

## Chapter 209

### LICENSES AND PERMITS

**[HISTORY: Adopted by the Village Board of the Village of Hustisford 3-28-1994 as Title 7, Ch. 10 of the 1994 Code. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Animals — See Ch. 120.  
Fireworks — See Ch. 179.  
Intoxicating liquor and fermented malt beverages — See Ch. 198, Art. I  
Massage establishments — See Ch. 215.  
Street use permits — See Ch. 277, Art. III.  
Cigarette license — See Ch. 287, Art. I.  
Transient merchants — See Ch. 291.  
Fees — See Ch. A330.

#### **§ 209-1. Licensees required to pay taxes, assessments and claims.**

- A. Nonpayment of taxes or forfeitures. The Village shall not issue or renew any license to transact any business within the Village of Hustisford:
- (1) For any purposes for which taxes, assessments or other claims of the Village are delinquent and unpaid.
  - (2) For any person who is delinquent in payment of:
    - (a) Any taxes, assessments or other claims owed the Village; or
    - (b) Any forfeiture resulting from a violation of any Village ordinance.
- B. Applicability. This section shall apply to licenses issued pursuant to the provisions of Chapter 179, Fireworks, Chapter 198, Intoxicating Liquor and Fermented Malt Beverages, Article I, Licensing, Chapter 215, Massage Establishments, Chapter 277, Article III, Street Use Permits, Chapter 287, Article I, Cigarette License, and Chapter 291, Transient Merchants, of this Code.
- C. Denial of renewal. An application for renewal of a license subject to this chapter shall be denied pursuant to the provisions of Subsection A only following notice and opportunity for hearing as provided by Subsection D below.
- D. Hearing. Prior to any denial of an application for renewal of a license, including denials pursuant to Subsection A, the applicant shall be given notice and opportunity for a hearing as hereinafter provided:
- (1) With respect to licenses renewable under Chapter 198, Intoxicating Liquor and Fermented Malt Beverages, Article I, Licensing, of this Code, notice and opportunity for hearing shall be as provided by § 125.12, Wis. Stats., as amended from time to time.

- (2) With respect to licenses other than those described in Subsection D(1) herein, the Village Board or its assignee shall notify the applicant in writing of the Village's intention not to renew the license and shall provide the applicant with an opportunity for hearing. The notice shall state the reasons for the intended action and shall establish a date, not less than three days nor more than 10 days after the date of the notice, on which the applicant shall appear before the Village Board. If the applicant shall fail to appear before the Board on the date indicated on 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 that the reasons for nonrenewal exist, the Village Board shall conduct a hearing with respect to the matter. At the hearing, both the Village and the applicant may produce witnesses, cross-examine witnesses and be represented by counsel. The applicant shall, upon request, be provided a written transcript of the hearing at the applicant's expense. If the Village Board determines the applicant shall not be entitled to renewal pursuant to Subsection A, the application for renewal shall be denied.
- E. Other grounds for hearing. Where an individual, business or corporation wishes to appeal the Village Clerk-Treasurer's decision not to issue a license or permit under the chapters enumerated in Subsection B on grounds other than those specified in Subsections A through D above, the applicant may file a request in writing with the Village Clerk-Treasurer that the matter be referred to the Village Board. A public hearing shall be scheduled within 14 calendar days by the Village Board. All parties may be represented by counsel. The Board shall consider all relevant information and shall render a decision which shall be binding.

**§ 209-2. General license procedure.**

- A. Application. Applications for licenses under this Code shall be made to the Village Clerk-Treasurer on a form furnished by the Village. Such application shall contain such information as may be required by the provisions of this chapter or as may be otherwise required by the Village Board.
- B. Payment of license fee. License fees imposed under the Village Fee Schedule<sup>1</sup> shall accompany the license application. If a license is granted, the Village Clerk-Treasurer shall issue the applicant a receipt for his license fee.
- C. Refund of license fee. No fee paid shall be refunded unless the license is denied.
- D. Form of license. All licenses issued hereunder shall show the date of issue, the activity licensed, and the term of the license and shall be signed by the Village Clerk-Treasurer and be impressed with the Village Seal, if any.
- E. Record of licenses. The Village Clerk-Treasurer shall keep a record of all licenses issued.
- F. Display of licenses. All licenses hereunder shall be displayed upon the premises or

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1. Editor's Note: See Ch. A330, Fees.

vehicle for which issued or if carried on the person shall be displayed to any officer of the Village upon request.

- G. Compliance with ordinances required. It shall be a condition of holding a license under this Code that the licensee comply with all ordinances of the Village. Failure to do so shall be cause for revocation of the license.
- H. Transfer of licenses. All licenses issued hereunder shall be personal to whom issued and shall not be transferred except with the consent of the Board.
- I. 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 licensed premises at all reasonable hours for the purposes of inspection and search and consents to removal from the premises and introduction into evidence in prosecutions for violations of this Code all things found therein in violation of this chapter or state law.