

CHAPTER 12

LICENSES AND PERMITS

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12.01 INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES

- (1) State Statutes Adopted. The provisions of Chapter 125, Wis. Stats. and all future deletions, additions or amendments exclusive of any provisions thereof relating to the penalty to be imposed or the punishment for violation of said statutes are hereby adopted and made a part of this chapter by reference. A violation of any such provision shall constitute a violation of this chapter.
- (2) Classes of Licenses and Permits. (Rev. 1-12-04)
The City shall have the following licenses and the following fees:
 - (A) Class “A” licensees may sell beer to consumers in original packages or containers for off-premises consumption only. [§125.25]. \$60.00 per year or quarterly fraction.
 - (B) Class “B” licensees may sell beer to consumers for on-premises or off-premises consumption. [§125.26(1)]. \$100.00 per year or quarterly fraction.
 - (C) Temporary Class “B” (picnic) beer licensees may sell beer and other fermented malt beverages (e.g., wine coolers with a fermented malt beverage base) to consumers at a picnic or similar gathering of limited duration. [§125.26(6)]; \$12.00.
 - (D) “Class A” licensees may sell intoxicating liquor to consumers only in original packages or containers for off-premises consumption. [§125.51(2)]. \$240.00 per year or quarterly fraction.
 - (E) “Class B” licensees may sell intoxicating liquor to consumers by the glass for on-premises consumption. Sales may also be made for off-premises consumption in quantities not exceeding four liters at any one time. Wine, however, may be sold for consumption off-premises in the original package or container in any quantity. [§125.51(3)(b)]; \$500.00
 - (F) Additional “Class B” (Clubs & Fraternal Organizations) licenses \$400.00 per year or quarterly fraction; except, that the fee for licenses issued pursuant to Code Sec. 12.01(9)(e) is \$200.00.
 - (G) Reserve “Class B” liquor licenses are those licenses available under the quota system existing before December 1, 1997; or, available after October 1, 1998, due to a fractional increase in population. [§125.51(4)(v)]; Initial fee \$10,000.00; annual fee \$500.00.
 - (H) Temporary “Class B” (picnic) wine licensees may sell wine at a picnic, meeting, or other similar gathering of limited duration. Such licenses may be issued only to bona fide clubs, to county or local fair associations or agricultural societies, to churches, lodges or societies that have been in existence for at least 6 months and to posts of veterans’ organizations. [§125.51(10)]; \$12.00.
 - (I) “Class C” wine licensees may sell wine by the glass or in an opened original container for consumption on the premises where sold. “Class C” wine licenses may be granted to an applicant only if:
 1. The applicant meets the qualifications set out in §125.04(5) for other retail licensees;
 2. The license is for a restaurant in which the sale of alcohol beverages accounts for less than 50% of gross receipts;
 3. The restaurant does not have a barroom; and,
 4. A “Class B” liquor license cannot be granted to applicant because the municipality has issued all of the “Class B” liquor licenses available under its statutory quota. [§125.51(3m)]. \$125.00 per year or quarterly fraction.
 - (J) Provisional retail licenses may be issued to persons who have applied for a Class “A,” Class “B,” “Class A,” “Class B,” or “Class C” license and authorizes only the activities that the type of retail license applied for authorizes. A provisional retail license expires 60 days after its issuance or when the Class “A,” Class “B,” “Class A,” “Class B,” or “Class C” license is issued to the holder, whichever is sooner. [§125.185]; \$15.00.
- (3) Operator’s Licenses. (Rev. 1-12-04)
 - (A) Except as provided by law, any person who is serving alcohol beverages in an establishment with a Class “A,” Class “B,” or Class “C” license shall have an operator’s

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license. The fee for an operator's license shall be \$50.00 for two years or fraction thereof, except that any license issued for less than one year shall have a fee of \$25.00. In addition, the applicant shall also pay the current cost incurred by the City to obtain a records check regarding the applicant. (Rev.7-26-04)

