CHAPTER 12

LICENSES AND PERMITS

(CHAPTER AMENDED 11/05/02, 3/09/09, 8/10/09, 11/12/12)

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12.01 **LICENSES REQUIRED.** A license shall be required for each of the following businesses or activities for a period of one year, unless otherwise indicated. Licenses fees shall be determined each budget year and any changes adopted by the Village Board.

(1) Dogs and Cats.

(a) Neutered Males and Spayed Females. $5

(b) Unneutered Males and Unspayed Females. $10

(2) CIRCUSES, CARNIVALS AND TENT SHOWS. $25 per day

(3) INTOXICATING LIQUOR.

(a) Retail "Class A". $150

(b) Retail "Class B". $150

(c) Transfer. $10

(d) Agent/Owner Background Check Fee $7

(4) FERMENTED MALT BEVERAGE.

(a) Retail Class "A". $100

(b) Retail Class "B". $100

1. Part time. 3/4 of the annual license fee per 6 month period.
2. Temporary. (Picnic) $10 per event.
3. Wholesalers. $25.

(c) Agent/Owner Background Check Fee $8

(5) OPERATOR'S.

(a) Operator's. $18

(c) Provisional. $10

(d) Temporary. $2

(6) PEDDLER'S, CANVASSER'S SOLICITOR'S AND TRANSIENT MERCHANTS. $25 Investigation/Permit Fee.

(7) MOBILE HOME PARK $75. Transfer $10.

(8) AMPLIFYING DEVICE. $25. See 9.06(8) (a).

(9) TAXIS.

(a) Taxi Cab License. $50

(b) Taxi Driver License. $15

(10) CIGARETTE. $50

12.02 **GENERAL PROVISIONS.**

(1) TERMS INTERCHANGEABLE. The words "license" and "permit" as used throughout this chapter shall be interchangeable.

(2) LICENSE REQUIRED. No person shall engage in any business or activity enumerated in §12.01 without a license therefore as provided by this chapter.

(3) APPLICATION. Application for a license required by this chapter shall be made to the Village Clerk/Treasurer on a form furnished by the Village and shall contain such information as may be required by the provisions of this chapter or as may be otherwise required by the Village Board.

(4) LICENSE FEES.

(a) Fees to Accompany Application. License fees imposed under §12.01 shall accompany the license application.

(b) Refunds. No fee paid shall be refunded.

(5) GRANTING OF LICENSES. Unless otherwise designated, licenses required by this chapter shall be issued by the Village Clerk/Treasurer only with the approval of the Village Board. The following licenses may be issued without board approval, subject to the standards established by this chapter:

(a) Dog and Cat Licenses.

(b) Temporary Operator, Provisional Operator & Operator's Licenses.

(c) Circuses, Carnivals and Tent Shows.

(d) Peddlers, Solicitors and Transient Merchants.

(e) Amplifying Devices.

(6) TERMS OF LICENSES. All licenses issued hereunder shall expire on June 30th in the year of issuance unless issued for a shorter term, when they shall expire at midnight of the last effective day of the licenses, or unless otherwise provided by these ordinances or State laws.

(7) FORM OF LICENSE. All licenses issued hereunder shall show the date of issue and expiration and the activity licensed and shall be signed by the Village Clerk/Treasurer or Police Chief.

(8) RECORDS OF LICENSES. The Village Clerk/Treasurer shall keep a record of all licenses issued.

(9) DISPLAY OF LICENSES. All licenses hereunder shall be displayed upon the premises or vehicle for which issued or, if carried on the person, shall be displayed to any officer of the Village upon request.

(10) COMPLIANCE WITH ORDINANCE REQUIRED. It shall be a condition of holding a license under this chapter that the licensee comply with all ordinances of the Village. Failure to do so shall be cause for suspension or revocation of the license.

(11) TRANSFER OF LICENSES. All licenses issued hereunder shall be personal to whom issued, and no license shall be transferred without the consent of the Village Board.

(12) EXEMPTIONS. No license other than a liquor or beer license shall be required under this chapter for any nonprofit, educational, charitable, civic, military or religious organization if the activity which would otherwise be licensed is conducted for the benefit of the members or for the benefit of the public generally.

(13) RENEWAL OF LICENSES. All applications for renewal of licenses hereunder shall be made to the Village Clerk/Treasurer by May 1.

(14) CONSENT TO INSPECTION. An applicant for a license under this chapter thereby consents to the entry of police or authorized representatives of the Village upon the licensed premises at reasonable hours for the purposes of inspection and search, and consents to removal from the premises for possible introduction into evidence for prosecution for violations of this chapter all things found therein in violation of this chapter or State law, and items become property of the police department.

(15) REVOCATION AND SUSPENSION OF LICENSES.

(a) Except as otherwise provided, any license issued under this chapter may be revoked for cause by the Village Board. No license shall be revoked except upon written verified complaint filed with the Village Board by the Village President, a member of the Village Board, the Police Chief, the Chairman of the License Committee or a resident of the Village. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the Village Board. The licensee shall be given notice of such hearing, which shall be not more than 20 nor less than 5 days after notice, except as otherwise agreed between the parties.

(b) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the Village President or presiding officer of the Village Board to compel the attendance of witnesses.

(c) After hearing the evidence, the Village Board may revoke such license or such license or impose a limited period of suspension. The determination of the Board shall be final, subject to review under Chapter 24 of this Municipal Code.

(d) The Police Department shall repossess any license revoked hereunder.

(e) If the licensee does not apply for a hearing within the time provided, the license may be revoked by the Village Board.

(f) The Village President or Village Board may suspend the license of a licensee hereunder without hearing for a period not to exceed 10 days.

12.03 **INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES.**

(1) STATE STATUTES ADOPTED. The provisions of Ch. 125, Wis. Stats., defining and regulating the sale, procurement, dispensing, transfer and consumption of alcohol beverages, including provisions relating to underage persons, are adopted and made a part of this section by reference. A violation of any such provisions shall constitute a violation of this section.

(2) LICENSES REQUIRED.

