

ORDINANCE #4-2018  
REQUIRING PAYMENT OF LOCAL CLAIMS AS CONDITION OF OBTAINING OR  
RENEWING TOWN ISSUED LICENSES

SECTION 1.0 INTRODUCTION

1.01 Purpose

The purpose of this ordinance is to ensure the Town of Holland is financially protected before additional services are provided.

1.02 Authority

The Town Board of the Town of Holland has been authorized to exercise village powers pursuant to ss. 60.10(2)(c) and s. 60.22(3), Wis. Stats. The Town Board adopts this ordinance under its general village powers authority and s. 66.1014 of the Wisconsin Statutes.

1.03 Severability

This ordinance and its individual provisions are declared to be severable. If any section, clause, provision, or portion of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, this decision shall not affect the validity of the ordinance as a whole. All parts of the ordinance not declared invalid or unconstitutional shall remain in full force and effect.

1.04 Conflict

If any part of this ordinance is found to be in conflict with any other ordinance or with any other part of this ordinance, the most restrictive or highest standard shall prevail. If any part of this ordinance is explicitly prohibited by federal or state statute that part shall not be enforced.

SECTION 2.0 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.

SECTION 3.0 NEW APPLICANTS

New applicants for municipal licenses who are in a current state of delinquency on any local claim will be denied a license.

## SECTION 4.0 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.

## SECTION 5.0 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.

## SECTION 6.0 EFFECTIVE DATE

Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats.

Adopted by the Holland Town Board of the Township of Holland, La Crosse County, Wisconsin, this 12<sup>th</sup> day of September, 2018.

By:  
Steven Michaels, Town Chair

Attest:  
Marilyn Pedretti, Town Clerk

Posted: 9/17/18