- (B) Applicants for operator's licenses who are enrolled in the responsible beverage server training course and who are otherwise qualified, may be issued a provisional operator's license for a period not to exceed 60 days. A provisional license will be revoked if the applicant fails to successfully complete the course and may be revoked if the applicant's application contains false statements. The fee for a provisional license shall be \$15.00.
 - (C) Temporary operator's licenses may be issued to persons employed or donating their services to a non-profit corporation provided that a person is limited to one such license per year, and the license is valid for only up to 14 days. The fee for a temporary operator's license shall be \$10.00.
- (4) License Application.
- (A) Any person or persons applying for the licenses set forth above shall complete an application form for that license from the City Clerk. The applicable fee shall be due and payable for operators' licenses when the application is filed. The fee shall be due for all other licenses when the license is delivered. The City Clerk shall refuse to accept any incomplete application.
 - (B) All applications for operators' licenses shall be submitted to the City Clerk not less than fifteen days before the application will be considered by the City Council. The application shall also be submitted at least five days prior to the next Ordinance Committee meeting. In the event that the application is not filed within this period, the application shall be taken up by the Ordinance Committee at its regularly scheduled meeting the following month or, at the discretion of the Committee Chairperson, at any special meeting.
 - (C) Applications for all other forms of licenses and renewals shall be submitted and/or published as provided by law.
 - (D) Applicants for any non-renewal of a license must appear in front of the Ordinance Committee before the application may be considered by the City Council. The applicant will be informed whether or not the Committee will be making a positive recommendation and will not be required to appear before the City Council in the event of a positive recommendation. Otherwise, applicants must also appear before the City Council at the meeting in which their license will be considered.
 - (E) It is the obligation of all applicants to determine the date of any meetings at which they are required to appear pursuant to this ordinance. Failure to attend shall serve as a basis for the denial of the application and the applicant shall forfeit the application fee.
- (5) License Investigation.
- (A) Upon the filing of a properly completed application along with the appropriate application fee, the City Clerk shall notify, where applicable, the Chief of Police, Health Officer, Fire Inspector and Building Inspector. These officials shall make such inspections as they shall deem necessary to determine whether the applicant and, where applicable, the premises sought to be licensed comply with City ordinances and all State and Federal laws. An investigation report shall then be forwarded to the Ordinance Committee.
 - (B) The applicant shall appear before the Ordinance Committee. It is the applicant's obligation to determine the appropriate date for appearance. Failure to appear for all non-renewal licenses and for all renewals when a specific request for attendance has been made, shall serve as a basis for denying the issuance of a license. In the event an inaccurate or incomplete application is filed, the Committee may:
 - 1. Refuse to accept the application in which case the application fee shall be forfeited and the applicant shall be required to re-file; or,

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2. Ask for the filing of the appropriate information, in which case the submission of that application to the Council may be delayed for a period of not more than two (2) months.
- (6) Issuance and Re-issuance by the Council.
- (A) At such time as the Ordinance Committee has completed its review obligations under Code Sec. 12.01(5), it shall forward its recommendations to the Council for consideration at its next regularly scheduled meeting. In the event that the Council denies the application, the applicant may request a refund of the application fee by filing a written request within five days of the date of denial. It shall be the obligation of the applicant to contact the City Clerk to determine whether or not the license was granted.
 - (B) In applying for a license, the applicant is consenting to periodic reviews of all outstanding licenses. The Ordinance Committee may request follow-up investigations from the individuals listed in Code Sec. 12.01(5) and supplementary information from the applicant. The Ordinance Committee shall make recommendations to the Council in the instances where they feel that any action should be taken with respect to the suspension or revocation of a license as a result of the review.
- (7) Restrictions on Granting Licenses. In addition to the restrictions imposed upon the granting of licenses by the statutes adopted by Subsec. (1) hereof, the following restrictions shall apply:
- (A) Except for hotels, and bona fide clubs, societies and lodges in existence not less than 6 months prior to the date of application, retail "Class B" licenses shall be issued for only that portion of a premises located at the street level.
 - (B) No license shall be granted for any premises or to any individual:
 1. Delinquent in payment of any taxes, assessments or other claims owed to the City of Reedsburg.
 2. Delinquent in payment of a forfeiture resulting from a violation of any ordinance of the City of Reedsburg.
 3. Delinquent in payment to the state of any state taxes owed.
 - (C) No retail "Class B" License shall be issued unless the premises conform to the requirements of the state building code, the state plumbing code, the rules and regulations of the State Department of Health and Social Services applicable to restaurants and the ordinances and regulations of the City.
 - (D) No license shall be granted to any corporation when more than 50% of the voting stock interest, legal or beneficial, is held by any person not eligible for a license under this section.
 - (E) No retail Class "B" Fermented Malt Beverage License shall be issued except in the following cases:
 1. In conjunction with a Class "B" liquor license,
 2. To a convenience store,
 3. To a retail food store,
 4. To a service station,
 5. To a restaurant (subject to the limitations set forth below),
 6. To facilities similar to the uses set forth above subject to approval by the Common Council.
 - (F) No more than two special events per year shall be permitted for any licensed premises with temporary fencing. An event shall be defined as any selling or dispensing of alcoholic beverages in or to an outside area in the City of Reedsburg for up to seven consecutive days. More than two special events or an event that lasts more than seven days will require a permanent fenced area approved by the Building Inspector and the Common Council. Fencing shall be of such nature as to prevent access from the outside and the passing of any beverage to the outside.