(a) When Required. No person, except as provided by Ch. 125, Wis. Stats., shall distribute, vend, sell, offer or keep for sale at retail or wholesale, deal or traffic in or for the purpose of evading any law or ordinance, give away any intoxicating liquor or fermented malt beverage or cause the same to be done without having procured a license as provided in this section nor without complying with all the provisions of this section and all statutes, ordinances and regulations of the State and Village applicable thereto.

(b) Separate License Required for Each Place of Sale. A license shall be required for each stand, place, room or enclosure or for each suite of rooms or enclosures which are in direct connection or communication to each other where intoxicating liquor or fermented malt beverages are kept, sold or offered for sale.

(3) CLASSES OF LICENSES AND FEES. There shall be the following classes and denominations of licenses which, when issued by the Village Clerk under the authority of the Village Board after payment of the fee as provided in §12.01 of this chapter, shall permit the holder to sell, deal or traffic in intoxicating liquor or fermented malt beverages as provided in Ch. 125, Wis. Stats. Except as otherwise provided in this section, the full license fee shall be charged for the whole or fraction of any year. Fees shall be as set forth in §12.01, except as provided in par. (4)(d) below:

(a) Class "A" Fermented Malt Beverage Retailer's License.

(b) Class "B" Fermented Malt Beverage Retailer's License.

1. Part time. A license may be issued at any time for 6 months in any calendar year for which 3/4 of the applicable license fee shall be paid, but such temporary license shall not be renewable during the calendar year in which issued.

2. Temporary (Picnic).

(c) Wholesaler's Fermented Malt Beverage License.

(d) "Class C" Wine License. A "Class C" license authorizes the retail sale of wine by the glass or in opened original container for consumption on the premises where sold.

(e) Retail "Class A" Liquor License. A retail "Class A" liquor license shall permit its holder to sell liquor in original packages or containers in multiples not to exceed four liters at any one time to be consumed off the licensed premises. Wine may be sold in original packages or container in any quantity to be consumed off the premises.

(f) Retail "Class B" Liquor License. A retail "Class B" liquor license shall permit its holder to sell intoxicating liquor to consumers for on-premises consumption.

(g) Operator's License.

1. Regular. Any person who is 18 years of age at time of issuance and has completed the responsible beverage server training course as defined in §125.17(6), Wis. Stats., and who is otherwise qualified, may apply for an operator's license. There shall be a fee as provided in §12.01 imposed per application. Any person previously granted a provisional operator's license shall be required to pay the additional fee as provided in §12.01 prior to issuance of the operator's license.

2. Provisional. The Village Clerk/Treasurer may issue a provisional operator's license to a person who is enrolled in a training course as defined in §125.17(6), Wis. Stats., and who is otherwise qualified. An application fee for a provisional operator's license as provided in §12.01 shall be imposed for each application. The Village shall have the authority to revoke any provisional operator's license which is issued if the applicant fails successfully to complete the training course in which the applicant is enrolled. There shall be a 48-hour waiting period from the date of application for a provisional operator's license to the date of issuance.

3. Temporary. A governing body may issue a temporary operator's license only to persons employed or donating their services to nonprofit corporations. Any such person is limited to only one such license a year. The license is valid for any period of one to 14 days, and the period must be indicated on the license. An application fee for a temporary operator's license as provided in §12.01 shall be imposed for each application.

(4) LICENSE APPLICATION.

(a) Contents. Application for a license to sell or deal in intoxicating liquor or fermented malt beverages shall be made in writing on forms prescribed by the State Department of Revenue and shall be sworn to by the applicant as provided by Wis. Stats. §§ 887.01 to 887.04, and shall be filed with the Village Clerk/Treasurer not less than 15 days prior to the granting of such license. The premises shall be physically described to include every room and storage space to be covered by the license, including all rooms not separated by a solid wall or joined by connecting entrances. However, applications submitted at such times so that the application cannot be acted upon at the regular Village Board meeting shall require all attached cost associated of any special meeting required.

(b) Corporation or Individuals. Such application shall be filed and sworn to by the applicant if an individual, by the president and secretary, of a corporation.

(c) Publication. The Village Clerk/Treasurer shall publish each application for a Class A, B, or C license. There is no publication requirement for Temporary Class "B" picnic beer or wine licenses under Wis Stats. §125. The application shall be published once in the official Village newspaper, and the cost of publication shall be paid by the applicant at the time the application is filed, under Wis. Stat. §985.08.

(d) Amending application. Whenever anything occurs to change any fact set out in the application of any licensee, such licensee shall file with the issuing authority a notice in writing of such change within ten days after the occurrence thereof.

(5) LICENSE RESTRICTIONS

(a) Statutory Requirements. Class A and Class B licenses shall be issued only to persons eligible therefore under Chap. 125, Wis. Stats.

(b) Location. No retail Class A or B license shall be issued for premises, the main entrance of which is less than 300' from the main entrance of any established public school, parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the main entrance of such school, church or hospital to the main entrance to such premises. This subsection shall not apply to premises licensed as such on June 30, 1947, nor shall it apply to any premises licensed as such prior to the occupation of real property within 300' thereof by any school, hospital, or church building.

(c) Violators of Liquor or Fermented Malt Beverage Laws or Ordinances. No retail Class A or B license shall be issued to any person who has been convicted of a violation of any Federal or State liquor or fermented malt beverage law or the provisions of the section during one year prior to such application. A conviction of a member or a partnership or the partnership itself shall make the partnership or any member thereof ineligible for such license for one year.

(d) Health and Sanitation Requirements. No Class B license shall be issued for any premises which does not conform to the sanitary, safety and health requirements of the State Board of Health governing sanitation of restaurants and to all such ordinances and regulations adopted by the Village.

(e) License Quotas. The number of persons and places that may be granted a retail "Class B" liquor license under this section in the Village, is limited to five, as provided in Chap. 125, Wis. Stats.

(f) Corporations. No corporation organized under the laws of this State or of any other state or foreign county may be issued any alcohol beverage license, unless such corporation meets the requirements of §125.04(6), Wis. Stats.

(g) Age Requirement. No license hereunder, except an operator's license, shall be granted to any person who has not attained the legal drinking age. Operator's licenses may be issued only to applicants who have attained the age of 18. Family members may work on the licensed premises but are not permitted to sell or dispense alcoholic beverages.

