

CHAPTER 14

LICENSE ORDINANCE

- 14.01 Business Continuation Required
- 14.02 Definitions
- 14.03 Business Interruption Due to Catastrophe or Disaster
- 14.04 Violations
- 14.05 Revoked License
- 14.06 Surrender License
- 14.07 Hearing
- 14.08 Severability

LICENSE ORDINANCE 14.01

ST. GERMAIN 01/01/02

14.01 BUSINESS CONTINUATION REQUIRED. It shall be a condition of main-taining and keeping a license in this Town, that the licensee continue in business. Issuance of and retention of a license by a party not doing business is hereby declared to be against public policy and lacking in usefulness.

14.02 DEFINITIONS.

BUSINESS CONTINUATION. Each licensee shall be open at least 120 days within each licensing period.

LICENSING PERIOD. The year for which the applicable license is issued to a licensee.

OPEN. As used in this chapter is defined as “conducting business publicly” and required that the licensee be conducting business publicly at least 5 business hours on each of the 120 days that the licensee is open during the licensing period.

14.03 BUSINESS INTERRUPTION DUE TO CATASTROPHE OR DISASTER. In the event that a licensee can not comply with the business continuation requirement set forth in §14.02 due to catastrophe or disaster including, but not limited to, fire damage, storm damage, etc., which catastrophe or disaster destroys in part or in whole the premises for which a license is issued, the Town Board may waive the business continuation requirement for a limited amount of time as determined to be necessary by the Board to allow the licensee to rebuild or repair such premises.

14.04 VIOLATIONS. (1) In the event any license party violates this chapter, disciplinary action may be taken by the Town Board, including reprimand, suspension of the license for a specified number of days (up to 90 days) or revocation of the license. Any license that has been revoked shall not be reinstated within the following 6 months. Any disciplinary action taken shall follow notice to the licensee prior to a hearing. Both the hearing notice, which will include the reason for the hearing, and the subsequent decision of the Board, will be sent by first class mail to the last known address of the licensee, or personally served, at the option of the Town Chairperson.

(2) In the event disciplinary action is taken against an alcohol licensee, the State procedure mandated under present §125.12, Wis. Stats., or its successor, will be followed. At present, such procedure requires personal service of the hearing notice (summons) and complaint, and a hearing within 3 to 10 days from the date of issuance.

14.05 REVOKED LICENSE. There shall be no refund of any license fee paid to a party whose license is revoked.

LICENSE ORDINANCE 14.06

ST. GERMAIN 01/01/02

14.06 SURRENDER LICENSE. In lieu of a hearing, the Town Board may accept surrender of a license and the Board shall then determine the time period before another application for the same type of license will be accepted from the former licensee.

14.07 HEARING. Evidence and testimony at the hearing shall be done in open session. Pursuant to §19.85(1)(a), Wis. Stats., the Board may go into closed session to deliberate with regard to its decision, where the possibility has been listed on the hearing notice posted or published, in format acceptable to the Chairperson.

14.08 SEVERABILITY. In the event any portion of this chapter is or becomes invalid or illegal, the remaining portions shall remain in full force and effect.