

Chapter 5.04

BUSINESS LICENSES IN GENERAL

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5.04.010 Licenses required.

A license shall be required for the following businesses: fermented malt beverage sales, intoxicating liquor sales, non-intoxicating beverage sales, direct sellers, pawn shops and secondhand dealers, junk and salvage dealers, mobile home parks, cigarette sales, quarries, gravel pits, sand pits, asphalt and tar paving mix plants, concrete ready mix plants, target ranges and publishers. The fees for licenses shall be established by resolution of the town board. (Editorially amended during 2001 codification: prior code § 12.01)

5.04.020 General provisions.

A. Terms Interchangeable. The words “license” and “permit” as used throughout this chapter shall be interchangeable.

B. License Required. No person shall engage in any business or activity enumerated in Section 5.04.010 without a license therefor as provided by this chapter.

C. Application. Application for a license required by this chapter shall be made to the town clerk on a form furnished by the town, and shall contain such information as may be required by the provisions of this chapter or as may be otherwise required by the town board.

D. License Fees.

1. Fees to Accompany Application. License fees imposed under Section 5.04.010 shall accompany the license application. If a license is granted, the town clerk shall issue the applicant a receipt for his license fee.

2. Refunds. No fee paid shall be refunded unless the license is denied.

E. Granting of Licenses. Unless otherwise designated, licenses required by this chapter shall be issued by the town clerk only with the approval of the town board.

F. Terms of Licenses. All licenses issued hereunder shall expire on June 30th in the year of issuance unless issued for a shorter term, when they shall expire at midnight of the last effective day of the license or unless otherwise provided by these ordinances or state laws.

G. Form of License. All licenses issued hereunder shall show the dates of issue and expiration and the activity licensed and shall be signed by the town clerk.

H. Records of Licenses. The town clerk shall keep a record of all licenses issued.

I. Display of Licenses. All licenses hereunder shall be displayed upon the premises or vehicle for which issued or, if carried on the person, shall be displayed to any officer of the town upon request.

J. Compliance with Ordinances Required. It shall be a condition of holding a license under this chapter that the licensee comply with all ordinances of the town. Failure to do so shall be cause for suspension or revocation of the license.

K. Transfer of Licenses. All licenses issued under this chapter shall be personal to whom issued, and no license shall be transferred without the consent of the town board.

L. Exemptions. No license other than a liquor or beer license shall be required under this chapter for any nonprofit, educational, charitable, civic, military or religious organization if the activity which would otherwise be licensed is conducted for the benefit of the members or for the benefit of the public generally.

M. Consent to Inspection. An applicant for a license under this chapter thereby consents to the entry of police or authorized

representatives of the town upon the licensed premises at all reasonable hours for the purposes of inspection and search, and consents to removal from the premises and introduction into evidence in prosecutions for violations of this chapter all things found therein in violation of this chapter or state law.

N. Revocation and Suspension of Licenses.

1. Except as otherwise provided, any license issued under this chapter may be revoked for cause by the town board. No license shall be revoked except upon written verified complaint filed with the town board by the town chairman, a member of the town board, the chief of police, chairman of the license committee or a resident of the town. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the town board. The licensee shall be given notice of such hearing which shall be not more than twenty (20) nor less than five days after notice, except as otherwise agreed between the parties.

2. At such hearing, the licensee shall be entitled to be represented by counsel, have the right to present and cross-examine witnesses and, upon request, have subpoenas issued by the town chairman or presiding officer of the town board to compel the attendance of witnesses.

3. After hearing the evidence, the town board may revoke such license or impose a limited period of suspension. The determination of the board shall be final, subject to review under Chapter 68, Wis. Stats., provided the licensee shall not be entitled to a further hearing unless granted by the town board.

4. The police department shall repossess any license revoked under this section.

5. If the licensee does not apply for a hearing within the time provided, the license

may be revoked by the town board. (Prior code § 12.02)

5.04.030 Violation--Penalty.

In addition to the revocation or suspension of any license or permit issued under the provisions of this chapter, any person found to be in violation of any provision of this chapter shall be subject to a forfeiture as provided in Chapter 1.20 of this code. (Prior code § 12.15)