

Chapter 214

LICENSES AND PERMITS

§ 214-1. License fees enumerated.

§ 214-3. Violations and penalties.

§ 214-2. General licensing requirements.

[**HISTORY: Adopted by the Village Board of the Village of Pleasant Prairie 11-15-1999 (§§ 12.01, 12.02 and 12.20 of the 1988 Code). Amendments noted where applicable.**]

GENERAL REFERENCES

Dog licensing — See Ch. 119, Art. I.

Mass public assemblies — See Ch. 125.

Escorts and escort services — See Ch. 170.

Intoxicating liquor and fermented malt beverages — See Ch. 194.

Manufactured and mobile homes — See Ch. 221.

Massage therapists — See Ch. 225.

Towing — See Ch. 332.

§ 214-1. License fees enumerated.

A license shall be required for the sale of each of the following businesses or activities at the indicated license fee, which shall be for one year unless otherwise indicated:

- A. Building and zoning permits: Refer to applicable chapter(s).¹
- B. Cigarette: \$100 per year.
- C. (Reserved)²
- D. (Reserved)³
- E. Dog licensing. [Amended 10-7-2002 by Ord. No. 02-73; 12-20-2004 by Ord. No. 04-55; 6-1-2009 by Ord. No. 09-40]
 - (1) Male/female not spayed/neutered: \$15 per year; after July 1 (for dogs five months of age after July 1 only): \$7.50.
 - (2) Male/female spayed/neutered: \$10 per year; after July 1 (for dogs five months of age after July 1 only): \$5.
 - (3) Penalty. If an owner fails to obtain a license prior to April 1 of each year for a dog five months of age or over, or within 30 days of acquiring ownership of a licensable dog, or if the owner fails to obtain a license on or before the dog reaches a licensable age: \$5.

1. Editor's Note: See Part III of the Code.

2. Editor's Note: Former Subsection C, concerning the license fee for a cabaret, was repealed 5-2-2011 by Ord. No. 11-14.

3. Editor's Note: Former Subsection D, providing the per-season for Christmas trees, as amended, was repealed 6-20-2016 by Ord. No. 16-20.

- (4) Dog park tag fees: Ingram Park. **[Added 8-5-2013 by Ord. No. 13-34]**
 - (a) Annual.
 - [1] Village resident for first dog: \$20.
 - [2] Village resident, senior/disabled: \$10.
 - [3] Nonresident for first dog: \$25.
 - [4] Additional tag for each dog (up to two additional): \$5.
 - [5] Annual tag replacement fee: \$5.
 - (b) Daily.
 - [1] Village resident per dog per day: \$2.
 - [2] Nonresident per dog per day: \$5.
- F. Escorts and escort services: **[Added 1-7-2013 by Ord. No. 13-04']**
 - (1) Escort services: \$500 per calendar year.
 - (2) Escorts: \$500 per calendar year.
- G. Fermented malt beverages.
 - (1) Class "A": \$250 per year. **[Amended 3-7-2005]**
 - (2) Class "B": \$100 per year.
 - (3) Temporary Class "B" picnic license, beer: \$10 per event.
 - (4) Temporary "Class B" picnic license, wine: \$10 per event.
 - (5) Wholesaler's fermented malt beverage: \$25 per year.
 - (6) Intoxicating liquors.
 - (a) "Class A": \$500 per year.
 - (b) Regular "Class B": \$500 per year.
 - (c) "Class B, issued to a full service restaurant or hotel: \$500 per year.
 - (d) Reserve "Class B": \$10,000 initial fee; \$500 each year thereafter.
 - (e) "Class C" wine: \$100 per year.

4. Editor's Note: This ordinance also provided for the redesignation of former Subsections F through Q as Subsections G through R, respectively.

