

**TOWN OF WASHINGTON**

**ORDINANCE NO: 2021-05-20C**

**REQUIRING PAYMENT OF LOCAL CLAIMS AS CONDITION OF OBTAINING  
OR RENEWING TOWN ISSUED LICENSES**

THE TOWN BOARD OF THE TOWN OF WASHINGTON DOES ORDAIN AS  
FOLLOWS:

The following Article of the Municipal Code of the Town of Washington is  
hereby amended to add the following:

**TITLE 3 - COMMUNITY ENVIRONMENT**

**CHAPTER 1 - BUSINESS REGULATIONS**

**ARTICLE 7 - LICENSE AND FEES**

**3-1.0705      ~~DISCRETION IN ISSUANCE.~~ DELINQUENCY.** ~~Unless State Law or Town Ordinance specifically requires the Town Board to exercise discretion in the issuance of a license, all licenses required to be issued by the Town under the provisions of any Statute or Town Ordinance shall be issued by the Town Clerk upon satisfaction of all requirements for said license, including payment of the required fee.~~ As a condition of obtaining or renewing a license, 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. Any such local claims that remain 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.

**3-1.0710      ~~DENIAL - DELINQUENT TAXES.~~ NEW APPLICANTS.** New applicants for municipal licenses who are in a current state of delinquency on any local claim will be denied a license.

A. — ~~Premises:~~ No initial or renewal business, fermented malt beverage, or alcohol beverage license or permit shall be issued for any premises for which local taxes, assessments or other claims due to the Town are delinquent and unpaid.

B. — ~~Persons:~~ No initial or renewal business, fermented malt beverage, or alcohol beverage license or permit shall be issued by the Town to any person:

1. — ~~Delinquent in payment of local taxes, assessments, or other claims due to the Town; or~~
2. — ~~Delinquent in payment of a forfeiture resulting from a violation of any ordinance of the Town.~~

C. — ~~Notice:~~ Applicants for renewal of a license or permit shall be afforded notice when a license renewal is denied on the basis of delinquent local taxes, and may apply for an appeal hearing on the matter within 20 days of receipt of said notice.

New applicants for municipal licenses and/or permits who are in a current state of delinquency on any local claim will be denied a license.


**3-1.0715 FEES — See Appendix A. 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 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 1<sup>st</sup> class mail to the licensee's last known address, or personal service, at the chairperson's option. For alcohol license, present Wis. Stat. §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 also see that the hearing notice is properly posted or published, in compliance with the state open meetings law.

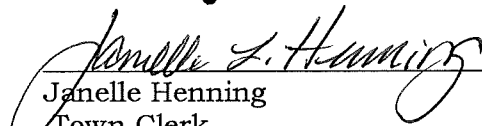
**3-1.0720 HEARING PROCEDURE.** If the renewal applicant shall fail to appear before the Board on the date indicated in the notice, the Board shall deny the application for renewal. If the applicant appears before the Board on the date indicated in the notice and denies the reasons for non-renewal exist, 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.

**3-1.0725 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.

This ordinance shall take effect following passage and posting in 3 public places within the Town.

Dated this 20<sup>th</sup> day of May 2021.

  
Micheal Peterson  
Town Board Chairperson

  
Janelle Henning  
Town Clerk