(h) Effect of Revocation of License. Whenever any license has been revoked, at least 6 months from the time of such revocation shall elapse before another license shall be granted for the same premises and 12 months shall elapse before another license shall be granted to the person whose license was revoked.

(i) Delinquent Taxes, Assessments and Claims. No license shall be granted for any premises for which taxes, assessments or other claims of the Village are delinquent and unpaid or to any person delinquent in payment of such claims to the Village.

(j) Class B Licensed Premises to be on Street Level. A retail Class B license shall be issued only for that portion of a premises located on the street level. This restriction shall not apply to a bona fide club, society or lodge in existence not less than 6 months prior to application nor prohibit any hotel holding a State permit from supplying beverages in original containers to bona fide patrons in rooms rented by such patrons.

(k) Issuance for Sales in Dwellings Prohibited. No license shall be issued to any person for the purpose of possessing, selling or offering for sale any intoxicating liquor or fermented malt beverages in any dwelling house, flat or residential apartment.

(l) Delinquent in Payment of Forfeiture. No license shall be issued to any person who is delinquent in payment of a forfeiture resulting from a violation of any ordinance of the Village.

(6) FORM AND EXPIRATION OF LICENSES. All licenses shall be numbered in the order they are issued and shall state clearly the specific premises for which granted, date of issuance, fee paid and name of the licensee and, unless sooner revoked, shall expire on June 30 thereafter, except as otherwise provided. The Village Clerk shall affix his affidavit as required by §125.04(4), Wis. Stats.

(7) TRANSFER OF LICENSES.

(a) As to Person. No license shall be transferable as to licensee, except as provided by Chap. 125, Wis. Stats.

(b) As to Place. Licenses issued pursuant to this section may be transferred as provided in §125.04(2), Wis. Stats. Application for such transfer shall be made on blanks furnished by the State Department of Revenue. Proceedings for transfer shall be had in the same manner and form as the original application.

(8) POSTING AND CARE OF LICENSES. Every license issued under this section shall be posted and at all times displayed as provided in §125.04(10), Wis. Stats. No person shall post such license or permit any other person to post it upon premises other than those mentioned in the application or knowingly deface or destroy such license.

(9) REGULATION OF LICENSED PREMISES AND LICENSEES.

(a) Gambling and Disorderly Conduct Prohibited. Each licensed premises shall at all times be conducted in an orderly manner and no disorderly, riotous or indecent conduct or gambling (except as provided by State law) shall be allowed at any time on any licensed premises.

(b) Employment of Underage Persons. No retail Class B licensee shall employ any underage person who does not have a valid operator's license to sell, serve, dispense or give away any alcohol beverages. Family members may work on the licensed premises but are not permitted to sell or dispense alcoholic beverages.

(c) Sales by Clubs. No club shall sell intoxicating liquors or fermented malt beverages, except to members and guest invited by members.

(d) Safety and Sanitation Requirements. Each licensed premises shall be maintained and conducted in a sanitary manner and shall be a safe and proper place for the purpose for which used.

(10) CLOSING HOURS. No premises for which a wholesale or retail liquor or fermented malt beverage license has been issued shall remain open for the sale of liquor:

(a) If a wholesale license, between 8 p.m. and 5 a.m., except on Saturday when the closing hour shall be 9 p.m.

(b) If a retail Class A license, between 9 p.m. and 8 a.m.

(c) If a retail Class B license, between 2 a.m. and 6 a.m. on weekdays and between 2:30 a.m. and 6 a.m. on Saturdays and Sundays. On January 1 premises operating under a Class B license are not required to close. No package, container or bottle sales may be made after midnight.

(d) Hotels and restaurants, the principal business of which is the furnishing of food and lodging to patrons, bowling alleys, indoor horseshoe pitching facilities, curling clubs, golf courses and golf clubhouses may remain open for the conduct of their regular business, but no intoxicating liquors or fermented malt beverages shall be sold during prohibited hours.

(11) REVOCATION AND SUSPENSION OF LICENSES.

(a) Procedure. Whenever the holder of any license under this section violates any portion of this section, proceedings for the revocation of such license may be instituted in the manner and under the procedure established by §125.68(2) and 125.04(10), Wis. Stats., and the provisions therein relating to granting a new license shall likewise be applicable.

(b) Effect of Revocation. See paragraph (5) (h) of this subsection.

(12) NON-RENEWAL OF LICENSES. Before renewal of any license issued under this section is refused, the licensee shall be given written notice of any charges or violations against him or the reasons proposed for non renewal and a copy of any proposed motion for non renewal and shall have opportunity to be heard before the Village Board.

(13) VIOLATIONS BY AGENTS AND EMPLOYEES. A violation of this section by an authorized agent or employee of a licensee shall constitute a violation by the licensee.

12.04 DOG AND CAT LICENSING AND ANIMAL REGULATIONS.

(1) LICENSE REQUIRED. Every person residing in the Village who owns a dog or cat which is more than 6 months of age on January 1 of any year shall annually at the time and in the manner prescribed by law for the payment of real estate taxes obtain a license therefore. Persons failing to obtain such license within 90 days of the required time shall pay an additional $15 late fee.

(2) NUMBER LIMITED. No person or person(s) shall own, harbor, or keep in its possession no more than three (3) dogs, three (3) cats or a total of five animals, whichever is more restrictive, in any physical address, except that a litter of pups or kittens, or a portion of litter, may be kept for not more than sixteen (16) weeks from birth.

(3) FEES. Such owner shall pay to the Village Clerk/Treasurer for each dog or cat a fee as defined on the Fee Schedule (see §12.01of this chapter) approved annually by the Village Board.

(4) KENNELS RESTRICTED. No dog kennels shall be allowed to operate within the Village limits.

(5) ISSUANCE OF LICENSE. Upon receipt of the required fee and exhibition of the certificate required by subsection (9) of subsection, the Clerk/Treasurer shall issue to such person a license to keep such dog or cat for one year. Such person shall upon procuring the license place upon the dog or cat a collar with a tag furnished by the Village Clerk/Treasurer.

(6) STATE REGULATIONS. Chapter 174, Wis. Stats., shall apply so far as applicable.

