served upon, the applicant at least ten (10) days prior to the Council's reconsideration of the matter. At such reconsideration hearing, the applicant may present evidence and testimony as to why the license should be granted.~~

(b) ~~If, upon reconsideration, the Council again denies the application, the City Clerk shall notify the applicant in writing by certified and regular mail of the reasons. An applicant who is denied any license upon reconsideration of the matter may apply to Circuit Court pursuant to Sec. 125.12(2)(d), Wis. Stats., for review.~~

(2) Renewal License Applications.

(a) If **the Chief of Police recommends that the Common Council not renew an operator's license, or, if the Common Council indicates an intention to not renew the operator's license**, ~~a renewal license application is recommended for denial by the Chief of Police, prior to action by the Common Council~~, the City Clerk shall, in writing, inform the applicant of the recommended **or intended non-renewal denial**, the reasons, and of the opportunity to request a hearing before the Common Council ~~in open or closed session~~. Such notice shall be sent by certified and regular mail to, or served upon, the applicant at least ten (10) days prior to the **hearing** ~~Council's consideration of the matter~~. **The hearing shall be conducted in accordance with Wis. Stat. § 125.12(3).** ~~At such consideration, the applicant may present evidence and testimony as to why the license should be granted.~~

(b) ~~If the Council denies the application, the City Clerk shall notify the applicant in writing by certified and regular mail of the reasons. An applicant who is denied any license may apply to Circuit Court pursuant to Sec. 125.12(2)(d), Wis. Stats., for review.~~

SECTION 2. This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted this 8th day of September, 2014.

Kip Kinzel, Mayor

Constance K. McHugh, City Clerk

Approved as to form:

Michael P. Herbrand, City Attorney