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- (G) Temporary Class “B” Picnic Licenses issued pursuant to Wis. Stat. Sec. 125.26(6) shall be restricted as follows:
1. They may be issued only to bona fide clubs that have been in existence at least six (6) months; State, County or local fair associations that have been in existence at least six (6) months; churches, lodges or societies that have been in existence at least six (6) months; and recognized veterans' organizations. Individuals, partnerships and business corporations are not eligible for a picnic license. See Wis. Stat. Secs. 125.26(6) and 125.51(10).
 2. Except as provided in subsec. 6 below, the licensed premises for the area encompassed by permit must be physically contained by two concentric fence rows with at least eight (8) feet of space between the rows. Snow fencing is approved for this purpose. Any other form of fencing must be approved by the Police Department.
 3. Underage persons are prohibited from entering the licensed premises area for any reason unless accompanied by a parent, spouse or guardian who has attained the legal drinking age. The licensee or permittee is responsible for taking reasonable measures to keep unauthorized underage persons off the licensed premises.
 4. No licensee or permittee may sell, vend, deal or traffic in alcohol beverages to or with a person who is intoxicated.
 5. A violation of these requirements or any other applicable State law or City ordinance shall entitle the City to immediately revoke the permit.
 6. The fencing requirement of subsec. 2 above may be waived, and beer may be sold at the Nishan Park concession stand in connection with adult baseball league play and adult baseball or softball tournaments provided that the Common Council approves in advance and issues a permit for the dates and times of such sales, and the permit issued shall be displayed at the concession stand. There shall be a fee of \$10.00 per game, payable at the time application is made. There shall be at least one (1) licensed server in the concession stand for each game.
- (H) Grant a License Conditional Upon Completion of Construction *(Created 7-28-08)*
1. Common Council May Grant License Conditional. Notwithstanding the time limits set forth herein, whenever the proposed licensed premises is a building to be newly constructed or an existing building upon which major alteration, addition, renovation or other similar work is required in order to bring the premises in conformity with the representations made to the Common Council as part of the application and consideration of the application, or a petition is pending for annexation of the premises to the City, the Common Council may grant a license conditional upon the satisfactory completion of such construction, alteration, addition, renovation or other work, or such annexation.
 2. Time Allotment. The Common Council, in making such a conditional grant of a license, may direct the City Clerk to withhold the issuance of the license for such time, not to exceed four (4) months, as the Common Council deems a reasonable period for completion of such work in conformity with all such representations made to Common Council, and/or completion of the annexation. Upon request of the applicant, this period may be extended for an *additional period* not to exceed six (6) months, and the license may be renewed one time with issuance withheld, but no such extension shall be granted unless the applicant has already completed a substantial portion of the construction or renovation of the premises with the original time set by the Common Council for withholding of the issuance of the license pending completion of work. The Common Council may further require the applicant to notify the City Clerk upon completion of the work, after which the Common Council shall cause such inspection of completion of work, after which the Common Council shall cause such inspection of the premises as it deem appropriate

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to ascertain that the premises is in conformity with all material representations made to the Common Council at the time of the granting of the license. Upon satisfactory completion of the work, the Common Council may direct the City Clerk to issue the license.