(7) ANIMALS NOT TO RUN AT LARGE. No owner or other person in control or having custody of a dog or cat shall allow the same to run at large within the village unless accompanied by and under the control of the owner or keeper, on a leash not to exceed 6' in length.

(8) HARBORING CERTAIN DOGS PROHIBITED. No person shall own, harbor or keep any animal which:

(a) Habitually pursues any vehicle upon any public street, alley or highway.

(b) Assaults or attacks any person.

(c) Is vicious. A showing that an animal has bitten, attacked or injured any person shall constitute a prima facie showing that such animal is vicious.

(d) Habitually barks or howls to the annoyance of any person.

(e) Is required to be licensed but is not.

(9) RABIES INOCULATION OF DOGS & CATS. The owner of every dog and cat shall have such animal inoculated with an acceptable rabies vaccine by a licensed veterinarian when the animal is 6 months or older, 1 year after and every 3 years thereafter. A certificate from a licensed veterinarian showing that the animal has been so inoculated shall be shown to any police officer, municipal judge or Human Society officer upon request.

(10) DEFINITIONS. As used in this section, the following definitions shall apply:

(a) Owner. Any person owning, harboring or keeping a dog or cat or any other animal in the Village. The occupancy of any premises on which an animal customarily returns daily for a period of 7 days is presumed to be harboring or keeping the animal with the meaning of this section and shall be considered the owner.

(b) At Large. To be off the premises of the owner and not under the control of the owner or person or persons authorized by the owner, either by leash or otherwise.

(c) Confined. The restriction of the dog, cat or other animal by the owner in a manner that shall isolate the animal from the public and other animals.

(11) CERTIFICATE OF INOCULATION REQUIRED. No license shall be issued hereunder any dog or cat unless the applicant exhibits a certificate of a qualified veterinarian showing that the dog or cat has been inoculated for rabies and distemper within 3 years prior to application. The necessary certificates together with the corresponding tag shall be obtained from a licensed veterinarian. The certificate shall contain provisions for inserting information including name and address of the owner of the animal, date of inoculation, number of tag, breed, age, color and sex of dog and such other information as may be required. A corresponding tag of durable material shall be attached to the collar or harness of the animal as evidence of such inoculation. The tags shall be numbered and contain the address and telephone number of the inoculation clinic or hospital.

(12) RABIES TAG. Each veterinarian after inoculating a dog or cat shall insert in each triplicate certificate the required information thereby and present on copy to the owner of the animal, retain one copy and retain one copy for the County Humane Society official. The veterinarian shall deliver the corresponding tag to the animal owner and the owner shall immediately attach the same to the collar or harness of the animal. The rabies tag affixed to the collar of the animal shall be worn at all times, unless the animal is accompanied by and under the control of the owner or persons authorized by him for hunting or training for hunting, in which case the rabies tag or certificate shall be carried by the person in control of the animal. No person shall transfer rabies tags from one animal to another.

(13) IMPOUNDING ANIMALS. In addition to the penalties hereinafter provided for violation of (12), any Village police officer or Humane Society officer of the county may impound any such animal which does not carry the required tag. Any animal will be, as soon as practical, be transported to the County Humane Society for boarding and/or

disposal of in accordance to the County Humane Society's current policies. Any impounded animal, once released to its owner, must meet all inoculation and license requirements defined in the chapter after returning to the Village. Failure of the owner to show proof of such at the Village Office within 10 days, shall deem the animal at large and subject to forfeitures as defined in §12.04(5).

(14) ANIMAL BITES.

(a) No person knowing that an individual has been bitten by an animal shall refuse to notify, within 24 hours, the police or other officer with the delegated authority who is responsible for the geographical area where the bite occurred.

(b) When the police or other officer with the delegated responsibility receives information that any person has been bitten by an animal, he shall have the owner confine the animal under the observation of a licensed veterinarian for 10 days beginning within 24 hours of the biting incident. The animal may be confined in the house of its owner in a manner which shall prohibit it from biting any person or animal if the police or other designated officer or licensed veterinarian adjudges such confinement satisfactory.

1. When the biting animal is currently inoculated with rabies vaccine, the animal's health shall be observed by a licensed veterinarian on the first and tenth days of the observation period for rabies.

2. When the biting animal is not currently inoculated with rabies vaccine, the animal's health shall be observed by a licensed veterinarian on the first, fifth and tenth days of the observation period for rabies.

(c) If the animal confined is determined not to be infected with rabies at the end of the period of confinement, it may be released from quarantine. The animal owner shall show proof of rabies inoculation and shall pay any fee, charge or penalty including any fee for veterinarian services attributed to the bite.

(d) No owner of a biting animal shall euthanize, sell, give away or otherwise dispose of the or have inoculated against rabies the animal known to have bitten a person until it has been released from confinement for observation for rabies by the veterinarian. No owner shall reuse or fail to comply with the written or printed instructions made by the police or other designated officer. If such instructions cannot be delivered in person, they shall be mailed to the owner of such animal by regular mail, postage prepaid. The affidavit or testimony of the police or other designated officer delivering or mailing such instructions shall be prima facie evidence that the owner of such animal was notified of his responsibilities. Any person violating any provisions of this section or counterfeiting or forging any certificate, permit or tag, or resisting, obstructing or impending any authorized officer in enforcing this section shall be punishable by a forfeiture not to exceed $200.

(15) CONFINEMENT AND DISPOSITION. (Section A amended 4-5-05)

(a) Confinement of Animals. The Police Department or any officer appointed by the Village Board shall apprehend an animal running at large within the Village or any animal which does any of the things prohibited in subsection (6) of the subsection and confine the same in a suitable place. Any animals caught in live traps will be the responsibility of the person setting such traps.

(b) Owner or Keeper to Pay Costs. The owner or keeper of any animal so confined may reclaim such an animal at any time before the same is disposed of upon payment of all costs and charges incurred in apprehending, keeping or caring for it. Such costs and charges may include expenses for inoculations or other medical treatment of the animal.

(16) PROTECTED AND WILD ANIMALS PROHIBITED

(a) Possession and Sale of Protected Animals. It shall be unlawful for any person to possess with intent to sell or offer for sale, or buy or attempt to buy, within the Village limits any protected animal, alive or dead or any part of product thereof.

