TRAFFIC & PUBLIC SAFETY COMMITTEE MEETING
Thursday, June 7, 2012
Earl McGovern Board Room; 6:30 P.M.

PLEASE TAKE NOTICE that a meeting of the Traffic and Public Safety Committee will be held at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon:

I. Roll Call

II. Persons Desiring to be Heard

III. Consideration of Minutes: March 8, 2012

IV. Report of Staff/Committee Members

V. Unfinished Business

A. Review of North 60th Street Issues
- Possible information from May 7, 2012 Village Board Meeting

VI. New Business

A. Escort License Ordinance

VII. Adjournment

Russell Van Gompel

Russell Van Gompel, Village Manager
May 31, 2012

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE BUSINESS DAY PRIOR TO THE MEETING.

BROWN DEER TRAFFIC AND PUBLIC SAFETY COMMITTEE
MARCH 8, 2012 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE
BROWN DEER, WISCONSIN

The meeting was called to order by Trustee Boschert at 6:30 PM.

I. ROLL CALL

Present: Trustee Boschert, Trustee Weddle-Henning, Roger Gordon, Mike Kass, Alicia Lemke, Bob Wazniak

Also Present: Steven C. Rinzel, Chief of Police; Lisa Kumbier, Lieutenant of Police; Larry Neitzel, Superintendent of Public Works; John Fuchs, Village Attorney; Nancy Hoppe, Executive Secretary to Chief of Police

II. PERSONS DESIRING TO BE HEARD

There were no persons desiring to be heard.

III. CONSIDERATION OF MINUTES: January 5, 2012 Meeting

It was moved by Trustee Weddle-Henning, and seconded by Mr. Wazniak to approve the January 5, 2012 meeting minutes. The motion carried unanimously.

IV. REPORT OF STAFF/COMMITTEE MEMBERS

Chief Rinzel reported that the lobby of the Brown Deer Police Department is now open from 8 AM to 8 PM, Monday through Friday and that all personnel are back at the department. He further stated that the department is in the process of background investigations for two entry level patrol officers. Mr. Kass inquired about the status of the K-9 purchase; Chief Rinzel explained that it would be acquired in the fall due to manpower levels at this time. Mr. Gordon suggested a fee be added for pet licenses to help with the K-9 funding.

V. UNFINISHED BUSINESS

There was no unfinished business.

VI. NEW BUSINESS

A. Proposed Crosswalk Signage Improvements
- North 60th Street at West Fairlane Avenue
- North 60th Street at West Tower Avenue

Chief Rinzel reported a five year study was completed on traffic accidents on North 60th Street between West Dean Road and West Bradley Road. He stated that over that period of time there were 15 accidents and three of those involved pedestrians being struck.

Larry Neitzel stated that the Brown Deer School District has requested changes for the crossing areas on North 60th Street, specifically in the area of West Tower and West Fairlane Avenues. He reported all signage was placed accurately and all vision areas were well within sight lines. He reported the areas where the crossing guards were stationed were taken care of. He further stated that many of the traffic signs on West Fairlane Avenue and all of the schools' parking lots were disregarded by motorists.

Mr. Neitzel stated that a school safety zone could be designed. He further stated that one of the considerations could be to ask the Milwaukee County Transit System to remove the bus stops on North 60th Street at West Fairlane and West Tower Avenues. He stated that by removing the crosswalk at West Fairlane Avenue and directing pedestrians go to West Tower Avenue and/or West Dean Road would alleviate some of the issues. Mr. Neitzel reviewed all areas of conflict on N 60th Street. He brought forth nine recommendations and solutions that were discussed by the committee.

Trustee Weddle-Henning inquired if a sidewalk would be installed for the total area on the west side of North 60th Street from West Dean Road to West Tower Avenue. Mr. Neitzel stated that sidewalks could not be put in on the west side of the roadway due to the flood plain area. Trustee Weddle-Henning inquired if the no turn signage would have hours assigned, Mr. Neitzel advised it would be a full time restriction. Mr. Wazniak inquired as to the vehicle count that would be affected on West Tower Avenue. Discussion of the amount of children that would cross at West Tower Avenue and West Dean Road took place.