- H. Operator's license: \$65 for two years, which includes fee for police check. (Duplicate license: \$10.) [Amended 5-19-2003 by Ord. No. 03-26; 7-20-2009 by Ord. No. 09-43; 5-18-2015 by Ord. No. 15-18]
- I. Provisional operator's license: \$15 (valid for 60 days). [Amended 5-19-2003 by Ord. No. 03-26; 7-20-2009 by Ord. No. 09-43]
- J. Temporary operator's license: \$20, which includes fee for police check (valid for one to 14 days). [Amended 5-19-2003 by Ord. No. 03-26; 7-20-2009 by Ord. No. 09-43]
- K. (Reserved)⁵
- L. Large assemblies: \$100 per assembly.
- M. Mobile home parks: \$100 for each 50 spaces or portion thereof (minimum \$100) per calendar year. [Amended [1-7-2013 by Ord. No. 13-04]
- N. Peddlers, canvassers, solicitors and transient merchants: \$30, which includes fee for police check, for three months. [Amended 6-2006; 7-20-2009 by Ord. No. 09-43; 1-7-2013 by Ord. No. 13-04]
- O. Massage therapist: \$50 per calendar year. [Amended 1-7-2013 by Ord. No. 13-04]
- P. Secondhand dealer's licenses: [Added 1-7-2013 by Ord. No. 13-04⁶
 - (1) Secondhand article dealer's license: \$75 per calendar year.
 - (2) Secondhand jewelry dealer's license: \$75 per calendar year.
 - (3) Temporary secondhand article dealer's license: \$35 per event.
 - (4) Temporary secondhand jewelry dealer's license: \$35 per event.
- Q. (Reserved)⁷
- R. Vehicle wrecker or towing service business: \$25 application fee, plus \$100 license fee per year.⁸

§ 214-2. General licensing requirements.

- A. Terms interchangeable. The words "license" and "permit" as used throughout this chapter shall be interchangeable

5. Editor's Note: Former Subsection J, concerning the license fee for junk dealers, was repealed 5-2-2011 by Ord. No. 11-14.

6. Editor's Note: This ordinance also provided for the redesignation of former Subsections P through R as Subsection Q through S, respectively.

7. Editor's Note: Former Subsection Q, providing the yearly fee for drive-in theaters, as amended, was repealed 6-20-2016 by Ord. No. 16-20.

8. Editor's Note: Former Subsection S, vicious animals, which immediately followed this subsection, was repealed 11-4-2013 by Ord. No. 13-53.

- B. License required. No person shall engage in any business or activity enumerated in § 214-1 without a license therefor as provided in this chapter.
- C. Application. Application for a license required by this chapter shall be made to the Clerk on a form furnished by the Village and shall contain such information as may be required by the provisions of this chapter or as may be otherwise required by the Village Board.
- D. Fees to accompany application; refunds.
- (1) Fees to accompany application. License fees imposed under § 214-1 shall accompany the license application. If a license is granted, the Clerk shall issue the applicant a receipt for his license fee.
 - (2) Refunds. No fee paid shall be refunded unless the license is denied.
 - (3) Automatic revocation. For whatever reason, licenses granted and for which the fee is not tendered within 60 days after granting are automatically revoked.
- E. Tax delinquencies and claims. **[Added 5-2-2011 by Ord. No. 11-14⁹; amended 5-18-2015 by Ord. No. 15-18]**
- (1) Premises. No initial or renewal alcohol beverage license shall be granted for operation on any premises upon which property taxes, personal property taxes, assessments, special assessments, utility payments, or invoices are delinquent or other financial claims of the Village are unpaid.
 - (2) Person. No initial or renewal alcohol beverage license shall be granted to any person:
 - (a) Delinquent in payment of any property taxes, personal property taxes, assessments, special assessments, utility payments or invoices or other claims owed to the Village.
 - (b) Delinquent in payment of a forfeiture resulting from a violation of any ordinance of the Village.
 - (3) In accordance with § 66.0115, Wis. Stats., a dog license issued under § 174.07 is exempt from this provision.
- F. Issuance by Clerk; approval by Village Board; exceptions. Unless otherwise designated, licenses required by this chapter shall be issued by the Clerk only with the approval of the Board, except the Clerk may issue the following licenses subject to the standards established by this chapter without prior approval of the Board: **[Added 1-7-2013 by Ord. No. 13-04¹⁰; amended 5-18-2015 by Ord. No. 15-18]**

9. Editor's Note: This ordinance also provided for the redesignation of former Subsections E through O as Subsections F through P, respectively.