(b) Wild Animals. It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the Village limits, any poisonous reptile or any other dangerous or carnivorous wild animal, insect or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities.

(c) Farm Animals/Domesticated Animals or Fowl (Created 3/9/09). It shall be unlawful under this section, to have on any premises, inside or out, caged or not, any farm type of animal or fowl. (ie.; but not limited to; cows, sheep, goats, ducks, chickens or the like).

The only exception shall be on the premises of a slaughter house and then only held for slaughter, not for raising. Slaughter houses are consider to be slaughter houses when in proper zoned areas, and under the control of the State of Wisconsin Department of Agriculture as a business. Private residences which are located in a residential zoned area, can not apply as slaughter houses.

(d) Exceptions. The prohibitions of this subsection shall not apply where the creatures are in the care, custody or control of:

1. Veterinarian for treatment.
2. Agricultural fairs, shows, projects for judging purposes.
3. Carnivals or circuses.
4. Educational institutions.
5. Farm animals in areas zoned agricultural, or held for slaughter at a slaughter house (wholesale or resale).

(17) ENFORCEMENT. The Chief of Police or his qualified assistants shall be responsible for the apprehension and confinement of animals as herein provided; and such officer shall apprehend and confine animals as provided in this section and may enforce this section, including the right to commence actions for the collection of any forfeiture imposed by this chapter. Such action shall be brought in the name of the Village.

12.05 PEDDLERS, CANVASSERS, SOLICITORS & TRANSIENT MERCHANTS.

(1) DEFINITIONS

(a) Canvasser or Solicitor. A canvasser or solicitor is a person who goes from place to place within the Village limits soliciting orders for the future delivery of property or for services to be performed in the future, including any person who occupies any place within the Village for the purpose of exhibiting samples and taking orders for future deliveries.

(b) Peddler. A peddler is a person who goes from place to place within the Village offering for sale property which he carries with him, including a vendor who distributes his products to regular customers.

(c) Transient Merchant. A transient merchant is a person who engages at a fixed location in the Village in the temporary business of selling property at such location. "Transient Merchant" does not include a person who does not sell from stock, but includes a person who associates temporarily with any local business or conducts business in the name of a local merchant, dealer or auctioneer.

(2) LICENSE REQUIRED. Except as provided in subsection (3), no person shall conduct any of the activities enumerated in subsection (1), without a license therefore as provided by this section.

(3) EXEMPTIONS. No license shall be required hereunder of the following:

(a) Persons selling personal property at wholesale to dealers in such articles.

(b) Newspaper carriers.

(c) Children under 18 years of age who are residents of the Village.

(d) Merchants or their employees delivering goods in the regular course of business.

(e) Farmers or truck gardeners offering to sell products of the farm or garden occupied and cultivated by them.

(f) Any person soliciting for charitable, religious, patriotic or philanthropic purposes if the proceeds thereof are devoted solely to the purpose of the nonprofit organization.

(g) Sales required by statute or order of a court

(h) Bona fide auction sales conducted pursuant to law.

(4) INVESTIGATION FEE. At the time of filing application, the applicant shall pay a non-refundable fee as defined in §12.01 of this chapter, to cover the cost of investigation of the facts stated in the application.

(5) INVESTIGATION. The Chief of Police shall cause the applicant and the facts stated in the application to be investigated and shall within 5 days approve or disapprove the application.

(6) BOND.

(a) When Required. Every applicant, and at the time of application, who is not a resident of Manitowoc County or who represents a firm whose principal place of business is located outside of the State shall file with the Village a surety bond in the amount of $1,000, conditioned that the applicant will comply with all provisions of the Village ordinances and State laws regulating peddlers, canvassers, solicitors and transient merchants and guaranteeing to any person doing business with the licensee that all money paid as a down payment will be accounted for and applied according to the representations of the licensee and further guaranteeing that property purchased for future delivery will be delivered according to the representations of the licensee.

(b) Action on Bond. Action on such bond may be brought by any person aggrieved.

(7) EXCESSIVE NOISE PROHIBITED. No person licensed hereunder shall in hawking his wares create any noise annoying to a person of ordinary sensibilities.

(8) USE OF STREETS. No licensee shall use the public streets or sidewalks for purposes of sales in such manner as to impede or inconvenience the public use of the streets or sidewalks.

(9) DISPLAY OF LICENSE. Any person licensed hereunder shall carry his license with him while engaged in licensed activities and shall make available to any officer requesting to see such license, as well as show and announce possession of license to every person with whom they seek to do business immediately upon contact with said person.

12.06 CIRCUSES, CARNIVALS AND TENT SHOWS

(1) No person shall own, conduct or manage for gain within the corporate limits of the Village any circus, menagerie, side show, tent show of any kind or other show or performance exhibiting in portable or temporary shelter or enclosure or out of doors or operate for gain any carousel, merry-go-round, Ferris wheel or other riding device or any transient amusement without having in effect a license therefore issued by the Police Chief. Nothing in this section shall be construed to require a license for what is ordinarily termed a chautauqua, nor for any subject, performance, exhibition or show given or made mainly by citizens of the Village, none of whom makes a vocation of providing such amusements.

(2) Before a license for any such show or amusement mentioned in (1) above shall be issued the owner, manager or agent thereof shall pay the license fee provided in the fee schedule (§12.01) and shall satisfy the Police Chief that the requirements of State laws respecting such amusements have been complied with, whereupon the Police Chief may issue to such person the license for the class of performance and the period for which the fee is paid.

(3) The owner manager, or agent will provide a list of all employed by them with full name and date of birth for criminal background investigation purposes.

12.07 MOBILE HOME AND MOBILE HOME PARKS.

(1) DEFINITIONS. Whenever used in this section, unless a different meaning appears from the context:

(a) A "mobile home" is that which is , or was, as originally constructed, designed to be transported by any motor vehicle upon a public highway and designed, equipped and used primarily for sleeping, eating and living quarters or is intended to be so used; and includes any additions, attachments, annexes, foundations and appurtenance, except that a house trailer is not deemed a mobile home if the assessable value of such additions, attachments, annexes, foundations and appurtenances equals or exceeds 50% of the assessable value of the house trailers.

