

TOWN OF LOMIRA
DODGE COUNTY

Chapter 6

**Ordinance Establishing Conditions for
Obtaining and Maintaining Licenses from the Town**

Section 1. Applicability

The provisions of this Ordinance shall apply to all licenses, including liquor licenses, which are subject to the approval of and issued by the Town and to the holders of all such licenses. The provisions of this Ordinance are in addition to any and all other Ordinances, statutes and regulations applicable to obtaining, maintaining and approval of all licenses which may be granted by the Town.

Section 2. Delinquency

As a condition to obtaining, renewing and keeping a licenses granted by the Town, all local taxes, assessments, special charges and other fees, including municipal forfeitures, assessed or charged against a licensee must be paid in a timely fashion. A licensee who fails to pay any properly assessed charges when due shall be considered delinquent and subject to disciplinary action by the Town Board. Disciplinary action may include, in the discretion of the Board, reprimand, suspension of the license(s) for a period up to 90 days and/or revocation of the license(s).

Section 3. Complaint Procedure

Any person may make a complaint that a licensee is delinquent in the payment of a local charge. The Town Board also may invoke an investigation of a licensee on its own motion. The Board shall review all complaints. If the Board determines that a complaint has merit it shall schedule a hearing on the matter and given written notice of the basis for the complaint and the date and time of the hearing to the licensee. Unless a different procedure is mandated by another Ordinance or statute, the notice shall be served on the licensee by first-class mail. If the matter involves a liquor license, the Board shall comply with the provisions of Wis. Stat. § 125.12, as amended. Proof of service of the notice shall be filed with the Town Clerk.

Section 4. Hearing Procedure

The Town Clerk shall give proper notice to the public of the hearing in the manner provided by law for open meetings of governmental bodies. The hearing shall be held in open session. Multiple offenses involving the same licensee may be considered at a single hearing. The Board shall hear the evidence as presented by the complainant and the licensee. Upon proper notice, the Board may deliberate and make its decision in the matter in closed session. In the

event that the Board determines that the allegations of the complaint have been proved, it shall determine the penalty to be imposed upon the licensee and promptly notify the licensee of the penalty it imposes. Notice of the penalty shall be given within the time set by any applicable Ordinance or statute. If there is no other applicable Ordinance or statute, notice shall be given to the licensee within 60 days of the Board's decision.

Section 5. Revocation

If the Board determines to revoke the license, the license so revoked shall not be reinstated within the 6 months following revocation or the remaining license period, whichever is longer. No refund shall be made of any license fee which has been previously paid.

Section 6. Voluntary Surrender

In lieu of a hearing, any licensee may voluntarily surrender his or her license. In the case of voluntary surrender, the Town Board shall determine the time period before which another application for the same type of license may be submitted by the surrendering licensee. Such time period shall not exceed the period that would have applied had the Board held a hearing on the matter and revoked the license by its own action.