Discussion on creating West Tower Avenue into a cul-de-sac took place. Mr. Wazniak suggested closing the area on a temporary basis to see what type of residential reaction is received. Attorney Fuchs stated the Village Board has the authority to temporarily close the roadway but if it would become permanent a public hearing would need to be held for residents within an approximate 2400 foot area.

Trustee Boschert inquired about the two different types of flashing signage available. TAPCO provided information on the signage. The signage would replace the current pedestrian crossing signage.

When asked by Trustee Weddle-Henning for any input Dr. Kerr opined that West Tower Avenue would be considered the gateway to the combined campus in Brown Deer.

The committee came to the consensus that all recommendations were plausible in a step process. Less number (5) which would reduce the speed limit from 35 to 25 and (4)(a) which would restrict left turns from northbound traffic onto West Tower Avenue. They also concluded that (4)(c) which would close and cul-de-sac West Tower Avenue could possibly be done after a test period of (4)(b) which would convert West Tower Avenue to a one-way street eastbound from North 60th Street to North 61st Street.

The committee further came to the consensus that the push button type of pedestrian crossing signage would be the best for the area. It would draw a driver's attention to the area when a pedestrian is in the crosswalk. An internal timer would be in the mechanism to record when it is utilized.

It was moved by Mr. Gordon, and seconded by Mr. Wazniak to recommend to the Village Board approval of recommendations 1 through 3 and 6 through 9 as presented. The motion carried unanimously.

It was moved by Mr. Gordon, and seconded by Ms. Lemke to recommend to the Village Board approval of recommendations 4 and 4(b) as presented. The motion carried unanimously.

It was moved by Mr. Gordon, and seconded by Mr. Wazniak to recommend to the Village Board that recommendation 4(c) be considered in the future if necessary. The motion carried unanimously.

B. Ordinance Modifications – Carrying Concealed Weapons

Lieutenant Kumbier stated that with the recent approval of the concealed carry law some changes needed to be added to the Village Ordinance for clarification. It was recommended that the current ordinance be amended to adapt to the State Statutes.

It was moved by Mr. Wazniak, and seconded by Mr. Gordon to recommend to the Village Board approval of the proposed change/addition to Ordinance 34-28 (CCW). The motion carried unanimously.

VII. ADJOURNMENT

Prior to adjournment Chief Rinzel queried the members of the Traffic and Public Safety Committee if in the future all meeting packets could be sent out electronically versus hand delivery or U.S. Mail. The committee stated all would prefer electronic delivery for future meetings.

It was moved by Mr. Gordon, and seconded by Trustee Weddle-Henning to adjourn at 8:10 PM. The motion carried unanimously.

Steven C. Rinzel, Chief of Police

VILLAGE OF BROWN DEER

REQUEST FOR CONSIDERATION

COMMITTEE:	Traffic and Public Safety
ITEM DESCRIPTION:	Proposed Ordinance – Escort/Escort Service Licensing
PREPARED BY:	Steven C. Rinzel, Chief of Police
REPORT DATE:	May 2, 2012
MANAGER'S REVIEW/COMMENTS:	None RV-
RECOMMENDATION:	Approval of Proposed Ordinance

EXPLANATION: This is being recommended as a tool to be utilized by the officers when investigating complaints regarding escorts or escort services operating in the Village. These types of services are commonly fronts for prostitution and occur primarily in hotels. Prostitution is difficult to prove when investigating these types of complaints. However, if an escort license is required, these problems can be mitigated through investigation and enforcement of this type of ordinance.

VILLAGE OF BROWN DEER

ESCORT / ESCORT SERVICE LICENSE APPLICATION

☐ Initial License Application $500.00 ☐ Renewal License Application $500.00 ☐ Late Penalty $100.00

For the license period beginning ____/____/_____; ending ____/____/_____

The named ☐ Individual ☐ Corporation ☐ Partnership ☐ Limited Liablity Company hereby makes application for one of the following licenses within the Village of Brown Deer, Milwaukee County, State of Wisconsin.

