



**CITY OF WAUKESHA**

**Administration**

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<b>Committee:</b> Ordinance and License Committee	<b>Date:</b> 4/10/2017
<b>Common Council Item Number:</b> 17-0535	<b>Date:</b> 5/2/2017
<b>Submitted By:</b> Miles Eastman, Assistant City Attorney	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> Rich Abbott, Finance Director <a href="#">Click here to enter text.</a>	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> Action on the Ordinance and License Committee's recommendation to suspend D-T Bottlestop's liquor license for 7 days.	

**Details:**  
 The Police Department filed a complaint alleging D-T Bottlestop sold to individuals under the age of 21 on two separate occasions in 2013 and on two separate occasions in 2015. The complaint also alleged that on two occasions D-T Bottlestop failed to have a licensed operator on premises during hours of operation as required by law. The licensee told the Committee she did not deny any of the allegations in the complaint. Consequently, the only remaining issue for the Committee to decide was a recommended suspension period. The P.D. asked for a 10-day suspension and noted it would find a 5-day suspension acceptable. The licensee asked for a shorter suspension period.

The O&L Committee concluded that there were mitigating circumstances: the licensee had addressed its problems and had not committed further violations since December 10, 2015. Using a 10-day suspension period as a starting point, it determined that a 7-day suspension period was reasonable.

**Options & Alternatives:**  
 The Common Council makes the final determination as to the suspension period. It may choose a shorter or longer suspension period, but if it chooses a different suspension period it should indicate its reasons for not following the Committee's recommendation on the record.

**Financial Remarks:**  
[Click here to enter text.](#)

**Executive Recommendation:**  
 The Council should follow the Ordinance and License Committee's recommendation and enforce a 7-day suspension of D-T Bottlestop's liquor license. If possible, it should indicate the starting date and ending date of the suspension, such as: "from June 1st through June 7th."



**Committee Recommendation:**  
**Suspend D-T Bottlestop's liquor license for 7 days.**