

CHAPTER 89
ESCORTS AND ESCORT SERVICES

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89-1. Definitions. In this chapter:

1. **ESCORT** means any person who, for a fee, commission, salary, hire, profit, payment or other monetary considerations accompanies or offers to accompany another person to or about social affairs, entertainments or places of amusement or consorts with another person about any place of public resort or within any private quarters.

2. **ESCORT SERVICE** means service provided by any person who, for a fee, commission, salary, hire, profit, payment or other monetary consideration, furnishes or offers to furnish names of persons, or who introduces, furnishes or arranges for persons, who may accompany other persons to or about social affairs, entertainments or places of amusement, or who may consort with others about any place of public resort or within any private quarters.

3. **PERSON** means any natural person, sole proprietorship, partnership, corporation or association, excepting the United States of America, the State of Wisconsin, and any political subdivision thereof.

89-3. Exemptions. This chapter does not apply to businesses, agencies and persons licensed by the state of Wisconsin or the city pursuant to a specific statute or ordinance, and employees employed by a business so licensed, and which perform an escort or an escort service function as a service merely incidental to the primary function of such profession, employment or business and which do not hold themselves out to the public as an escort or an escort service.

89-5. Escort Service License Required. No person may engage in, conduct or carry on or permit to be engaged in, conducted or carried on, the operation of an escort service within the city without first having a valid escort service license issued under this chapter.

89-7. Application for Escort Service License.

1. **FILING FEE.** Any person desiring to obtain an escort service license shall pay the fee required in s. 81-49.9 to defray the costs of administration and investigation of the application.

2. **APPLICATION.** Any person desiring an escort service license shall file a written application with the city clerk on a form to be provided by the city clerk. The application shall include any other name by which the applicant has been known during the previous 5 years. The application for an escort service license shall set forth the proposed place of business of the escort service by business address, including suite number, and not by post office box, and shall contain a description of the nature and scope of the proposed business operation. In addition, the following information shall be furnished concerning the applicant if an individual, and concerning each stockholder holding 10% or more of the stock or beneficial ownership of the corporation, each officer and director if the applicant is a corporation, and concerning each partner, including limited partners, if the applicant is a partnership:

a. The previous residence addresses, if any, for a period of 3 years immediately prior to the date of application and the dates of such residence.

b. The date of birth.

c. A complete set of fingerprints.

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d. The business, occupation or employment history for 3 years immediately preceding the date of application, including but not limited to, whether such person previously operated under any permit or license in another city in this or another state and whether any such permit or license had ever been suspended or revoked.

e. All pending criminal charges in any state or federal court, with a brief statement of the nature of the pending charges and the jurisdiction in which the charges are pending.

f. The name of persons who will have custody of the business records at the business location.

g. The name and address of the person who will be the agent for service of process.

3. INVESTIGATION; HEARING. Applications shall be referred to the chief of police, commissioner of neighborhood services and commissioner of health, all of whom shall cause an investigation to be made and report their findings to the common council licensing committee. The chief of police who shall make and complete an investigation of the applicant's criminal history for the preceding 10 years.

a. For applications relating to escort service licenses, the report to the common council licensing committee by the commissioner of neighborhood services shall include information related to the zoning district in which the place of business of the escort service is to be located.

b. An application for an escort service license shall be subject to common council review and approval in accordance with the provisions of ss. 85-2.7 and 85-5.

4. DISQUALIFICATION. Whenever any application is denied, or license not renewed, revoked or surrendered, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

89-8. Escort License Required. No person may work or perform services as an escort in the city, either individually or while working for an escort service, unless the person has first obtained a valid escort license issued under this chapter.

89-9. Application for Escort License. 1. FILING FEE. Any person desiring to obtain an escort license shall pay to the city the fee required in s. 81-49.8 to defray the costs of administration and investigation of the application.