(b) "Unit" means a mobile home unit.

(c) "Nondependent mobile home" means a mobile home equipped with complete bath and toilet facilities, all furniture, cooking, heating, appliances and complete year-round facilities.

(d) "Dependent mobile home" means a mobile home which does not have complete bathroom facilities.

(e) "Mobile home park" means any plot or plots of ground upon which 2 or more units occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation.

(f) A "space" means a lot of ground within a mobile home park of not less than 3,200 sq. ft., with at least 40 foot of frontage accommodation of one auto and/or one mobile home unit as 7-1-80.

(g) The word "person" shall be construed to include an individual, partnership, firm, company, corporation, whether tenant, owner, lessee, licensee, agent, heir or assign.

(h) "Licensee" means any person licensed to operate and maintain a mobile home park under this section.

(i) "Park" means mobile home park.

(2) LOCATION OUTSIDE CAMPS.

(a) Except as provided in this section, no person shall park any mobile home on any street, alley or highway or other public place or on any tract of land owned by any person within the Village.

(b) Emergency or temporary stopping or parking is permitted on any street, alley, or highway for not longer than one hour subject to any further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.

(c) No person shall park or occupy any mobile home on any premises which is situated outside an approved mobile home park. The parking of only one unoccupied mobile home in an accessory private garage building or in a rear yard is permitted providing no living quarters shall be maintained or any business practiced in such mobile home while it is so parked or stored.

(3) PERMANENT OCCUPANCY.

(a) Travel trailers shall not be used a permanent place of abode or as permanent dwellings or for indefinite periods of time, except that the placing, parking or keeping of an automobile trailer or house car within the Village for a period of 48 hours as stated in Chapter 7.03(1)(b).

(b) Any action toward removal of wheels, except for temporary purpose of repair or other action to attach the trailer to the ground by means of post, piers or foundation shall subject the trailer to the requirements of the building code as well as this section.

(4) MOBILE HOME PARK LICENSE; APPLICATION AND ISSUANCE.

(a) No person shall establish, operate or maintain or permit to be established, operated or maintained upon any property owned, leased or controlled by him, a mobile home park within the limits of the Village without having first secured a license for each such park from the Village Board pursuant to this section.

(b) The application for such license or the renewal thereof shall be filed with the Village Clerk/Treasurer and shall be accompanied by the fee as defined in §12.01 of this chapter.

(c) The application for a license or a renewal thereof shall be made on forms furnished by the Village Clerk/Treasurer and shall include the name and address of the owner in fee of the tract, or agent representative, and such a legal description of the premises upon which the mobile home park is or will be located as well readily identify and definitely locate the premises. The application shall be accompanied by 2 copies of the park plan showing the following wither existing or as proposed:

1. The extend and area used for park purposes;
2. Roadways and driveways;
3. Location of units for trailers;
4. Location and number of sanitary conveniences, including toilets, washrooms, laundries and utility rooms to be used by occupants of units.
5. Method and plan of sewage disposal;
6. Method and plan of garbage removal;
7. Plan for water supply;
8. Plan for electrical lighting of units.

If existing or proposed park is designed to serve non-dependent units, such plans shall clearly set forth the location of all sewer and water pipes and connections.

(5) INSPECTION AND ENFORCEMENT. No mobile home park license shall be issued until the Village Clerk shall notify the Chief of Police, Building Inspector and the Fire Chief or their authorized agents of such application and these officials shall inspect or cause to be inspected each application and the premises to determine whether the applicant and the premises on which mobile homes will be located comply with the regulations, ordinances and laws applicable thereto. These officials shall furnish to the Village Board in writing the information derived from such investigation and a statement as to whether the applicant and the premises meet the requirements of the department for whom the officer is certifying. No license shall be renewed without a re-inspection of the premises. For the purpose of making inspections and securing enforcement such officials or their authorized agents shall have the right and are hereby empowered to enter on any premises on which a mobile home is located or about to be located and to inspect the same and all accommodations connected therewith at any reasonable time.

(6) LOCATION OF MOBILE HOME PARKS.

(a) No mobile home park shall be located in any fire district.

(b) No occupied mobile home within the limits of the Village shall be located less than 10 feet from any building or other mobile home or from the boundary line of the premises on which located.

(7) PARK PLAN.

(a) Every mobile home or mobile home park shall be located on well-drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. No mobile home or mobile home park shall be located in any area that is situated so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.

(b) Mobile home spaces shall be clearly defined and shall consist of a minimum of 1,000 ft. and a width of not less than 20 ft. The park shall be so arranged that all spaces shall face or abut on a driveway of not less than 20 ft. in width, giving each access from all units to a public street. Such driveway shall be graveled or paved and maintained in good condition, having natural drainage, be well lighted at night and shall not be obstructed.

(c) The park shall be so laid out that no dependent unit shall be located farther than 200 ft. from the toilets and service buildings provided for herein and walkways to such building shall be graveled or paved and well lighted at night.

(d) Every mobile home space shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than 30 amperes capacity and a heavy-duty outlet receptacle. Electrical outlets shall be weather proof and no power lines shall be less than 15 feet above ground.

(e) No mobile home unit shall be parked outside of a designated space.

(8) WATER SUPPLY.

(a) An adequate supply of pure water, furnished through a pipe distribution system connected directly with the public water main, with supply faucets located not more than 200 feet from any dependent trailer, shall be furnished for drinking and domestic purposes in all camps.

(b) Individual water service connections provided for direct use of an independent units shall be so constructed that they will not be damaged by the parking of such units. Such system shall be adequate to provide 20 pounds pressure per square inch and capable of furnishing a minimum of 125 gallons per day per space.

(c) No common drinking vessels shall be permitted, nor shall any drinking water faucets be placed in any toilet room.

(d) Every mobile home park serving dependent units shall provide an abundant supply of hot water at all reasonable hours for bathing, washing and laundry facilities.

(9) SERVICE BUILDINGS AND ACCOMMODATIONS.

(a) Every mobile home park designed to serve dependent units shall have erected thereon suitable buildings for housing toilets, lavatories, showers, slop sinks and laundry facilities as required by this section, such buildings shall be located not more than 200 feet from any dependent unit, space, nor closer than 15 feet from any mobile home space. Such buildings shall be a permanent construction and adequately lighted, screened and ventilated.

