

## OBTAINING, REVIEWING OR KEEPING LICENSES ORDINANCE

**Section I. Title/Purpose.** This Ordinance is entitled “Obtaining, Renewing, or Keeping Licenses Ordinance.” The Purpose of this Ordinance is as follows:

To promote the safety, health and general welfare by regulating the issuances of Licenses in the Town of Shelby.

**Section II. Delinquency.** As a condition of obtaining, renewing, or keeping a license, all local taxes, assessments, special charges, or other fees, including but not limited to municipal forfeitures, shall be paid on a current basis. Any fees unpaid within a time limit set by the Town or a court, as the case may be, place the licensee in a State of delinquency and subject to disciplinary action by the Town Board, including reprimand, suspension for a set time period (up to 90 days), or revocation.

**Section III. Revocation.** Any license revoked shall not be reinstated within the following six months or license time period, whichever is longer. There shall be no refund of any license fee paid to a party whose license is revoked.

**Section IV. Procedure.** Upon complaint by any person, or at the Board’s direction, and following Board review and approval, written notice shall be given to the licensee of the complaint basis, and the date and time the Board will hear the matter. For non-alcohol licenses where no statutory procedure is set, service may be by first class mail to licensee's last known address, or personal service, at the chairperson's option. For alcohol licenses, present Wisconsin Statute 125.12, 2007-2008, or its successor, will be followed.

**Section V. Hearing.** Evidence and testimony at the hearing shall be done in open session, pursuant to WI Statute 19.85(1)(a), 2007-2008. The Clerk shall have the hearing notice posted or published, in a format acceptable to the chairperson or a designated representative.

**Section VI. Penalty.** In lieu of a hearing, the Board may accept license surrender, and then determine the time period before another application for the same type of license will be accepted from the former licensee for review. In the event that complaint allegation(s) are proved at hearing, the Town Board shall decide which penalty for violation is appropriate. Multiple offenses may be considered at any hearing involving the same licensee.

**Section VII. Severability.** The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have

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passed the provisions of the Ordinance irrespective of whether one or more provisions may be declared invalid, and if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

**Section VIII. Effective Date.** This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous Ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: June 14, 2010

Lynnetta P. Kopp, Town Chair

Kathleen S. Kistner, Town Supervisor

John O. Zahn, Town Supervisor

ATTEST:

Catherine Brott, Town Clerk