

1 TOWN OF FOUNTAIN PRAIRIE

2 ORDINANCE # FP ORD 2005-03

3 CONTINUING BUSINESS ORDINANCE

4 The Town of Fountain Prairie, Columbia County, does ordain as follows:

- 5 1. It shall be a condition of maintaining and keeping a license in
6 this town, that the licensee continue in business. Issuance of, or
7 retention of, a license by a party not doing business, is hereby
8 declared to be against public policy, and lacking in usefulness.
- 9 2. "Business continuation" is hereby defined to be: 5 days a month or
10 60 days a year.
- 11 3. In the event any licensed party violates this ordinance,
12 disciplinary action may be taken by the town board, including
13 reprimand, suspension of the license for a specified number of days
14 (up to 90 days), or revocation of the license. Any license that has
15 been revoked shall not be reinstated within the following six
16 months. Any disciplinary action taken shall follow notice to the
17 licensee prior to a hearing. Both the hearing notice, which will
18 include the reason for the hearing, and the decision of the board,
19 will be sent by first class mail to the last known address of the
20 licensee, or personally served, at the option of the town
21 chairperson.
- 22 4. In the event disciplinary action is taken against an alcohol
23 licensee, the state procedure mandated under present Wisconsin State
24 Statute 125.12, or its successor, will be followed. At present,
25 said procedure requires personal service of the hearing notice
(summons) and complaint, and a hearing within 3-10 days thereafter.
5. There shall be no refund of any license fee paid to a party whose
license is revoked.
6. In lieu of a hearing, the town board may accept surrender of the
license, and the board shall then determine the time period before
another application for the same type of license will be accepted
from the former licensee.
7. Evidence and testimony at the hearing shall be done in open
session. Pursuant to 19.85 (1) (a), the board may go into closed
session to deliberate with regard to its decision, where that
possibility has been listed on the hearing notice posted or
published. The Clerk shall see that the hearing notices is posted
or published, in a format acceptable to the chairperson.
8. 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.

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9. EFFECT. This ordinance shall take effect following passage, and posting in three public places by the Clerk.

____~S~_____
Steven D. Rubert, Chair

____~S~_____
Steven R. Jacob, Supervisor

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William Gretzinger, Supervisor

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Eugene L. Niehoff, Supervisor

____~S~_____
Carl T. Benck, Supervisor

PASSED ON: December 14, 2005

VOTED FOR: 5 AGAINST 0

POSTED ON: December 27, 2005

POSTED AT: Town Hall; Fall River Post Office; Mickelson's Mill

By: _____
Town of Fountain Prairie
Donna L. Waterworth,
Clerk
P.O. Box 16
Fall River, WI 53932