

Ordinance No. 2019-001

PROVISIONAL RETAIL LICENSE ORDINANCE

1. **AUTHORITY:** Pursuant to s. 125.185, Wis. Stats., the Town of Trempealeau, Trempealeau County, desires to establish standards under which provisional retail licenses may be issued.
2. **ELIGIBILITY.** A person who has applied for a Class "A", Class "B", "Class A", "Class B" or "Class C" retail license may apply for a provisional retail license as provided under this ordinance.
3. **APPLICATION.** Application for a provisional retail license shall be made to the town clerk on such form designated by the clerk and shall be accompanied by the fee set forth in paragraph 7 below.
4. **CLERK OR DESIGNEE AUTHORIZED TO ISSUE:** A provisional retail license may be issued to an applicant by the town clerk or the clerk's designee upon written application, subject to the provisions of this ordinance. The provisional retail license may only permit those activities which are of the same type as are authorized by the type of retail license applied for. The town board shall review the issuance of any such provisional retail license at the next regularly scheduled town board meeting.
5. **STANDARD:**
 - a. The applicant must be at least 21 years of age, a resident of the state of Wisconsin, and must have applied for a retail license. If the applicant is a corporation or limited liability corporation, the designated agent must be at least 21 years of age, and a resident of the state.
 - b. No provisional retail license will be granted if the applicant or a business applicant's agent has been denied a retail license by the town board or if the applicant, pursuant to s. 111.321, 111.322 and 111.335, Wis. Stats., has an arrest or conviction record substantially related to the alcohol licensing activity.
 - c. No provisional "class B" retail license shall be granted if the town's quota under s. 125.51(4), Wis. Stats., prohibits the town from issuing one.
 - d. No person may hold more than one provisional retail license for each type of license applied for by the holder per license year.
6. **TERM.** The provisional retail license shall expire either 60 days from the date of issuance or when a retail license is authorized by the town board, whichever is sooner.
7. **FEES.** The fee for a provisional retail license is \$15.00 (not to exceed \$15 pursuant to s. 125.185(3), Wis. Stats.).

8. REVOCATION:

- a. The town clerk shall immediately revoke the provisional retail license if it is discovered that the holder of the license made a false statement on the application.
- b. The town clerk shall revoke the provisional retail license if the town board denies the applicant's application for a retail license.

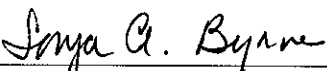
Revocation of the provisional retail license shall become effective upon the mailing of the notice of revocation by the town clerk. Any notice mailed in this ordinance is sufficient if mailed via first class mail to the last known address of the licensee, in an envelope containing the return address of the town clerk.

- 9. EFFECTIVE DATE: This ordinance shall be effective upon posting or publication as required under s.60.80 Wis. Stats. and chapter 985 Wis. Stats.

Date of Passage: October 10, 2019

Signed by: 
Town Chairperson

Date: 10-10-19

Attest: 
Signature of Town Clerk

Date: 10-10-19

Adopted: October 10, 2019
Posted: October 11, 2019
Effective: October 11, 2019