

TOWN OF MISHICOT
ORDINANCE 2012-2

The Town Board of the Town of Mishicot, Manitowoc County, Wisconsin, does hereby ordain as follows:

DELINQUENCY. As a condition of obtaining, renewing or keeping a license, all local taxes, assessments, special charges, or other fees, including but not limited to municipal forfeitures, shall be paid on a current basis. Any fees 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 and subject to disciplinary action by the town board, including reprimand, suspension for a set time period (up to 90 days), or revocation.

REVOCAATION. Any license revoked shall not be reinstated within the 12 months following date of revocation. There shall be no refund of any license fee paid to a party whose license is revoked.

PROCEDURE. Upon complaint by any person, or at board direction, 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 first class mail to licensee's last known address, or personal service, at the chairperson's option. For alcohol licenses, present Wisconsin Statute 125.12, or its successor, will be followed. At present, that statute requires personal service of the hearing notice (summons) and complaint, and a hearing within 3-10 days thereafter. A record of service will be kept by the Clerk.

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

PENALTY. In lieu of a hearing, the board may accept license surrender, and then determine the time period before another application for the same type of license will be accepted from the former licensee for review. In the event that complaint allegation(s) are proved at hearing, the town board shall decide which penalty for violation is appropriate. Multiple offenses may be considered at any hearing involving the same licensee.

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.

EFFECT. This ordinance shall take effect following passage and posting in three public places by the Clerk.

Adopted this 9th day of July, 2012, by vote of: 3 (in favor).

Town of Mishicot, Manitowoc County, Wisconsin.

Attestation:

Sarah Kowalski, Clerk

Chuck Hoffman
Chuck Hoffman - Chairperson

Dean Anhalt
Dean Anhalt - Supervisor

Published/Posted: 07/11/12

Lee Stefaniak
Lee Stefaniak - Supervisor

Dated this 9th day of July, 2012.