

**Chapter 22**

**Businesses\***

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\***Cross References** – Alcoholic Beverages, Chapter 6; Peddlers and Solicitors, Chapter 70; Taxation, Chapter 90; Utilities, Chapter 98; Home Occupations, Appendix A, § 17.27; Performance Standards for Industrial and Commercial Uses, Appendix A, § 17.42.

## Article I. In General

Sections 22-1 – 22-30. Reserved.

## Article II. Licenses

### Section 22-31. Fees.

A license shall be required for the sale of each of the following or the conduct of the business or activity at the indicated license fee. The license fees shall be for a period of one year unless otherwise indicated.

(1) Building Permits, see Chapter 18.

(2) Cigarettes, \$50.00  
(Ordinance Number 1999-2, § 12.01(2), 6-8-1999)

(3) Dogs, as set by the county.

(4) Fermented Malt Beverages:

- a. Class A fermented malt beverage retailer's license, \$25.00.
- b. Class B fermented malt beverage retailer's license, \$100.00.
- c. Picnic or club license, \$5.00.
- d. Wholesaler's license, \$25.00.

(5) Intoxicating Liquors:

- a. Retail class A liquor license, \$200.00.
- b. Retail class B liquor license, \$200.00.
- c. Retail class B combination license, \$300.00.
- d. Pharmacist's license, \$10.00.
- e. Operator's license:
  1. First application, \$20.00, two-year; \$15.00, one year.
  2. Renewal, \$15.00, two-year; \$10.00, one-year.
  3. Provisional, \$2.00.
  4. Temporary, \$2.00.

(6) Junk Dealer, \$35.00.

(7) Mobile Homes, according to assessed value pursuant to Wisconsin Statute § 66.058.

(8) Natural gas Franchise, no fee.

(Code 1989, § 12.01(10); Ordinance Number 1989-5, § I, 7-11-1989)

### **Section 22-32. Required.**

No person shall engage in any business or activity enumerated in Section 22-31 without a license or permit therefor as provided by this section. The words “license” and “permit” as used throughout this article shall be considered interchangeable.

(Code 1989, § 12.02(1))

### **Section 22-33. Application.**

Application for a license under this article shall be made to the city clerk on a form furnished by the city. Such application shall contain such information as may be required by the provisions of this article or as may be otherwise required by the council.

(Code 1989, § 12.02(2))

### **Section 22-34. Payment of License Fee.**

License fees imposed under Section 22-31 shall accompany the license application. If a license is granted, the city clerk shall pay the license fee to the city treasurer, who shall issue his or her receipt therefor. If the license is denied, the license shall be returned to the applicant.

(Code 1989, § 12.02(3))

### **Section 22-35. Proration or Refund of License Fee.**

Initial license fees shall be prorated but no fee paid shall be refunded unless the license is denied.

(Code 1989, § 12.02(4))

### **Section 22-36. Granting of Licenses.**

All licenses must be approved and granted by the common council, except for dog licenses, which shall be approved by the clerk, and except any other licenses specifically designated to be granted by other city officials in other sections of the code.

(Ordinance Number 1989-5, § III, 7-11-1989)

### **Section 22-37. Terms.**

All licenses issued under this article shall expire on June 30 in the year of issuance unless issued for a shorter term, when they shall expire at midnight of the last effective day of the license, or unless otherwise provided by these ordinances or state laws.

(Code 1989, § 12.02(6))

### **Section 22-38. Form.**

All licenses issued under this article shall show the date of issue, the activity licensed, and the term of the license, and shall be signed by the city clerk and be impressed with the city seal.

(Code 1989, § 12.02(7); Ordinance Number 1989-5, § IV, 7-11-1989)

**Section 22-39. Record.**

The city clerk shall keep a record of all licenses issued.  
(Code 1989, § 12.02(8))

**Section 22-40. Display.**

All licenses issued under this article shall be displayed upon the premises or vehicle for which issued, or if carried on the person shall be displayed to any officer of the city upon request.  
(Code 1989, § 12.02(9))

**Section 22-41. Compliance with Ordinances Required.**

It shall be a condition of holding a license under this article that the license comply with all ordinances of the city. Failure to do so shall be cause for revocation of the license.  
(Code 1989, § 12.02(10))

**Section 22-42. Transfer.**

All licenses issued under this article shall be personal to whom issued and shall not be transferred except with the consent of the council.  
(Code 1989, § 12.02(11))

**Section 22-43. Exemptions.**

No license other than a liquor or beer license shall be required under this section for any nonprofit, educational, charitable, civic, military, or religious organization where the activity which would otherwise be licensed is conducted for the benefit of the members or for the benefit of the public generally.  
(Code 1989, § 12.02(12))

**Section 22-44. Renewal.**

All applications for renewal of licenses under this article shall be made to the city clerk by April 15.  
(Code 1989, § 12.02(13))

**Section 22-45. Consent to Inspection.**

An applicant for a license under this article thereby consents to the entry of police or authorized representatives of the city 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 article all things found therein in violation of this article or state law.  
(Code 1989, § 12.02(14))

