

Town of Long Lake, Washburn County, WI

Ordinance #2019-2

Business License Continuation Ordinance

SECTION 1- TITLE AND PURPOSE

The title of this ordinance is Business License Continuation Ordinance. The purpose of this ordinance is to ensure that, as a condition of maintaining and keeping a license in this Town, any licensee must continue in business. Issuance or retention of a license by a party not doing business is hereby declared to be against public policy and lacking in usefulness.

SECTION 2- AUTHORITY

The Town Board has the specific authority under s. 125.10 WI stats to adopt a Town Business License Continuation Ordinance and the police powers under ss. 60.22(3) & 61.34(1), WI stats, to adopt this ordinance.

SECTION 3- ADOPTION OF ORDINANCE

The Town Board, by this ordinance, adopted on proper notice with a quorum and roll call vote by a majority of the Town Board present and voting, provides the authority for the Town to regulate the continuance of businesses in the Town.

SECTION 4- DEFINITIONS

- "Business continuation" means to be remaining in business open to the public with no closure lasting longer than 90 or more consecutive days.
- "Open" means conducting public business at least 4 days per calendar month.

SECTION 5- PENALTY PROVISIONS

In the event any licensed party violates this ordinance the Town Board may take disciplinary action, including reprimand, license suspension for up to 90 days or revocation. Any license that has been revoked shall not be reinstated within the following 12 months. Any disciplinary action taken shall follow notice to the licensee prior to a hearing. The hearing notice, which will include the reason for the hearing, and later the hearing decision of the Board, will be sent by first class mail to the licensee's last known address or personally served, at the Town Chairman's option.

SECTION 6- HEARING

In the event disciplinary action is taken against an alcohol licensee, the procedure mandated under present Wisconsin Statute 125.12, or its successor, will be followed. At present, said procedure requires personal service of the hearing notice (summons) and complaint, and a hearing within 3-10 days thereafter. In the event

the licensee cannot be found, the summons may be published once in a newspaper of general circulation deemed most likely to provide notice to the license holder.

Evidence and testimony at the hearing shall be done in open session. Pursuant to 19.85(1)(a), the board may go into closed session to deliberate with regard to its decision, where that possibility has been listed on the hearing notice posted or published. The Town Clerk shall see the hearing notice is posted and published, in format acceptable to the Town Chairman.

In lieu of a hearing, the Town Board may accept surrender of 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.

SECTION 7- COST

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

Unless no disciplinary action, including reprimand or probation is ordered by the Board, the license holder shall reimburse the town for costs of personal service, mailing, fax, copies, and any per diem paid for town officers to attend the hearing or other meetings due to license violations. Payment of the fees shall earn 5% interest if unpaid within 30 days. Payment shall be required before any future license is issued or reinstated to the license holder.

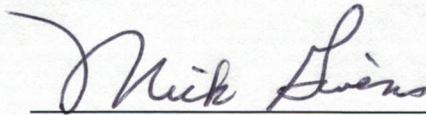
SECTION 8- SEVERABILITY

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

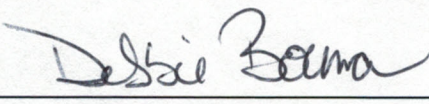
SECTION 9- EFFECTIVE DATE

This ordinance shall become effective July 24, 2019, upon its publication and/or posting in the manner set forth in s.60.80, Wis. Stats.

Passed on the 9th day of July, 2019.
By the Town Board of the Town of Long Lake.



Mick Givens, Chairman

Attest: 

Debbie Bouma, Clerk