(b) There shall be provided separate toilet rooms for each sex in the ratio of one toilet for 8 dependent units or fraction thereof and shall have separate compartments. Every male toilet room shall also contain one urinal for each 16 dependent units but in no case shall any male toilet be without on urinal. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one lavatory to every 2 or less water closets.

(c) Separate bathing facilities for each sex shall be provided with one shower enclosed in a compartment at least 4 feet square for each 8 dependent units or fraction thereof. Each shower compartment shall be supplemented by an individual dressing compartment of at least 12 sq. ft.

(d) Each faucet shall be equipped with facilities for drainage of waste and excess water.

(e) Every trailer unit shall be provided with substantial flytight, watertight metal garbage depository from which the contents shall be removed and disposed of in a sanitary manner by the park custodian at least twice weekly between May 1 and October 15 and otherwise weekly.

(11) MANAGEMENT.

(a) In every mobile home park there shall be located the office of the attendant or person in charge of the park. A copy of the park license and this section shall be posted therein and park register shall at all times be kept in such office.

(b) It is hereby made the duty of the attendant or person in charge, together with the licensee to:

1. Keep a register of all guests, to be open at all times to inspection by local, state and federal officers and the trailer committee which shall for all guests:

    a. Names and addresses.
    a. Number of children of school age.
    b. State of legal residence.
    c. Date of entrance and departure.
    d. License numbers of all trailers and towing or other vehicles.
    e. State issuing such license.
    f. Purpose of stay in camp.
    g. Place of last location and length of stay.
    h. Place of employment of each occupant.

2. Maintain the camp in a clean, orderly and sanitary condition at all times.

3. Insure that the provisions of this section are complied with and enforced and report promptly to the proper authorities any violations of this section or any other violations of law which may come to his attention.

4. Report to the Manitowoc County health officer all cases of persons or animals affected or suspected of being affected with any communicable disease.

5. Maintain in convenient places, approved by the Fire Chief, hand fire extinguishers in the ratio of one to each 8 units.

6. Collect the monthly parking permit fee provided for in subsection 13. A book shall be kept showing the names of the person paying such services charges and the amount paid.

7. Prohibit the lighting of open fires on the premises.

(12) APPLICABILITY OF PLUMBING, ELECTRICAL AND BUILDING CODES. All plumbing, electrical, building and other work on or at any park licensed under this section shall be in accordance with the ordinances of the Village and the requirements of the State plumbing, electrical and building codes and the regulation of the State Department of Health and Social Services. Licenses and permits granted under this section grant no right to erect or repair any structure, to do any plumbing work or to do any electrical work.

(13) MONTHLY PARKING FEE.

(a) There is hereby imposed on each owner of a nonexempt, occupied mobile home in the Village of monthly parking permit fee determined in accordance with §66.058(3), Wis. Stats. which is hereby adopted by reference and made part of this section as if fully set forth herein. It shall be the full and complete responsibility of the licensee to collect the proper amount from each mobile home owner, and remit the monthly fees collected to the Village Clerk/Treasurer. Licensees and owners of mobile homes permitted to be located on land outside a mobile home park shall pay to the Village Clerk/Treasurer such parking fees on or before the 10th of the month following the month for which such fees are due in accordance with the terms of this section and such regulations at the Clerk/Treasurer may reasonably promulgate.

(b) Licenses of mobile home parks and owners of land in which are parked any occupied, nonexempt mobile homes shall furnish information to the Village Clerk/Treasurer on such homes added to their park or land within 5 days after arrival of such home on forms furnished by the Village Clerk/Treasurer in accordance with §66.058(3) (c) and (e), Wis Stats.

(c) Owners of nonexempt, occupied mobile homes, upon receipt of notice from the Village Clerk/Treasurer for their liability for the monthly parking permit fee, shall remit to the Village Clerk/Treasurer a cash deposit of $25 to guarantee payment of such fees when due to Village Clerk/Treasurer. It shall be the full and complete responsibility of the licensee of a mobile home park to collect such cash deposits from each occupied, nonexempt mobile home therein and remit such deposit to the Village Clerk/Treasurer. Upon receipt of a notice from the owner or licensee that the nonexempt, occupied mobile home has been or is about to be removed from the Village, the Village Clerk/Treasurer shall apply such cash deposit to reduce any monthly parking permit fees for which such owner is liable and refund the balance, if any, to such owner.

(14) TENANT OCCUPANCY NOTIFICATION. The licensee of any mobile home park shall furnish as soon as practicable the name and lot number of any new tenants moving into the mobile home park or any tenants which may be vacating a mobile home.

(15) REVOCATION AND SUSPENSION. The Village Board may revoke any license issued under this section pursuant to §66.058, Wis. Stats.

12.08 **TAXICAB VEHICLE LICENSE AND TAXICAB DRIVER'S LICENSE.** The purpose of this ordinance shall be to regulate taxicab and livery companies in order to promote safety on the Village streets of Valders, Wisconsin and to ensure the protection of our citizens and visitors. In order to prevent fraudulent transactions, this ordinance prohibits unlicensed taxicab and livery companies from taking customers as a vehicle for hire. The Village of Valders Wisconsin does hereby declare that the public health, safety and welfare of the citizens of Valders and others require regulation of taxicab companies and liveries, as well as other vehicles for hire. The Village is hereby authorized to regulate all companies with vehicles for hire in the interest of safety and security, thus requiring certain conditions for those operating such companies.

(1) DEFINITIONS. Taxicab. A taxicab shall be defined to mean all vehicles carrying or soliciting passengers for hire, compensation, or reward in the, Village of Valders with the following exceptions:

(a) Vehicles operated on established routes, regulated by the Wisconsin Public Service Commission and regulated by the State of Wisconsin.

(b) Ambulances licensed.

(c) Vehicle operated by volunteer organizations whose drivers are not compensated.

(2) TAXICAB VEHICLE LICENSE.

(a) No taxicab shall be operated on the streets of the Village of Valders for which a license has not been issued under this section. This requirement shall not apply to taxicabs used exclusively for trips which do not originate and terminate in the Village. Licenses shall be issued on an annual basis, expiring June 30th. Origination shall be defined by the place at which the passenger(s) enters the vehicle. Terminate shall be defined by the place at which the passenger exits the vehicle.

