

Town of Grant
Shawano County, Wisconsin
2010-01

ORDINANCE ESTABLISHING PROVISIONS FOR THE
LICENSING OF THOSE WHO SELL OR DEAL IN ALCOHOL BEVERAGES

The Town of Grant does hereby adopt this ordinance in its entirety governing the provisions for the issuance of licenses to individuals who sell or deal in alcohol beverages in the Town of Grant.

Section 1: Operator's License Required:

1. Except as provided under Sec. 125.32(3)(b) and Sec. 125.07(3)(a) 10, Wis. Stats., no premises operated under a Class "A", Class "B", or "Class C" license may be open for business unless there is upon the premises the Licensee, the agent named in the license if the Licensee is a corporation, or some person who has an operator's license and who is responsible for the acts of all persons serving any fermented malt beverages to customers.
2. Any person holding a manager's license under Sec. 125.18, Wis. Stats., or any member of the Licensee's immediate family who has attained the age of eighteen (18), shall be considered the holder of an operator's license.
3. No person, including a member of the Licensee's immediate family, other than the Licensee or agent, may serve fermented malt beverages in any place operated under a Class "A", Class "B", or "Class C" license or permit unless he or she has an operator's license or is at least eighteen (18) years of age and is under the immediate supervision of the Licensee, agent or a person holding an operator's license, who is on the premises at the time of the service.

Section 2: Operator's License Application. See §125.17, Wis. Stats.

1. Operator's licenses may be granted to individuals by the Town Board for the purpose of complying with §§125.32(2) and 125.68(2), Wis. Stats.
2. Operator's licenses may be issued only on written application on forms provided by the Town Clerk only to persons eighteen (18) years of age or older.
3. The Town Clerk or his/her designee shall request the Crime Information Bureau of the Wisconsin Department of Justice to conduct a criminal history search of all initial (first time) applicants for an operator's license, liquor license or agent of a corporation.
4. Operator's licenses shall be operative only within the limits of the Town.

Section 3: Operator's License Duration and Fees:

1. Operator's licenses shall be valid for one year and shall expire on June 30 of each year.
2. The fee for an initial (first time) operator's license shall be \$12.00.
3. The fee for a renewal operator's license shall be \$5.00.

Section 4: Operator's License Denial, Issuance, or Revocation:

1. The application, supporting documentation, and appropriate fee for operator's licenses must be filed with the Town Clerk at least ten (10) days prior to Town Board approval.
2. After the Town Board approves the granting of an operator's license, the Town Clerk shall issue the license. Licenses shall be issued and numbered in the order they are granted and shall give the applicant's name and the date of the expiration of such license.
3. An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender. For purposes of this licensing procedure, "habitually been a law offender" is generally considered to be an arrest or conviction of at least two (2) offenses which are substantially related to the licensed activity within the five (5) years immediately preceding the license application.
4. Because a license is a privilege, the issuance of which is a right granted solely to the Town Board, the Town Board reserves the right to consider the severity and facts and circumstances of the offense when making the determination to grant, deny or not renew a license.
5. Further, the Town Board, at its discretion, may, based upon an arrest or conviction record of two (2) or more offenses which are substantially related to the licensed activity within the five (5) years immediately preceding, act to suspend such license of any current licensee for a period of one (1) year or more.
6. The Town Board reserves the right to conduct criminal history searches on existing Town of Grant license holders at any time during a licensing period.

This ordinance shall take affect after its passage and posting as provided by law.

Adopted this 2nd day of August, 2010 by the Town Board of the Town of Grant, Shawano County, Wisconsin.

_____/S/
Richard Britzke, Chairman

_____/S/
Dale Klitz, Supervisor

_____/S/
Bill Bowers, Supervisor

Attest:

_____/S/
Kay Blum, Clerk