

CHAPTER 11

LICENSES

11.01 SALE OF BEER AND LIQUOR

1. The definitions as set forth in Section 125.02, Wisconsin Statutes, are hereby incorporated and made part of this section as though set out in full.
2. No person shall sell, barter, exchange, offer for sale, or have in his possession with intent to sell, deal or traffic in any fermented malt beverages in the Village of Stockbridge unless licensed, as provided in this section, by the Board.

11.02 LICENSES

1.	Class "A" Beer Retailer's License	\$ 50.00
2.	Class "B" Beer Retailer's License	\$100.00
3.	Class "A" Liquor License	\$100.00
4.	Class "B" Liquor License	\$200.00
5.	Picnic Class "B" fermented malt or wine cooler	\$ 7.00
6.	Wholesaler's License	\$ 25.00
7.	Operator's License	\$ 15.00
8.	Class "C" Wine License	\$ 75.00

11.03 LICENSE APPLICATIONS

1. Application for a license to sell or deal in intoxicating liquor or fermented malt beverages shall be made in writing on forms prescribed by the State Department of Revenue. All other license applications required hereunder shall be made in writing on forms prescribed by the Village. All applications shall be filed with Village Clerk and shall, with the exception of an Operator's License, physically describe the premises to be licensed, including every room and storage space to be covered by the license and all rooms joined by connecting entrances or not separated by a solid wall. All applications filed with the Village Clerk for consideration by the Board of Trustees shall be accompanied by the applicable fee for such license. A publication fee of Ten Dollars (\$10.00) shall be added to the fee for all Class "A" and Class "B" beer and liquor licenses with the exception of Class "B" Picnic Licenses. In the event any license shall be denied by the Village of Stockbridge Board of Trustees, the license fee shall be returned to the applicant. All publication fees submitted shall remain with the Village as reimbursement for the cost of publication of the application.
2. Applications shall be signed and sworn to by the applicant as provided by Sec. 887.01, Stats.

3. In determining the suitability of an applicant, consideration will be given to the moral character and financial responsibility of the applicant, the appropriateness of the location and premises proposed, and generally, the benefits, if any, the Village will realize from the issuance of the license.
4. As required by Chap. 125, Stats., the Village Clerk shall by July 15th annually submit to the proper State Department a listing of all licenses issued by the Village. Said listing shall meet the requirements of Chap. 125.04(4), Stats.
5. The granting and issuance of licenses authorized under this Section shall be governed by the following:
 - a. All license applications submitted hereunder shall be granted or denied no later than by the date of the first regular Village Board meeting subsequent to the 45 calendar day period following the date of application. A granted license shall be issued at the Office of the Village Clerk within 45 calendar days of such granting. Failure by the applicant to appear and take receipt of a granted license during this 45 day period shall be treated as a voluntary withdrawal of the application, with any fees having been paid being considered non-refundable.
 - b. Subject to the limits set forth in a. above, the Village Clerk shall hold the license after the same has been granted by the Village Board of Trustees until the applicant has complied with all State laws and local ordinance violations as determined by the above investigation and all conditions associated with the issuance as may be imposed by the Village Board of Trustees independently or as a result of the recommendations of the State Licensing Board.

11.04 CLOSING HOURS AND EXCEPTIONS THERETO

1. During each year in which the standard of time is advanced under Sec. 175.095, Stats., the closing hours of premises for which a Class “B” license has been issued shall be between 2:00 A.M. and the earliest time under which state statutes permits the reopening of a premises which is subject to a Class “B” license.
2. On January 1st, premises licensed under a combined Class “B” license are not required to close (Sec. 125.32(a), Stats.).
3. No sales of fermented malt beverages or liquor are allowable from a premises with a Class “A” Fermented Malt or Class “A” Liquor License between the hours of 9:00 P.M. to 8:00 A.M.
4. On Saturday and Sunday, the closing hours shall be between 2:30 A.M. and 6:00 A.M. (Sec. 125.32(3)(a), Stats.).