☐ Escort License — Includes any person who, for a fee, commission, salary, hire, profit, payment or other monetary consideration 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.

☐ Escort Service License — Includes 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.

APPLICATION REVIEW PROCESS:

#1) The Village Clerk shall notify the Police & Fire Chiefs, Community Services and Village Board of the pending application.
#2) The premises shall be inspected to be sure it will comply with regulations, ordinances and laws applicable.
#3) The application for an escort will be referred directly to the Police Chief and he shall supply a report within 10 days.
#4) Within 30-days the Village Board shall grant or deny the license(s).

INDIVIDUAL

Last, First and Middle Name		Height	Weight	Eye Color	Hair Color
Other Names Known As; Last, First and Middle Name (for the previous 5-years)		Phone Number			
Driver's License Number	State Issued by	Date of Birth			
Residential Address	City		State	Zip	
Previous Address(es) Within the Last Three (3) Years	City		State	Zip	

☐ Photo Identification Provided
☐ A Complet Set of Fingerprints Provided
☐ Two (2) Passport-Size Color Photographs Provided ~ Taken Within (3) Months of the Date of Application

EMPLOYMENT HISTORY FOR THE LAST THREE (3) YEARS ~ Use additional sheets, if necessary.

Name of Current Employer / Escort Service			Dates of Employment From To	
Address		City	State	Zip
Phone Number	Fax Number	Supervisor		

Name of Employer			Dates of Employment From To	
Address		City	State	Zip
Phone Number	Fax Number	Supervisor		

Name of Employer			Dates of Employment From To	
Address		City	State	Zip
Phone Number	Fax Number	Supervisor		

CORPORATION

Name of Corporation exactly as set forth in its articles of incorporation				
Date of Incorporation:		State of Incorporation:		
Physical Address of Business:		City	State	Zip
Phone Number	Fax Number	Website Address		
Mailing Address if Different from Above:		City	State	Zip

List each of its officers, directors and / or stockholders holding five percent (5%) or more of the stock or beneficial ownership of the corporation:

Last, First and Middle Name		Title		
Driver's License Number	State Issued by	Date of Birth		
Residential Address		City	State	Zip
Previous Address(es) Within the Last Three (3) Years		City	State	Zip

Last, First and Middle Name		Title		
Driver's License Number	State Issued by	Date of Birth		
Residential Address		City	State	Zip
Previous Address(es) Within the Last Three (3) Years		City	State	Zip

Last, First and Middle Name		Title		
Driver's License Number	State Issued by	Date of Birth		
Residential Address		City	State	Zip
Previous Address(es) Within the Last Three (3) Years		City	State	Zip

Last, First and Middle Name		Title		
Driver's License Number	State Issued by	Date of Birth		
Residential Address		City	State	Zip
Previous Address(es) Within the Last Three (3) Years		City	State	Zip

PARTNERSHIP / LIMITED LIABILITY COMPANY

Name of the Partnership or Limited Liability Company			
Physical Address of Business:	City	State	Zip
Mailing Address if Different from Above:	City	State	Zip
Phone Number	Fax Number	Website Address	

List each of the partners

Last, First and Middle Name		Phone Number	
Driver's License Number	State Issued by	Date of Birth	
Residential Address	City	State	Zip
Previous Address(es) Within the Last Three (3) Years	City	State	Zip

Last, First and Middle Name		Phone Number	
Driver's License Number	State Issued by	Date of Birth	
Residential Address	City	State	Zip
Previous Address(es) Within the Last Three (3) Years	City	State	Zip

Last, First and Middle Name		Phone Number	
Driver's License Number	State Issued by	Date of Birth	
Residential Address	City	State	Zip
Previous Address(es) Within the Last Three (3) Years	City	State	Zip

AGENT

Last, First and Middle Name		Phone Number		
Driver's License Number	State Issued by	Date of Birth		
Residential Address	City		State	Zip
Previous Address(es) Within the Last Three (3) Years	City		State	Zip

LIST ANY MUNICIPAL, STATE AND FEDERAL CONVICTIONS within the last five (5) years.

