

Summary of Common Council References Within Title 5 of City of Whitewater Ordinances

8/18/2026

Chapter	Section Reference Common Council	Subject	Common Council Involvement	Recommend to Change to Licensing Committee	Notes
5.04		Dances on Alcohol Licensed Premises	n/a		No references to Common Council
5.05		Public Dances	n/a		No references to Common Council
5.08		Fireworks			
	5.08.040	Pyrotechnic displays, blank cartridges, flares	The Common Council approves permits.	Yes	Requires Fire Chief to review and approve applications prior to Council approval. After Council approval, the Police Department inspects the fireworks before the permit is issued. The Chief of Police approves the required fire extinguishers at the sales location. The City Manager may waive the permit fee for cause shown.
	5.08.050	Permit for sale or transfer of permitted fireworks	The Common Council approves permits.	Yes	Applications must be submitted at least 30 days before the proposed sale or transfer. The Police Department inspects the fireworks before the permit is issued, and the Chief of Police approves the required fire extinguishers. Permits may not exceed 60 days. See § 5.80.010 regarding possible delegation of licensing authority to the City Manager or designee.
5.12		Junk Dealers			
	5.12.020	License Application Contents	The Common Council approves license applications.	Yes	Applications are submitted to the Common Council. After Council approval and compliance with the ordinance, the City Manager and City Clerk issue the license. See § 5.80.010 regarding possible delegation of licensing authority to the City Manager or designee.
	5.12.070	Regulations	The Common Council may revoke a junk dealer license.	Yes	This section addresses revocation rather than the initial issuance of a license for failure to comply with applicable regulations or for certain ordinance or statutory violations. A revoked license is not eligible for a refund of the license fee.
5.16		Parklet Café Permit	n/a		No references to Common Council
5.17		Statewide Smoking Ban	n/a		No references to Common Council
5.18		Outdoor Café Permit			
	5.18.090	Outdoor Private Property Café Permit - Appeal	Currently issued by Community Development Director with appeal rights to the Common Council.	Yes	The Common Council hears appeals of permit revocations, suspensions, or denials made by the Community Development Director. After a hearing, the Council may grant, grant with conditions, or deny the permit.
5.19		Sidewalk Café Permit			
	5.19.100	Sidewalk café permit appeal	Currently issued by Community Development Director with appeal rights to the Common Council.	Yes	The Common Council hears appeals of permit revocations, suspensions, or denials made by the Community Development Director. After a hearing, the Council may grant, grant with conditions, or deny the permit.
5.20		Alcohol Beverages	n/a		No changes needed
5.21		Cigarette Retailers	n/a		No references to Common Council
5.24		Meat and Meat Products			
	5.24.040	Inspection of Meat and Meat Products	The Common Council establishes inspection charges for inspections conducted outside city limits.	No	The Health Officer oversees inspection and stamping of meats intended for distribution in the City. The ordinance does not require Common Council approval for inspections or meat products.
	5.24.060	Slaughterhouse—Permit required—Killing animals outside of slaughterhouse	The Common Council may issue, or revoke permits.	Yes	A slaughterhouse permit must be obtained from the Common Council before operation and may not exceed one year. The ordinance also restricts slaughtering certain animals within the City unless done at a properly licensed slaughterhouse, subject to the personal-use exception. See § 5.80.010 regarding possible delegation of licensing authority to the City Manager or designee.
5.28		Transient Merchants and Peddlers			
	5.28.035	Transient merchants as mobile food establishment (MFE's) and outdoor food sales.	The Common Council establishes licensing requirements and may amend application requirements. Individual license applications are reviewed and issued by the City Clerk or designee when ordinance requirements are met.	No	This ordinance does not require Common Council approval for individual MFE or outdoor food sales licenses. The City Clerk's decision regarding issuance is final under subsection (c)(2)(G). The Council's role is limited to establishing regulations and requirements.
	5.28.140	License Revocation	The Common Council may revoke a license.	Yes	The City Clerk is responsible for providing written notice of the revocation hearing, including the grounds for complaint and hearing information. The Common Council makes the final revocation decision after the hearing if specified violations or causes are found.
	5.28.150	Appeals	The Common Council hears appeals from permit or license denials.	Yes	This section establishes an appeal process only. Appeals must be filed with the Common Council within 14 days after notice of the action being appealed.
5.29		Distribution of Handbills and Advertising Matter			
	5.29.050	Handbills and advertising matter - License - Revocation	The Common Council may revoke a license.	Yes	The City Clerk is responsible for providing written notice of the revocation hearing, including the specified violations or causes for complaint and hearing information. The Common Council makes the final revocation decision after the hearing.
5.32		Milk and Milk Products	n/a		No references to Common Council
5.34		Weights and Measures Program	n/a		No references to Common Council
5.36		Mobile Homes and Mobile Home Parks			
	5.36.100	Internal Roads	The Common Council approves requests for street parking within mobile home parks.	Yes	This section primarily establishes operational and construction standards for mobile home park roads, including drainage, width, lighting, maintenance, emergency access, and pedestrian access requirements. Common Council approval is only required for street parking requests.
	5.36.140	Waiver	The Common Council may grant waivers from minimum construction standards and mobile home construction requirements.	Yes	This section does not require Council approval for routine construction or operation of a mobile home park. Council involvement is limited to reviewing and granting requested waivers from applicable standards when hardship or prohibitive costs exist and the waiver would not create a public health, safety, or welfare hazard.
	5.36.180	Revocation of License	The Common Council may suspend or revoke a license.	Yes	Proceedings are initiated by a complaint alleging license holder violates applicable ordinances, codes, or regulations is filed with the City Clerk and signed by an authorized official. The license holder must receive notice and an opportunity to be heard before Council action. A Council decision to suspend or revoke may be appealed to the Walworth County Circuit Court within the time and manner provided by the ordinance.
5.38		Residential Rental Registration	n/a		No references to Common Council