**Section 22-46. Revocation.**

Except as provided in Section 6-46 any license issued under this article may be suspended by the mayor or common council. Any licensee whose license is so suspended may apply within ten days of the suspension for a public hearing before the common council. At such hearing the licensee shall be entitled to be represented by counsel. After hearing the evidence the council may lift the suspension, revoke the license

or impose a limited period of suspension. The determination of the council shall be final subject to judicial review. The police department shall repossess any license revoked hereunder.  
(Code 1989, § 12.02(15))

**Sections 22-47 – 22-80. Reserved.**

**Article III. Junk Dealers**

**Section 22-81. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Junk Dealer* means a person who from time to time purchases and sells personal property, including used motor vehicles or the parts thereof, which from its worn condition renders it practically useless for the purpose for which it is made, and which is commonly classed as junk, whether such person is an itinerant or has a fixed place of business.

(Code 1989, § 12.04(1))

**Section 22-82. Application.**

Every applicant for a license to engage in the business of junk dealer shall file with the clerk a written application upon a form prepared and provided by the city, signed by the applicant. Such application shall state:

- (1) The name and residence of the applicant if an individual, partnership or firm, or the names of the principal officers and their residences if the applicant is an association or corporation.
- (2) The length of time such applicant if an individual, firm or partnership, or the manager or person in charge if the applicant is a firm or corporation, has resided in the city, his or her places of previous employment, whether married or single, whether he or she has been convicted of a felony or misdemeanor, and, if so, what offense, when and in what court.
- (3) Whether the applicant or officers or manager of applicant had been employed by a junk dealer or had been a junk dealer.
- (4) The detailed nature of the business to be conducted and the kind of materials to be collected, bought and sold or otherwise handled.
- (5) The premises where such business is to be located or carried on.

(Code 1989, § 12.04(2))

### **Section 22-83. Denial.**

No application for a license under this article shall be denied except for a reason specified in the minutes of the common council meeting. No applicant to whom a license has been denied shall make further application for at least six months unless he or she can show that the reason for rejection no longer exists. No license shall be granted under this article to a person who shall have been convicted within one year of application have been convicted of a felony or misdemeanor other than a traffic violation. This provision shall apply to a corporation having an officer violating such provision.  
(Code 1989, § 12.04(6))

### **Section 22-84. Identification of Dealer.**

Each vehicle and each premises used in the business of junk dealing shall have clearly marked thereon the junk dealer's name and the words "junk dealer", "salvage dealer", or words of similar import, together with the dealer's license number.  
(Code 1989, § 12.04(7))

### **Section 22-85. Assigning Licensed Premises.**

Each license issued under this article shall designate the place of business where the junk dealer is authorized to carry on such business. No licensee shall transfer his or her business to a place of business not stated in the license without an endorsement on the license made by the city clerk indicating the change in the licensed premises.  
(Code 1989, § 12.04(8))

### **Section 22-86. Conditions of License.**

- (a) No junk dealer shall carry on the business at or from any other place than the one designated in the license therefor. Nor shall such business be carried on after such license has been revoked or has expired.
- (b) No junk dealer shall make any purchase from any person, or receive any articles, between sunset and 7:00 a.m.
- (c) No junk dealer shall purchase or acquire from any person under the age of 18 years any junk, other than old rags or paper, without the written consent of a parent or guardian. No item shall be acquired from any intoxicated person.
- (d) The contents of the premises of every junk dealer shall be arranged in an orderly manner with all similar things located together so as to facilitate inspection by the proper authorities. The premises of every junk dealer shall be subject to inspection by the proper municipal authorities at any time.  
(Code 1989, § 12.04(9))

### **Section 22-87. Health Regulations.**

The health officer may make reasonable rules and regulations relating to the conduct of the business of junk dealing, which shall have the force of ordinances.  
(Code 1989, § 12.04(10))

**Section 22-88. Records.**

Each junk dealer shall keep a daily record in such form as the chief of police may require of all articles purchased, together with any identifying numbers thereon, and the name and address of the person from whom the article was purchased, the time of the purchase, and the purchase price. Such records shall be open to inspection by any authorized official of the city at any reasonable time. No entries shall be altered. (Code 1989, § 12.04(11))

**Section 22-89. Purchase of Motor Vehicles.**

No person shall purchase, receive, dispose of or have in his or her possession any motor vehicle or part thereof from which any number or identification mark has been removed or altered. Any person to whom is offered the sale, storage or wreckage of any such motor vehicle or part shall immediately report that fact to the police department.

(Code 1989, § 12.04(12))

**Cross Reference** – Traffic and Vehicles, Chapter 94.

**Section 22-90. Reports to Police.**

Upon demand, any person licensed under this article shall report to the police department all personal property purchased or received by him or her in the course of business during such period of time as is specified in the notice, stating the time of purchase, the price paid and the name, address and general description of the person from whom such personal property was purchased or received.

(Code 1989, § 12.04(13))