(b) License Permit. The Village Board shall approve a permit to each taxicab licensed hereunder, which permit shall be nontransferable to any other vehicle. The license permit shall be attached in a conspicuous place in the rear passenger compartment of the vehicle.

(3) TAXICAB VEHICLE LICENSING PROCEDURE.

(a) Application. Application for a taxicab vehicle license shall be made by the owner hereof upon blank forms to be furnished by the Village Clerk.

(b) License Fee. The annual nonrefundable taxicab license fee shall be $50.00, shall
be submitted with the application.

(c) Insurance. No taxicab vehicle license shall be issued unless and until the applicant shall have filed with the Village Clerk a certificate of insurance in a form satisfactory to the Village Clerk, demonstrating that the owner is carrying liability insurance with limits of at least $300,000 per occurrence combined single limit bodily injury and property damage, or applicable limits as determined by State Law, issued by a company authorized to do business in the State of Wisconsin. The certificate of insurance shall also provide that the policy cannot be canceled until at least 20 days' written notice of such cancellation shall have been given to the Village Clerk. Any such cancellation of the insurance required hereunder shall be grounds for immediate revocation of the taxicab vehicle license.

(d) Inspection. No vehicle shall be licensed hereunder that exceeds (10) years of age and must meet all applicable equipment and safe operational laws as established by the Department of Transportation.

(e) Issuance. Following completion of all vehicle licensing requirements, the Police Chief shall authorize the Village Clerk to issue a taxicab vehicle license to the applicant. Any applicant whose taxicab vehicle license application is denied may appeal such denial to the Finance Committee of the Village Board.

(4) TAXICAB REGULATIONS.

(a) Fares Posted. Each taxicab shall have a card with the fares printed in plain legible figures thereon posted in a conspicuous place visible to any passenger and such fares shall also be given to the Valders Police Department. Any change in fare fees shall also be posted and provided to the Valders Police Department.

(b) Trip Logs to be maintained. Every fare shall be logged on daily log sheet to be provided by the taxicab company and driver to log each trip indicating place of pick up/ drop off/ time start of trip/ time stop of trip/ number of passengers and gender of passenger/s. Same procedure must be adhered to for any packages transported. Such logs must be available to any Law Enforcement Officer upon request.

(5) TAXICAB DRIVER'S LICENSES.

(a) Taxicab Driver's License Required. No person shall be permitted to operate a taxicab for which a taxicab vehicle license is required hereunder without first obtaining a taxicab driver's license under this section. It shall be unlawful for any person, firm or corporation to employ as a driver of any taxicab any person other than a driver duly licensed under this section.

(b) License Fee. The fee for a taxicab driver's license shall be $15.00. The nonrefundable license fee shall be submitted with the license application to the Village Clerk's office. Each license shall expire on June 30th of the year after issuance.

(c) License Requirements. Applicants for a taxicab driver's license shall be at least 18 years of age, holding a valid Wisconsin driver's license, and not have an arrest or conviction record, subject to Wis. Stat.§§ 111.321, 111.322 and 111.325 to include any of the following in the last (10) ten years:

- Any Felony crimes
- Any crime involving the sale or possession of any controlled substance in any State
- Operating while intoxicated or under the influence of drugs or any other alcohol or drug related offense
- Vehicular manslaughter
- Reckless driving
- Any sex crimes

If at any time it is determined that the driver has been convicted of any of the aforesaid crimes, the certificate holder shall not be permitted to operate a taxi cab vehicle in the Village of Valders. If this is determined at the time of application that the application contains false information, there is improper insurance or the person fails the back ground check, the fee paid for the application shall be forfeited.

If the owner of said business allows a driver to operate a taxi cab vehicle within the Village of Valders after having knowledge of any aforesaid crimes or is aware of inadequate insurance coverage, the business license may be suspended or revoked by order of the Village Board, in conjunction with any other State law violations and appropriate penalties that may be imposed

(d) Application. Application for a taxicab driver's license shall be made by the applicant upon forms to be furnished by the Village Clerk.

(e) Approval Process. After receipt of a license application form and payment of a nonrefundable fee, the Police Department shall review the form and make an initial determination within (10) ten working days as to whether or not the taxicab driver's license shall be granted. If the Police Department's initial determination is to grant the taxicab driver's license, the Village Clerk shall issue a license. If the Police Department's initial determination is to deny the taxicab driver's license, the applicant may appeal the decision within 30 days of receipt of notice of such denial, pursuant to subsection (6) of this section.

(f) Issuance of License. The Taxi Cab Driver shall have in their possession issued by the taxicab Company, a picture identification card upon the granting of a taxicab driver's license. Each licensee shall prominently display this identification card on his or her person at all times while employed as a taxicab driver. The licensee shall not permit any other person to use their identification card and such identification shall only be valid as long as the taxicab driver is operating for the issuing cab company.

(6) APPEAL OF DENIAL.

(a) Appeal of Denial. Any applicant whose application for a taxicab driver's license has been denied may appeal the denial within 30 days of receipt of the denial notice to the officer, employee, agent, committee, board, commission or body issuing the notice of denial, requesting review of the determination by submitting in writing the grounds upon which the applicant contends that the decision should be modified or reversed.

(b) Request for Review. A request for review shall be set for a hearing before the Finance Committee and the Committee shall serve the applicant with notice of such hearing at least 10 days prior to the hearing.

(c) Hearing Procedure. Wis. Stat. Ch. 68 is incorporated into this section by reference as amended and modified from time to time, and any denial hearing shall be conducted pursuant to Wis. Stat. § 68.11.

(7) LICENSE REVOCATION OR SUSPENSION. The procedure for suspension or revocation of any license issued under this section shall be in accordance with Wis. Stat. Ch. 68.

(8) PENALTIES. Any person in violation of any provision of this section shall be subject to a forfeiture of not less than $50.00 nor more than $500.00.

12.09-12.19 RESERVED.

12.20 PENALTY

In addition to the suspension or revocation of a license issued under this chapter, any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided by §25.04 of this Municipal Code.