

SECTION 13
TOWN OF Humboldt
LICENSE AND PERMIT ORDINANCE

Town of Humboldt

LICENSES AND PERMITS ORDINANCE

Section 1. Authority

The Town of Humboldt Town Board as authorized by Sections 60.10(2) (c) and 60.22 (3) Wis. Stats, and pursuant to its authority an responsibility for the management and control of Town finances, and the Boards power to act: for the government and good order of the Town; for the Town’s commercial benefit; and for the health, safety, welfare and convenience of the public, and its authority to carry the Town Board’s powers into effect by license, regulation, suppression and other necessary or convenient means, hereby enacts the following ordinance to be included henceforth as Section 13 of the Town of Humboldt Code of Ordinances.

Section 2. Licenses required

A license shall be required for the sale of each of the following or the conduct of the business or activity. The license fee shall be for one (1) year unless otherwise indicated as a onetime charge. The license fee amounts are those contained in the applicable current statute(s), regulations or ordinances.

2.1 Fermented Malt beverages

- 2.1.1 Class A license
- 2.1.2 Class B license
- 2.1.3 Class B permit
- 2.1.4 Wholesalers license

2.2 Intoxicating liquor

- 2.2.1 Retail Class A license
- 2.2.2 Retail Class B license
- 2.2.3 Retail Class C license
- 2.2.4 Retail Class B permit
- 2.2.5 Temporary Class B permit

2.3 Manager and Operator License

- 2.3.1 Manager’s license – Class B license
- 2.3.2 Operator’s license – Class A premises
- 2.3.3 Operator’s license – Class B premises

- 2.4 Mobile home park license: annual license fee; and transfer fee
- 2.5 Artificial Lake excavation permit application fee
- 2.6 Excavation permit (Article XVI zoning ordinance)
- 2.7 Building permit
- 2.8 Demolition Permit
- 2.9 Remodeling permit
- 2.10 Conditional use permit
- 2.11 Variance permit
- 2.12 Satellite dish permit
- 2.13 Planned residential development district permit
- 2.14 Sexually oriented adult entertainment establishment annual license fee

Section 3. Issuance and Revocation of Licenses

3.1 License required. No person shall engage in any business or activity enumerated in Section 2 above, without a license or permit therefore as provided by this Section. The words “license” and “permit”, as used throughout this ordinance, shall be interchangeable.

3.2 Granting of Licenses. The Town Clerk shall issue all permits and licenses unless otherwise provided in a separate ordinance (e.g., zoning ordinance). The granting authority in all instances shall require that the Town Treasurer confirm the applicants compliance with this ordinance prior to the issuance of any such license or permit.

Section 4. Licenses – Payment of Taxes and Other Obligations

The following are conditions precedent to the issuance of any required license or permit. Payment of all the following delinquent obligations shall be made in full prior to the issuance of any such license or permit:

- 4.1 The payment of all personal property taxes and special assessments lawfully imposed by the Town of Humboldt and all other forfeitures or judgements due and owing from the applicant to the Town of Humboldt at the time of license or permit is issued
- 4.2 The payment of all amounts owing as describe in the Section 4.1 above is a condition precedent to the granting of such a license or permit, relating to the

property or business previously licensed, if the new license is granted consequent or conditionally upon the sale or transfer of the business or stock in trade or furnishings or equipment of the premises or the sale or transfer of the ownership or control of the entity which was previously licensed.

- 4.3 No license or permit shall be issued until the Town Treasurer has certified on the application that all required payments have been made, unless other arrangements are made and approved by resolution of the Town Board.

Section 5. Disputes, Errors and Appeal

- 5.1 A determination as to any dispute arising under this Section shall be made pursuant to a hearing before the Town Board. The hearing shall be a due process hearing conducted upon due notice. The Town Board shall make written findings of fact and issue its written decision within ten (10) days of the conclusion of the hearing.
- 5.2 Alleged errors in amounts claimed due may be appealed to the Town Board. However, the Town Board shall have no authority to review any matter for which a specific review or appeal procedure has been mandated by another statute or other ordinance.
- 5.3 Within five (5) working days of being informed of an amount claimed due, the person seeking a Town Board hearing shall pay the amount claimed and file a notice of appeal with the Clerk. The notice of appeal shall state the basis for the appeal and specify the alleged error(s). Upon such payment, the applicant may file the application for and receive the license or permit if otherwise qualified.
- 5.4 As soon as practical, but in any event within sixty (60) days, the Town Board shall hold a hearing at which the person shall present evidence to substantiate the claimed error, call witnesses in the person's own behalf, cross examine witnesses, and the person may be represented by legal counsel.
- 5.5 After holding the hearing, the Town Board shall by majority vote make written findings of fact and conclusions and shall correct any established error(s). Any amount improperly required to be paid, shall be refunded to the person promptly, together with interest at the rate of twelve percent (12%) per annum, from the date the amount paid to the Town to the date of refund.

Section 6. Non-Exclusivity

Adoption of this ordinance does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the subject matter or other matters. The initiation of action pursuant to this Ordinance shall not preclude the Town Board or any authorized officer of the Town from

proceeding under any other ordinance or law, or by any other enforcement method, to enforce any ordinance, regulation, law or order.

Section 7. Severability

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 8. Effective Date

This ordinance shall take effect the day after its publication or posting as confirmed by the certificate of publication or posting issued by the Town Clerk.

Adopted this 3rd day of November 2003.



Norbert Dantine, Jr.

Town Chairman

ATTEST:



Judy Baierl

Town Clerk

