

Chapter 318

LICENSES AND PERMITS

[HISTORY: Adopted by the Town Board of the Town of Middle Inlet as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Citations — See Ch. 14.
Animals — See Ch. 203.

ARTICLE I

Business Continuation [Adopted 7-13-1995]

§ 318-1. Requirement.

It shall be a condition of maintaining and keeping a license in this Town that the licensee continue in business. Issuance of, or retention of, a license by a party not doing business is hereby declared to be against public policy and lacking in usefulness.

§ 318-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BUSINESS CONTINUATION

- A. Each licensee shall be open at least one calendar week in at least six months each year. "Open" means conducting business publicly.
- B. In case of disaster such as fire, flood, tornado, etc., a period of 18 months will be given to rebuild and/or reopen business.

§ 318-3. Disciplinary action.

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 Any license that has been revoked shall not be reinstated within the following six months.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

§ 318-4. Alcohol licenses.

In the event disciplinary action is taken against an alcohol licensee, the state procedure

mandated under present § 125.12, Wis. Stats., or its successor, will be followed. At present, said procedure requires personal service of the hearing notice (summons) and complaint, and a hearing within three to 10 days thereafter.

§ 318-5. No refund of license fee.

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

§ 318-6. Surrender of license in lieu of hearing.

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

§ 318-7. Conduct of hearing.

Evidence and testimony at the hearing shall be done in open session. Pursuant to § 19.85(1)(a), Wis. Stats., 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 Clerk-Treasurer shall see that the hearing notice is posted or published, in format acceptable to the Chairperson.

ARTICLE II
General Regulations

[Adopted at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

§ 318-8. Title.

This article is titled the "Town of Middle Inlet General License/Registration/Permits Ordinance."

§ 318-9. Authority.

The Town Board of the Town of Middle Inlet has the specific statutory authority, powers and duties, pursuant to the specific statutory sections noted in this article and/or by its adoption of village powers under § 60.10, Wis. Stats., to regulate, control, license, register or permit in the Town of Middle Inlet persons engaged in certain uses, activities, businesses and operations at certain locations in the Town of Middle Inlet, to assess these persons with appropriate fees for the licenses, registrations or permits as noted herein and to enforce, by revocation or penalty, the provisions of this article and the provisions of the licenses, registrations and permits.

§ 318-10. Application for license, permit or registration.

- A. The terms "license" and "permit" may be used in these Town of Middle Inlet ordinances and by the Town of Middle Inlet, its officers, its employees and its agents interchangeably. The term "registration" shall apply to automobile registrations in the Town of Middle Inlet.
- B. No person shall engage or allow on land owned, used or leased by that person in the

Town of Middle Inlet any particular use, activity, business or operation until that person has obtained the required license, registration or permit as established by the Town of Middle Inlet in this article.

- C. Application. The application for the license, registration or permit shall be in writing to the Town of Middle Inlet. The application shall be filed with the Town Clerk-Treasurer of the Town of Middle Inlet. The Town Clerk-Treasurer of the Town of Middle Inlet shall prepare and shall then forward, when available and when approved by the Town Board of the Town of Middle Inlet, the appropriate written application form to the applicant. The application form for licenses, registrations or permits for the Town of Middle Inlet shall contain the appropriate requests for relevant information as may be required by state statute, as required by any Town of Middle Inlet ordinance or as otherwise required by order of the Town Board of the Town of Middle Inlet. The Town Clerk-Treasurer of the Town of Middle Inlet shall cooperate fully with the Town Board of the Town of Middle Inlet in the preparation of the application forms. The Town Board of the Town of Middle Inlet shall approve the form and content of the application form. All application fees are to be paid to the Town Clerk-Treasurer of the Town of Middle Inlet upon submittal of the completed application form by the applicant or the agent of the applicant.

§ 318-11. Administration and enforcement.

- A. Unless otherwise noted by order of the Town Board of the Town of Middle Inlet, the Town Clerk-Treasurer of the Town of Middle Inlet shall be the officer of the Town of Middle Inlet responsible for administration of the Town of Middle Inlet licenses, registrations and permits.
- B. Unless otherwise noted by order of the Town Board of the Town of Middle Inlet, the Town Clerk-Treasurer shall be the official of the Town of Middle Inlet responsible to investigate matters related to licenses, registrations and permits and to file any complaints with the Town Board of the Town of Middle Inlet regarding licenses, registrations and permits.
- C. Unless otherwise noted by order of the Town Board of the Town of Middle Inlet, the Town Chairperson shall be the official of the Town of Middle Inlet responsible to enforce the conditions established in the licenses, registrations and permits issued by the Town of Middle Inlet and to enforce the ordinances of the Town of Middle Inlet against any licensee, registrant, permittee and other person violating these ordinances.

§ 318-12. Violations and penalties.

Any person who shall violate any provision of this article shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-4.