5. No sales of fermented malt beverages or liquor are allowable from premises with a Class “A” Fermented Malt or Class “A” liquor license between the hours of 9:00 P.M. to 8:00 A.M.
6. Between 12 midnight and 6:00 A.M., no person may sell fermented malt beverages (Sec. 123.32(3)(a), Stats.), or intoxicating liquor (Sec. 125.68(4)(c)(3), Stats.) on Class “B” licensed premises in an original unopened package, container or bottle or for consumption away from the premises.

11.05 QUALIFICATION OF INDIVIDUAL APPLICANT

Licenses for Class “A” premises under this section shall be issued only to citizens of the United States of good moral character. No license shall be issued to any person who has been convicted of a felony, unless the person so convicted has been duly pardoned. No license hereunder shall be issued to any person under the legal drinking age. Licenses for Class “B” premises under this section shall be issued only to citizens of the United States of good moral character. No license shall be issued to a person who has been convicted of a felony, unless the person so convicted has been duly pardoned. No license shall be issued to any person under the legal drinking age. All persons receiving a Class “A” or Class “B” liquor license must have been a resident of the State of Wisconsin for at least one (1) year prior to issuance. All persons receiving a Class “A” or Class “B” Fermented Malt Beverage License must have been a resident of the State of Wisconsin for at least ninety (90) days prior to the issuance of the license.

11.06 CIGARETTE LICENSE

The sale and licensing of cigarettes in the Village and the reporting of such issuance by the Village to the Department of Revenue shall be regulated pursuant to the provisions of Sec. 134.65, Stats. Said section, exclusive of the penalties contained therein, being incorporated herein by reference and made a part of this section as though fully set out at length.

11.07 REVOCATION: SUSPENSION OF LICENSES

In addition to all other powers granted to it by law, the Board may, by a majority vote of the members present, after the hearing provided for in this section, revoke any license issued under this chapter as provided herein.

Upon complaint, made in writing under oath, by the designated Village Law Enforcement Agency, and filed with the Village Clerk, that any such licensed person therein has violated any provision of the general ordinances in the use of such license, or has been guilty of fraud, the Board shall issue a summons to be signed by the Clerk directed to the designated Village Law Enforcement Agency commanding the person so complained of to appear before the Board, at the Board Chambers, on a day not less than three nor more than ten days from its date, and show cause why his license should not be revoked. Such summons shall be served at least three days before the time at which such

person is commanded to appear.

If such person shall not appear as required by the summons, the complaint shall be taken as true; and if the Board shall deem its allegation sufficient, the license shall be revoked and notice thereof shall be given to the person whose license is so revoked. If such person shall appear and deny the complaint, he shall be granted a hearing before the Board. All witnesses for or against the party complained of shall be heard under oath, and the Village Clerk shall administer the oath.

When a license is revoked, it shall be so entered on record by the Clerk, and no other license shall be granted to such person within 12 months of the date of its revocation, nor shall any part of the money paid for any license so revoked be refunded.

11.08 PENALTY

Any person who shall violate any provision of this chapter shall, upon conviction, forfeit not less than \$5.00 nor more than the maximum amount of forfeiture set forth in the Calumet County Ordinance regarding beer and liquor license, together with the costs of prosecution, provided, however, that forfeiture imposed for the violation of any of the sections relating to the sale of beer or liquor shall not exceed the maximum fine set forth in the Wisconsin Statutes for similar violation. This section shall not preclude the Village from maintaining any appropriate action to prevent or remove a violation of this chapter. In default of payments of such forfeiture and costs the violator shall be reported to the District Attorney's office for Calumet County for appropriate criminal remedial action to include, if possible, collection of the forfeiture and costs. The fine to be imposed shall be identified as the same imposed by Calumet County for violation of the Calumet County Ordinance. The same forfeiture and/or bail bond schedule presently in effect as imposed by Calumet County is incorporated herein by reference and in the event changes are made in the Calumet County forfeiture system, this ordinance shall change likewise.