COPY

Ordinance No. 02-2011
Ordinance Requiring Non-Delinquency as Condition for Obtaining Liquor License

Town of Lincoln, Wood County, ordains as follows:

1. DELINQUENCY. As a condition of obtaining or renewing any license issued in the Town of Lincoln, all local taxes, assessments, special charges, or other fees, including but not limited to municipal forfeitures from a violation of any town ordinance, shall be paid on a current basis. If any of such fees are 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.

2. NEW APPLICANTS: New applicants for municipal licenses who are in a current state of delinquency on local claims will be denied a license.

3. NOTICE REQUIREMENTS FOR RENEWAL APPLICATIONS: Prior to any denial of an application for renewal of a license, the applicant shall be given notice and opportunity for a hearing as hereinafter provided. Upon complaint by any person, or at board discretion, and following board review and approval, written notice shall be given to the licensee of the complaint, 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 the licensee's last known address, or personal service, at the chairperson's option. For alcohol licenses, the procedure required is present Wisconsin Stature 125.12 or its successor will be followed for the provision of notice and the hearing. At present, the statute requires personal service of the hearing notice (summons) and complaint, and a hearing within 3-10 days thereafter. The clerk will keep a record of service. The town clerk shall properly post or publish the hearing notice in compliance with the state open meetings law.

4. HEARING PROCEDURE: If the new or renewal license applicant shall fail to appear before the board on the date indicated in the notice, the board shall deny the application for renewal. If the applicant appears before the board on the date indicated in the notice and denies the reasons for non-renewal exist, the board shall conduct a hearing with respect to the matter. At the hearing, both the town and the applicant may produce witnesses, cross examine witnesses and be represented by counsel. If the town board determines the applicant shall not be entitled to renewal, the application shall be denied. The applicant shall, upon request, be provided a written transcript of the hearing at the applicant's expense.

5. 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.

6. EFFECT: This ordinance shall take effect following passage and posting in 3 public places within the town.

Adopted on: 2-8-11 Dick Thomas
Chairperson

Posted on: News Herald - Marshfield (list 3 posting places)
Town Hall
Telephone Pole - Town Hall

Debra A Langreck
Attest: Clerk