

TOWN OF DUNN

ORDINANCE 11-11

**AN ORDINANCE CREATING SECTION 11 OF CHAPTER 11
OF THE GENERAL CODE OF ORDINANCES**

Section 1: Purpose

This ordinance allows for issuance on a provisional basis of a license to those applying for an operators (bartenders) license for service or sale of alcoholic beverages. A provisional license may only be issued to those persons that have not completed a responsible beverage service course and exhibited proof of compliance with that training standard set forth in current Wisconsin Statute 125.17(6). A provisional license allows time to obtain training required for working without supervision of another licensed person in Class A or B business or organization.

Section 2: Eligibility

Each applicant must be at least 18 years of age, and have completed an application form supplied by the clerk in order to be considered for approval. All arrests and convictions of the applicant shall be disclosed on the application or attached sheet. The applicant for a provisional license must present, with the application, proof that the applicant is enrolled in a training course under Section 125.17(6) (a) of Wisconsin Statutes.

Section 3: Term

The provisional license shall be effective until a certificate or other proof of compliance with training requirements is presented to the Clerk. In no case will the provisional license be effective more than 60 days after issuance. The issuance date, final date of validity, or both shall be placed on the license form when issued.

Section 4: Issuance

Upon written application for a provisional license, the clerk shall conduct a record check for past crimes or arrests. If the applicant has no past crimes or arrests as verified by a record check, the clerk is authorized to issue a provisional license to the applicant. In the event there is a past record of crimes or arrests relating to intoxicants the application will be denied, with the right to appeal the denial to the Town Board. In the event a person requests issuance of a provisional license extension, the clerk is authorized to issue a renewal of the provisional license extension, the clerk is authorized to issue a renewal of the provisional license upon payment of the proper fee.

Section 5: Fee

The sum of \$15.00 is required to be paid by or for the applicant prior to license issuance. The fee for extension of a provisional license shall be \$15.00. This fee shall not exceed \$15.00 unless state law and this ordinance are amended.

Section 6: Revocation

In the event, following issuance, it is discovered a part of the license application was false that, in the clerk's judgment, might have affected the original decision on whether or not to issue the license, including but not limited to past crimes or arrests, then the clerk may revoke said license. Upon making such a decision, the clerk shall mail or have a written notice delivered to the license holder, notifying the person of the action taken, the reason(s) for such action, and the right to have a license review hearing before the Town Board, upon the applicant's written request. When a request for a hearing is made, the board shall follow general procedures as set forth in Section 125.12, of the Wisconsin Statutes, although no complaint is required. The clerk shall notify the licensee of the board time scheduled for hearing the matter, by mail or delivery. Any mail notice in this ordinance is sufficient if mailed by first class to the last known address of the licensee, in an envelope containing the return address of the town or clerk. No request for a license hearing is valid when received past the final day the provisional license would have been effective.