2. APPLICATION. Any person desiring an escort license shall file a written application with the city clerk on a form to be provided by the city clerk. Any applicant for an escort license shall furnish all information required by s. 89-7-2 as well as a description of the applicant's height, weight, color of eyes and color of hair. The applicant shall provide one passport-size color photograph at least one inch by one inch taken within 3 months of the date of application. In addition, the applicant shall identify by name and address the escort service at which the applicant is currently working, if any, or at which the applicant expects to be employed.

3. INVESTIGATION; COMMON COUNCIL ACTION. Each application for an escort license shall be referred to the chief of police, who shall cause an investigation to be made and report his or her findings to the common council licensing committee. The application shall be subject to common council review and approval in accordance with the provisions of ss. 85-2.7 and 85-5.

89-11. Issuance and Display of Escort License.

1. The city clerk shall issue an escort license on which there shall be the person's true first name, surname and middle initial, if any, the picture of the applicant, the license number and the expiration date of the license. The license shall be in such form as to avoid alteration.

2. The certificate shall be carried on the person of the escort and shall be exhibited to any person, including law enforcement personnel, requesting to see it at any time while the person is engaged in acting as an escort.

89-13. Restrictions on Corporate Licenses.

Any corporation holding an escort service license under this chapter shall report to the city clerk, in writing, within 15 days of the event described herein, any of the following:

1. Any change of officers of the corporation.

2. Any change in the membership of the board of directors of the corporation.

89-15. Sale or Transfer. Upon the sale or transfer of any interest in an escort service, the license shall be void. Any person desiring to continue to operate an escort service following sale or transfer shall apply for a license.

89-17. Escort Service Responsibility. Each person obtaining an escort service license from the city shall be responsible for the acts of the escorts employed or working with the escort service, regardless of whether the escorts are employees, agents or independent contractors. An escort service licensed by the city shall be subject to all of the penalties under this chapter to which an escort would be subject, if an escort violated this chapter, including suspension or revocation of the escort service's license.

89-19. Prohibited Practices. 1. No person who conducts, manages or operates an escort service may allow or permit any person to work as an escort for such escort service unless the person so employed has a valid escort license issued by the city.

2. No escort may work for any person who conducts, manages or operates an escort service unless the person for whom he or she works has a valid escort service license issued by the city.

3. No escort service may operate other than from a fixed location identified in the application filed with the city clerk's office.

4. No person granted an escort service license under this chapter may operate under any name or conduct an escort service business under any designation for any location not specified in the license issued by the city.

5. No escort service may conduct any business without maintaining on its premises a daily register containing the name of each escort currently employed or otherwise working for the escort service on the date in question, a duplicate of the escort license certificate provided under s. 89-9, and the actual hours of employment of each escort for each day. The daily register shall be available during all business hours for inspection by law enforcement personnel.

6. No person licensed as an escort or escort service may in any manner advertise its services as licensed by the city.

89-23. Procedures for Renewal, Non-Renewal, Revocation or Suspension of Licenses.

1. RENEWAL. Applications for the renewal of an escort service or escort license shall be made to the city clerk. The applications shall be filed in a timely manner in accordance with a schedule provided by the city clerk. The clerk shall refer the application to the chief of police, the commissioner of neighborhood services and the commissioner of health for review. If the chief of police, commissioner of neighborhood services and commissioner of health indicate that the applicant still meets the licensing qualifications, the application shall be referred to the common council for approval unless an objection, written or otherwise, has been filed with the city clerk at least 45 days prior to the date of which the license expires. Any interested person may file this objection. If an objection is filed, or if a determination is made that the applicant no longer meets the licensing qualifications, the application shall be forwarded to the licensing committee for a hearing on whether the application should be recommended for approval or denial to the common council.

