

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

Ordinance No. 2012-5-A

Town of Niagara, Marinette County, ordains as follows:

1. **DELINQUENCY:** 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.
2. **NEW APPLICANTS:** New applicants for municipal licenses who are in a current state of delinquency on any local claim 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 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 first class mail to the 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 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.
4. **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.
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: May 9, 2012

Chairperson Alfred Sauld

Supervisor Mark DeClark

Supervisor Richard Payette

Posted on: May 7, 2012

Front door of hall (W6889 Hwy 8)

North Star Bar

Country Side Lawn and Sport

ATTEST: _____
(clerk) Dawn Johnson