Issued to		
Charge ☐ Misdemeanor ☐ Felony	Municipality	Date
Penalty		
Issued to		
Charge ☐ Misdemeanor ☐ Felony	Municipality	Date
Penalty		
Issued to		
Charge ☐ Misdemeanor ☐ Felony	Municipality	Date
Penalty		

LIST ANY PENDING CHARGES

Citation Issued to		
Pening Charge ☐ Misdemeanor ☐ Felony	Municipality	Date
Citation Issued to		
Pending Charge ☐ Misdemeanor ☐ Felony	Municipality	Date

DESCRIPTION OF THE NATURE AND SCOPE OF PROPOSED BUSINESS OPERATION

Briefly explain			
Proposed Physical Place of Business (Including Suite #)	City	State	Zip
Mailing Address if Different	City	State	Zip
Person Having Custody of Business Records	Phone Number		

LIST ALL PREVIOUS PERMITS OR LICENSES HELD FOR ESCORT / ESCORT SERVICES

License Number	Dates Held	City	State	☐ Currently Held ☐ Expired ☐ Revoked / Suspended
License Number	Dates Held	City	State	☐ Currently Held ☐ Expired ☐ Revoked / Suspended
License Number	Dates Held	City	State	☐ Currently Held ☐ Expired ☐ Revoked / Suspended

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that information provided above is truthful to the best of the knowledge of the signer(s). Signer(s) agree to operate this business according to law and that the rights and responsibilities conferred by the license, if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of limited liability companies must sign.) Any lack of access to any portion of a licensed premise during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

_____
Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual

_____
Officer of Corporation/Member/Manager of Limited Liability Company/Partner

_____
Officer of Corporation/Member/Manager of Limited Liability Company/Partner

_____
Officer of Corporation/Member/Manager of Limited Liability Company/Partner

SUBSCRIBED AND SWORN TO BEFORE ME

This _____ day of _____ 20____.

_____
Clerk/Notary Public

My commission expires _____/_____/_____

ORDINANCE NO. _____

An Ordinance Creating Article 10, Section 14-511 through 14-526 of the Brown Deer Village Code Relating to Escort Services

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The Village President and the Board of the Village of Brown Deer, Milwaukee County, Wisconsin, do herewith ordain as follows, to-wit:

SECTION I

Sections 14-511 through 14-526 of the Brown Deer Village Code Relating to Escort Services are hereby created to provide as follows:

ARTICLE X. ESCORT SERVICES

Sections:

14-511 Definitions.
14-512 Exemptions.
14-513 License required.
14-514 License application.
14-515 Service license—Issuance standards.
14-516 Display of service license.
14-517 Escort license required for employees.
14-518 Escort license application.
14-519 Escort license—Issuance standards.
14-520 Display of escort license.
14-521 Restrictions on corporate licenses.
14-522 Sale or transfer of interest in escort service.
14-523 Responsibilities of licensees.
14-524 License renewal.
14-525 Suspension or revocation of license.
14-526 Violations—Penalties.

Sec. 14-511. Definitions

The terms used in this chapter shall be defined as follows:

"Escort" includes any person who, for a fee, commission, salary, hire, profit, payment or other monetary consideration accompanies or offers to accompany another person to or about social

affairs, entertainments or places of amusement or consorts or otherwise associates or keeps company with another person about any place of public resort or within any private quarters.

"Escort service" includes 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 or otherwise associates or keeps company with others about any place of public resort or within any private quarters.

"Operator" means any person, partnership, corporation or other organization operating, conducting, maintaining or owning any escort service.

Sec. 14-512. Exemptions.

This section does not apply to businesses, agencies and persons licensed by the State or the Village 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.

Sec. 14-513. License required.

(a) No person may engage in, conduct or carry on the operation or maintenance of an escort service without first obtaining a valid escort service license issued under this chapter.