2. NON-RENEWAL, SUSPENSION OR REVOCATION. a. Procedure. If there is a possibility that the licensing committee will not recommend renewal of the license, or if revocation or suspension proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration provided in ss. 85-3 to 85-5 shall apply.

b. Revocation or Suspension Proceedings. Any license issued under this section may be suspended or revoked for cause. Suspension or revocation proceedings may be instituted by the licensing committee upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police, or upon a sworn written complaint filed with the city clerk by any interested party.

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c. Grounds for Non-renewal, Suspension and Revocation. The recommendation of the committee regarding the licensee must be based upon evidence presented at the hearing. Probative evidence concerning non-renewal, suspension or revocation may include evidence of:

c-1. Failure of the licensee to meet the municipal qualifications or any of the terms of this section.

c-2. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed activity, by the licensee, his or her employees, or frequenters.

c-3. Failure to abide by conditions imposed by the common council pursuant to s. 89-7-3-h.

c-4. Neighborhood problems due to management or the appropriateness of the location and premises where the principal business is located.

c-5. Any other factor or factors which reasonably relate to the public health, safety and welfare or which demonstrate that the premises where the place of business is located has generated the undesirable secondary effects.

89-25. Penalties. Any person who violates any provision of this chapter shall, upon conviction, be subject to a forfeiture of not less than \$500 nor more than \$2,000, together with the costs of prosecution, and upon default of payment, be imprisoned in the county jail or house of correction until the costs are paid, but not to exceed 80 days.

**LEGISLATIVE HISTORY
CHAPTER 89**

Abbreviations:

am = amended

cr = created

ra = renumbered and amended

rc = repealed and recreated

rn = renumbered

rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
ch. 89	cr	890442	4/7/90	4/27/90
89-7-2	am	121521	4/30/2013	5/17/2013
89-7-2-e	rp	110346	9/20/2011	10/7/2011
89-7-2-f	rn to	110346	9/20/2011	10/7/2011
	89-7-2-e			
89-7-2-g	rn to	110346	9/20/2011	10/7/2011
	89-7-2-f			
89-7-2-h	rn to	110346	9/20/2011	10/7/2011
	89-7-2-g			
89-7-3	rc	051512	6/20/2006	7/8/2006
89-7-3	am	110346	9/20/2011	10/7/2011
89-7-3-b	rc	131502	4/22/2014	5/9/2014
89-7-3-c	rp	131502	4/22/2014	5/9/2014
89-7-3-d	rp	131502	4/22/2014	5/9/2014
89-7-3-e	rp	131502	4/22/2014	5/9/2014
89-7-3-f	rp	131502	4/22/2014	5/9/2014
89-7-3-g	rp	131502	4/22/2014	5/9/2014
89-7-3-h	rp	131502	4/22/2014	5/9/2014
89-7-4	rn to 89-7-5	051512	6/20/2006	7/8/2006
89-7-4	cr	051512	6/20/2006	7/8/2006
89-7-4	rc	080189	7/1/2008	7/19/2008
89-7-5	rp	131502	4/22/2014	5/9/2014
89-7-7	cr	111624	4/11/2012	4/28/2012
89-9-2	am	160068	6/14/2016	7/1/2016
89-9-3	rc	051512	6/20/2006	7/8/2006
89-9-3	rc	131502	4/22/2014	5/9/2014
89-9-4	rp	131502	4/22/2014	5/9/2014
89-21	rp	051512	6/20/2006	7/8/2006
89-23	rc	051512	6/20/2006	7/8/2006
89-23-2	rc	080009	5/20/2008	6/7/2008
89-23-2-d	rp	080189	7/1/2008	7/19/2008
89-23-2-e	rp	080189	7/1/2008	7/19/2008
89-23-3	rp	080009	5/20/2008	6/7/2008
89-23-4	rp	080009	5/20/2008	6/7/2008
89-23-5	rp	080009	5/20/2008	6/7/2008
89-23-6	rp	080009	5/20/2008	6/7/2008
89-23-7	rp	080009	5/20/2008	6/7/2008

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