10. Editor's Note: This ordinance also redesignated former Subsection F(4) and (5) as Subsection F(5) and (6), respectively.

- (1) Building and zoning permits (issued by the Community Development Department).
 - (2) Cigarette license.
 - (3) Dog license.
 - (4) Escort and escort service licenses, upon approval of the Community Development Department and the Chief of Police.
 - (5) Peddlers, canvassers, solicitors and transient merchants, upon approval of the Chief of Police.
 - (6) Massage therapist license, upon approval of the Chief of Police.
 - (7) Secondhand article dealer and/or secondhand jewelry dealer licenses, upon approval of the Community Development Department and the Chief of Police.
 - (8) Operator license, upon approval of the Chief of Police.
 - (9) Temporary Class "B" beer and wine (picnic) license, upon approval of the Chief of Police.
- G. Terms of licenses. All licenses issued hereunder shall expire on June 30 in the year of issuance or December 31 when term is noted as a calendar year or 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 this chapter or state laws. **[Amended 1-7-2013 by Ord. No. 13-04]**
- H. Form of license. All licenses issued hereunder shall show the dates of issue and expiration and the activity licensed and shall be signed by the Clerk.
- I. Record of licenses. The Clerk shall keep a record of all licenses issued
- J. Display of licenses. All licenses hereunder 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 Village upon request.
- K. Compliance with ordinances required. It shall be a condition of holding a license under this chapter that the licensee comply with all ordinances of the Village. Failure to do so shall be cause for suspension or revocation of the license.
- L. Transfer of licenses. All licenses issued hereunder shall be personal to whom issued, and no license shall be transferred without the consent of the Board.
- M. Exemptions. No license other than a liquor or beer license shall be required under this chapter for any nonprofit educational, charitable, civic, military or religious organization if the activity which would otherwise be licensed is conducted for the benefit of the members or for the benefit of the public generally.
- N. Renewal of licenses. All applications for renewal of license hereunder shall be made to the Clerk at least 30 days prior to the expiration date of the license term. **[Amended 1-7-2013 by Ord. No. 13-04]**

- O. Consent to inspection. An applicant for a license under this chapter thereby consents to the entry of police or authorized representatives of the Village upon the 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 chapter all things found therein in violation of this chapter or state law.
- P. Revocation and suspension of licenses.
- (1) Except as otherwise provided, any license issued under this chapter may be revoked for cause by the Village Board. No license shall be revoked except upon written verified complaint filed with the Village Board by the Village President, a member of the Village Board, the Chief of Police, the Village Administrator or a resident of the Village. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the Village Board. The licensee shall be given notice of such hearing, which shall be not more than 20 or less than five days after notice, except as otherwise agreed between the parties.
 - (2) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the Village President or presiding officer of the Village Board to compel the attendance of witnesses.
 - (3) After hearing the evidence, the Village Board may revoke such license or impose a limited period of suspension. The determination of the Board shall be final, subject to review under Chapter 5 of the Code of the Village of Pleasant Prairie, provided that the licensee shall not be entitled to a further hearing unless granted by the Village Board.
 - (4) The Police Department shall repossess any license revoked hereunder.
 - (5) If the licensee does not apply for a hearing within the time provided, the license may be revoked by the Village Board.
 - (6) The Village President or Village Board may suspend the license of a licensee hereunder without hearing for not to exceed 10 days.

§ 214-3. Violations and penalties.

In addition to the suspension or revocation of a license issued under this chapter, any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided by Chapter 1, § 1-4, of the Code of the Village of Pleasant Prairie.