(b) A license may be issued only for one escort service located at a fixed and certain place. Any person desiring to operate more than one escort service must have a license for each escort service.

(c) All escort services existing in the Village at the time of the adoption of this chapter must submit an application for a license within sixty (60) days of the adoption of this chapter.

Sec. 14-514. License Application

(a) Any person desiring to obtain an escort service license shall pay the required fee of two hundred fifty dollars ($250.00) to defray the costs of administration and investigation of the application.

(b) Any person desiring an escort service license shall file a written application with the Village Clerk on a form provided by the Clerk's office. The information provided to the Clerk shall be provided under oath.

(1) Corporations. If the applicant is a corporation, the name of the corporation shall be set forth exactly as set forth in its articles of incorporation, together with the date and state of incorporation, the name and residence address of each of its officers, directors and each stockholder holding five percent or more of the stock or beneficial ownership of the corporation. The application shall also be verified by an officer of the corporation.

(2) Partnership. If the applicant is a partnership, the application shall set forth the name of the partnership and the name and residence address of each of the partners, including limited partners, and shall be verified by each partner. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate partner.

(3) Others. If the applicant is neither a corporation nor a partnership, the application shall set forth the true full name and residence address of the applicant and shall be verified by the applicant. The application shall also include any other name by which the applicant has been known during the previous five years.

(c) The application also 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; concerning each officer and director and all stockholders who own five percent or more of the stock or beneficial ownership if the applicant is a corporation; concerning each partner, including limited partners, if the applicant is a partnership:

(1) The previous residence address, if any, for a period of three (3) years immediately prior to the date of application and the dates of such residence;

(2) Written proof that the individual is at least eighteen (18) years of age;

(3) A complete set of fingerprints;

(4) The business, occupation or employment history for three (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 Village in this or another state and whether any such permit or license had ever been suspended or revoked;

(5) All convictions in any state or federal court within the past five (5) years, including municipal ordinance violations, exclusive of traffic convictions, with a brief statement of the nature of the convictions and the jurisdiction in which the convictions occurred;

(6) 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;

(7) The names of persons who will have custody of the business records at the business location;

(8) The name and address of the person who will be the agent for service of process.

(d) The Village Clerk shall notify the Chief of Police, the Chief of the North Shore Fire Department, the Building Inspector and the Board or its designee of any escort service license application and these officials shall inspect or cause to be inspected each such application and the premises to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto. These officials shall furnish to the Village Board, in writing, the information derived from such investigation and a statement as to whether the applicant and the premises meet the requirements of the Departments for whom the officer is certifying within ten days of receipt of notice from the Village Clerk. No license shall be renewed without a reinspection of the premises.

(e) Within thirty (30) days of receiving an application for a license, the Village Board shall grant or deny a license to the applicant. The Village Clerk shall notify the applicant whether the application is granted or denied.

(f) Whenever an application is denied, the Village Clerk shall advise the applicant, in writing, of the reasons for such action. If the applicant requests a hearing within ten days of receipt of notification of denial, a public hearing shall be held within ten days thereafter before the Village Board.

(g) Failure or refusal of the applicant to give any information relevant to the application, failure or refusal to appear at any reasonable time and place for examination under oath regarding the application or refusal to submit to or cooperate with regard to any information required by this section shall constitute an admission by the applicant that he is ineligible for such license and shall be grounds for denial.

Sec. 14-515. Service license—Issuance standards.

The Board shall issue an escort service license if it finds that:

(a) The required fee has been paid;

(b) The application conforms in all respects to this chapter;

(c) The applicant has not knowingly made a material misstatement in the application;

(d) The applicant has fully cooperated in the investigation of his application;

(e) The escort service, as proposed by the applicant, would comply with all applicable laws, including, but not limited to, the Village's building and zoning codes;

(f) The applicant has not had an escort service license or permit or other similar license or permit revoked or suspended in this state or any other state within three (3) years prior to the date of application;

(g) The applicant, if an individual; any of the stockholders holding five percent (5%) or more of the stock or beneficial ownership of the corporation; and any officers, agents or directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership, does not, at the time of application, have pending any criminal charge for, or within five years prior to the date of application has not been convicted of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Ch. 944, Wisconsin Statutes, as amended, or other offenses subject to § 111.335, Wisconsin Statutes, as amended;

(h) The applicant, if a corporation, is licensed to do business and is in good standing in the state;

(i) All individual applicants; all stockholders holding five percent (5%) or more of the stock or beneficial ownership, directors and officers, if the application is a corporation; and all partners, including limited partners, if the applicant is a partnership, are at least eighteen (18) years of age.

