



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

390 - LICENSED PERSONS/PREMISES INVESTIGATIONS

GENERAL ORDER: 2015-19
ISSUED: May 1, 2015

EFFECTIVE: May 1, 2015

REVIEWED/APPROVED BY:
Assistant Chief James Harpole
DATE: October 3, 2017

ACTION: Amends General Order 2014-03 (February 21, 2014)

WILEAG STANDARD(S): 1.7.3

390.00 PURPOSE

To identify the department's responsibilities and procedures relating to licensed persons and premises in the city of Milwaukee. A mechanism to take affirmative action of licensed premises and persons that constantly demand police resources and can also be beneficial in the renewal, suspension, revocation or denial of a license by the Common Council.

390.05 LICENSING (WILEAG 1.7.3)

A. APPLICATIONS, REQUESTS, AND RENEWALS

The Licensing Unit shall investigate and process all city license applications, requests and renewals for the police department. This shall include, but not be limited to, taverns, liquor stores, bartenders, pool halls, amusement premises and devices, entertainment, public passenger vehicles, e.g., taxi cabs, limousines, pedi cabs, and horse and surrey.

B. CENTRAL REPOSITORY

The Licensing Unit will be the central repository for all records and reports pertaining to city licenses for which the department bears investigative responsibility.

C. INVESTIGATIVE RESPONSIBILITY

The Licensing Unit will be responsible for causing an investigation into complaints or objections to the granting or renewal of city licenses as well as the compilation of reports for the appearance as the Chief's designee before the Common Council's Licenses and Public Safety Committees.

Notwithstanding the above, district commanders are responsible for regularly checking the licensed premises within their respective districts and enforcement action relative to the conduct of those establishments.

The following procedures are to be followed for the enforcement of city and state laws on all premises or persons licensed by the city:

1. Uniformed officers are to be instructed that it is their responsibility to check their licensed establishments on a regular basis for the proper licenses as well as

disorderly patrons, underage persons, drug trafficking, after-hours violations, etc. This is a continuing uniform patrol responsibility.

2. Officers are reminded that any search and seizure conducted during an unannounced licensed premise inspection is subject to the Fourth Amendment to the U.S. Constitution, statutory authority, and applicable case law. Officers shall refer to SOP 085 for further guidance.
(WILEAG 1.7.3.8)
3. Upon discovering an apparent license violation, officers will take the appropriate action by issuing a municipal citation or a verbal warning. Citations issued will be in accordance with existing procedures as they pertain to citations.
4. When problems arise with licensed premises/taverns, the district commander shall make a determination to require the agent or licensee of the establishment to attend a problem-solving meeting. A plan shall be developed with the responsible party. That plan and the discussion during the meeting shall be documented on a PA-33. Regular meetings with representatives from all taverns in the district shall be held yearly to establish acceptable norms and explain the consequences of poor business practices. All follow-up meetings and other interventions associated with a licensed premise shall be documented on a PA-33.
5. Officers shall file a PA-33 (*Report on Incidents Involving Licensed Persons or Premises*) for all violations, verbal warnings, incidents and arrests, which are substantially related to the operation of the licensed premise or the conduct of a licensed person. All PA-33's shall be completed within 48 hours of the incident.
6. When the investigating officer completes the PA-33, it shall then be submitted to their respective district or division commander for approval with the work location retaining a copy. After approval, the PA-33 shall be forwarded to the Licensing Unit.
7. If personnel intend to appear before one of the committees relating to a license for an establishment or person, the district commander shall contact the supervisor assigned to the Licensing Unit.



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CHIEF OF POLICE