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5.42		Games of Amusement			
	5.42.040	License Term and Fee	The Common Council issues licenses	Yes	Licenses are issued annually and remain valid unless sooner revoked. The Chief of Police conducts the investigation and provides a recommendation, but final issuance authority rests with the Common Council.
	5.42.050	Denial of Application	The Common Council reviews license applications.	Yes	This section addresses denial of an application based on location-specific concerns. The Council must make the required findings regarding health, safety, welfare, nuisance, property impacts, or compatibility with community planning before denying the application.
	5.42.060	Revocation of License	The Common Council may suspend or revoke a license issued under the chapter.	Yes	Permits revocation or suspension for reasonable cause when it is in the best interests and good order of the City, provided due process is followed. It addresses enforcement of issued licenses rather than initial licensing. The license holder must be provided due process before suspension or revocation.
5.48		Circuses, Carnivals, Shows and Parades			
	5.48.060	License to building owner - fee.	The Common Council may grant a license.	Yes	The license term expires on July 1 each year and requires payment of a fee between \$30 and \$150 as determined under the ordinance.
5.52		Taxicabs			
	5.52.020	License—Application—Fee—Insurance—Investigation	The Common Council issues licenses.	Yes	Applicants must file an application with the City Clerk, pay the required fee, and provide proof of insurance. The Chief of Police conducts an investigation, but the final licensing decision is made by the Common Council.
5.56		Junked Automobiles	n/a		No references to Common Council
5.60		Penalties	n/a		No references to Common Council
5.64		Cable Communications System	n/a		No references to Common Council
5.70		Pawnbroker's and Second Hand Article and Jewelry Dealers	n/a		No references to Common Council
5.75		Adult-Oriented Establishments	n/a		No references to Common Council
5.80		Administrative Approval of Licenses and Permits			
	5.80.010	Administrative Approval of Licenses and Permits Allowed	The Common Council hears appeals from license or permit denials made by the City Manager or designee.	Yes	This section authorizes the City Manager or designee to approve licenses and permits following the procedures in applicable chapters and provides an appeal process to the Common Council for denials. This authorizes administration to issue the licenses without council approval when the applicant qualifies under Chapters 5.04, 5.05, 5.08, 5.10, 5.12, 5.21, 5.24, 5.28, 5.29, 5.32, 5.36, 5.42, 5.48, 5.52, 5.56, 5.70, and 5.75.
5.85		Convenient Cash Businesses			
	5.85.010	Convenient Cash Business	The ordinance establishes regulations and states the Common Council's legislative findings and purpose.	No	The ordinance establishes operating standards, location restrictions, security requirements, and increased conditional use permit application fees. Administration is handled through the conditional use permit process.