Sec. 14-516. Display of service license.

The escort service license shall be displayed in a conspicuous public place in the escort service's place of business.

Sec. 14-517. Escort license required for employees.

(a) No person may work or perform services as an escort in the Village, either individually or while working for an escort service, unless the person has first obtained a valid escort license issued under this section.

(b) All persons working or performing services as an escort in the Village at the time of the passage of this section shall submit an application for a license within sixty (60) days of the adoption of this section.

Sec. 14-518. Escort license application.

(a) Any person desiring to obtain an escort license shall pay the required fee of two hundred fifty dollars ($250.00) to defray the costs of administration and investigation of the application.

(b) Any person desiring an escort license shall file a written application with the Village Clerk on a form to be provided by the clerk's office. The information provided to the clerk shall be provided under oath. Any applicant for an escort license shall furnish all information required by Section 14-514(c)(1) through (6) as well as a description of the applicant's height, weight, color of eyes and color of hair. The applicant shall provide two passport-size color photographs at least one inch by one inch taken within three 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.

(c) Applications for an escort license shall be referred to the Chief of Police who shall cause an investigation to be made of the applicant and report the findings of the investigation to the Village Board within ten (10) days of receipt of notice from the Village Clerk.

(d) Within thirty (30) days of receiving an application for an escort license, the Village Board shall grant or deny a license to the applicant. The Village Clerk shall notify the applicant whether the application is granted or denied.

(e) Whenever an application is denied, the Village Clerk shall advise the applicant, in writing, of the reasons for such action. If the applicant requests a hearing within ten (10) days of receipt of notification of denial, a public hearing shall be held within ten (10) days thereafter before the Village Board or its designee.

(f) Failure or refusal of the applicant to give any information relevant to the application, failure or refusal to appear at any reasonable time and place for examination under oath regarding the application or refusal to submit to or cooperate with regard to any information required by this section shall constitute an admission by the applicant that he is ineligible for such license and shall be grounds for denial.

Sec. 14-519. Escort license—Issuance standards.

The Board shall issue an escort license if it finds that:

(a) The required fee has been paid;

(b) The application conforms in all respects to this chapter;

(c) The applicant has not knowingly made a material misstatement in the application;

(d) The applicant has fully cooperated in the investigation of his application;

(e) The applicant has not had an escort license or permit or other similar license or permit revoked or suspended in this state or any other state within three (3) years prior to the date of application;

(f) The applicant does not, at the time of application, have pending any criminal charge for, or within five (5) years prior to the date of application has not been convicted of, any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Ch. 944, Wisconsin Statutes, as amended, or other offenses subject to § 111.335, Wisconsin Statutes, as amended;

(g) The applicant is at least eighteen (18) years of age.

Sec. 14-520. Display of escort license.

(a) The Village Clerk shall issue an escort license on which there shall be the applicant's true first name, surname and middle initial, if any; the picture of the applicant; and the license number and the expiration date of the license. The license shall be in such form as to avoid alteration.

(b) 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.

Sec. 14-521. Restrictions on corporate licenses.

Any corporation holding an escort service license under this chapter shall report to the Village Clerk, in writing, within fifteen (15) days of the event described herein, any of the following:

(a) Any change of officers of the corporation;

(b) Any change in the membership of the board of directors of the corporation.

Sec. 14-522. Sale or transfer of interest in escort service.

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.

Sec. 14-523. Responsibilities of licensees.

(a) Every act or omission by an employee constituting a violation of the provisions of this section shall be deemed the act or omission of the escort service operator if such act or omission occurs either with the authorization, knowledge or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct. The operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.

