

ORDINANCE REQUIRING PAYMENT OF LOCAL CLAIMS AS CONDITION OF OBTAINING, RENEWING, OR MAINTAINING TOWN ISSUED LICENSES OR PERMITS

Town of Saratoga

State of Wisconsin, Wood County, Ordains as follows:

1. **DELINQUENCY:** As a condition of obtaining, renewing, or maintaining a license or permit, all local taxes, assessments, special charges, or other fees, including but not limited to municipal forfeitures from a violation of any town ordinance, whether personal to the applicant, or to the business entity, or to the site for which the license or permit is being sought, 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, as the case maybe, place the licensee or permittee in a state of delinquency.
2. **NEW APPLICANTS:** New applicants for municipal licenses or permits who are in a current state of delinquency on any local claim will be denied a license or permit.
3. **NOTICE REQUIREMENTS FOR RENEWAL APPLICATIONS:** Prior to any denial of an application for renewal of a license or permit, the applicant shall be given notice and opportunity for a hearing as hereinafter provided: Upon compliance by any person, or at board discretion, and following board review and approval, written notice shall be given to the licensee or permittee 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 or permittee'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 clerk shall also see that the hearing notice is properly posted or published, in compliance with the state open meetings law.
4. **REVOCAION OF EXISTING LICENSE OR PERMIT:** If the holder of any permit or license issued by the Town is in a state of delinquency as set forth in Section 1 above, the Town may take action in a public meeting to revoke said license or permit.
5. **HEARING PROCEDURES:** 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.
6. **SEVERABILITY:** In the event any portion of this ordinance is or becomes invalid or illegal, the remaining portions shall remain in full force and effect.
7. **REVOCAION OF PREVIOUS ORDINANCE:** Town of Saratoga Ordinance 4-2-14 shall be revoked upon passage of this ordinance.
8. **EFFECT:** This ordinance shall take effect upon passage and publication.

Adopted by the Town Board of the Town of Saratoga this 3rd day of July, 2019.

Terry Rickaby
Chairman

Patty Heeg

Patty Heeg
Supervisor

John Frank

John Frank
Supervisor

Douglas Passineau

Douglas Passineau
Supervisor

Danny Forbes

Danny Forbes
Supervisor

Heidi Kawleski

Heidi Kawleski
Clerk