(b) Every act or omission by an escort, regardless of whether the escorts are employees, agents or independent contractors, shall be deemed the act or omission of the escort service operator if such act or omission occurs either with the authorization, knowledge or approval of the operator, or as a result of the operator's negligent failure to supervise the escort's conduct. The operator shall be punishable for such act or omission in the same manner as if the operator caused such act or omission.

(c) No escort service operator 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 Village.

(d) No escort may work for any escort service operator unless the escort service operator has a valid escort service license issued by the Village.

(e) 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 required under Section 14-513 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.

(f) No person licensed as an escort or escort service may in any manner advertise its services as licensed by the Village.

Sec. 14-524. License renewal.

(a) Every license issued pursuant to this chapter will terminate at the expiration of one (1) year from date of issuance unless sooner revoked and must be renewed before operation is allowed in the following year. All applications for the renewal of escort service and escort licenses issued

by the Village shall be filed with the Village Clerk's office on a form to be provided by the Clerk no later than sixty (60) days prior to the expiration of the license. The renewal application shall contain such information and data, given under oath or affirmation, as is required for an application for a new license. Applications to renew licenses shall be processed by the Village in the same fashion as new applications.

(b) A license renewal fee of two hundred fifty dollars ($250.00) shall be submitted with the renewal application. In addition to the renewal fee, a late penalty of one hundred dollars ($100.00) shall be assessed against any applicant who files for renewal less than sixty (60) days before the license expires. If the application is denied, one-half of the total fees collected shall be returned.

Sec. 14-525. Suspension or revocation of license.

(a) Any escort service or escort license may be suspended for not more than ninety (90) days or revoked by the Village Board for any of the following reasons:

(1) Any of the grounds that would warrant the denial of the original application for the license;

(2) Discovery that false or misleading information or data was given on any application or material facts were omitted from any application;

(3) The operator or any employee of the operator or any escort employed by the operator violates any provision of this section or any rules or regulations adopted by the Village Board pursuant to this chapter; provided, however, that in the case of a first offense by an operator where the conduct was solely that of an employee or escort, the penalty shall not exceed a suspension of thirty (30) days if the Village Board shall find that the operator had no actual or constructive knowledge of such violation and could not, by the exercise of due diligence, have had such actual or constructive knowledge;

(4) The licensee becomes ineligible to obtain a license or permit;

(5) Any cost or fee required to be paid by this chapter is not paid.

(b) An escort service or escort license may be suspended or revoked after notice and hearing before the licensing committee of the Village Board to determine if grounds for such suspension or revocation exist. Notice of the hearing shall be in writing and may be served by certified mail addressed to the licensee at the current address of the licensee on file with the Village Clerk's office. The notice shall be served at least ten (10) days prior to the date of hearing. The notice shall state the grounds of the complaint against the licensee and shall designate the time and place where the hearing will be held.

(c) Any operator whose license is revoked shall not be eligible to receive a license for one (1) year from the date of revocation. No location or premises for which a license has been issued shall be used as an escort service for six (6) months from the date of revocation of the license.

Sec. 14-526 Violations—Penalties.

Any person who violates any provision of this subsection or who fails to obtain a license as required in this chapter shall, upon conviction, be subject to a minimum fine of not less than $500.00 together with all applicable costs and surcharges, as well as any other penalty provided in Section 1-7 of the Village Code.

SECTION II

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstance is held invalid, the remainder of the ordinance or the application of such other provisions to other persons or circumstances shall not be affected.

SECTION III

All ordinances or parts of ordinances contravening the terms and provisions of this ordinance are hereby to that extent repealed.

SECTION IV

This Ordinance shall take effect upon passage and publication as provided by law, and the Village Clerk shall so amend the Brown Deer Code, and shall indicate the date and number of this amending ordinance therein.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this _____ day of _____, A.D. 2012.

_____
Carl Krueger, Village President

Countersigned:

_____
Russell Van Gompel, Village Manager/Clerk