3. Failure to Complete Within Time Allotted. Any material failure to conform with all such representations made to the Common Council as to the proposed licensed premises within the time set for completion of such work and any extensions of such time shall render the decision to grant the license void, and shall be deemed a denial of the application by the Common Council as of the expiration of the time or extended time for completion of construction.
 4. License Fee Non-Refundable. In any case where there is a conditional grant of license, and the license is ordered withheld for a time period or periods to allow for construction, and the applicant subsequently fails to satisfy the conditions of the grant of the license by satisfactory completion of such construction within the allotted time, the entirety of the license fee shall be non-refundable.
- (I) Failure to Operate Under License *(Created 7-28-08)*
1. If an applicant fails to operate under a grant license for four (4) months for reasons other than construction or pending annexation, the Common Council, after hearing and recommendation from the Ordinance Committee, may rescind such license or grant such further period of non-operation, not to exceed six (6) months, based on the then existing circumstances, but said applicant shall be operational within the extended period or the license will be deemed rescinded at the end of the extension period. If rescinded, any license fee paid shall be non-refundable.
- (8) Restaurants. In the event that application is made for a license to a restaurant, the applicant must demonstrate to the City Council at the time of application or renewal that 70 percent or more of the gross receipts of the restaurant are derived from the business operated as a restaurant other than the sale of fermented malt beverages, fermented malt beverages shall be sold for consumption on the premises only by the pitcher, half pitcher, or glass and no commercial sign advertising the sale of fermented malt beverages shall be displayed on the outside of the premises or inside of the premises as in such matter to be visible from the outside of the premises.
- (9) Retail License Quotas.
- (A) *(Reserved for future use: 09-10-12)*
 - (B) Class "B" Licenses (beer; on/off premises consumption). One Class "B" License may be issued for each "Class B" Intoxicating Liquor License, which the City may issue under Subsec. (D) below. The City may issue as many additional Class "B" Fermented Malt Beverage Licenses to restaurants meeting the requirements of Code. Sec. 12.01(8) as it deems proper.
 - (C) *(Reserved for future use: 09-10-12)*
 - (D) "Class B" Licenses (liquor; on premises). One retail "Class B" License may be issued for each 500 inhabitants or fraction thereof in the City, determined according to the last Federal census or official State of Wisconsin census thereof, provided existing licenses may be renewed. All licenses previously issued under this section together with those that are created and/or authorized by separate action of law shall be included in determining whether any additional license(s) is available for issuance. *(Revised 7-83-08)*
 - (E) Additional "Class B" Licenses (Clubs & Fraternal Organizations).
 1. Notwithstanding the limitations created by Code Sec. 12.01(9)(d), additional retail "Class B" licenses may be issued to applicants who are otherwise eligible for the issuance of temporary licenses as provided by Wis. Stat. Secs. 125.26(6) and 125.51(10). Issuance shall be at the discretion of the City Council and subject to the

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limitation that the aggregate number of "Class B" licenses issued within the City of Reedsburg shall not total more than 1 for each 500 inhabitants or fraction thereof in the City as determined by the last Federal census or official State of Wisconsin estimate.

2. These licenses are non-renewable in nature and must be applied for on a yearly basis. Issuance in one year shall not be a basis for issuance in a subsequent year. All license holders shall maintain a log of times and dates when their facility is open for the service of alcoholic beverages and shall make those logs available to the City during normal business hours and at the time that a new license is requested. It is the intention of the city that the holders of these licenses shall not be open for more than forty (40) events (an "event" shall be defined as any 24 hour or less period) per year.
- (F) "Class C" Wine Licenses. "Class C" wine licenses may be issued only to a person qualified under Wis. Stat. Sec. 125.04(5) for a restaurant in which the sale of alcoholic beverages accounts for less than 50% of gross receipts and which does not have a barroom if the City's quota under Code Sec. 12.01(9)(d) has been reached thereby prohibiting the issuance of a "Class B" license to that person. A "Class C" license may not be issued to a foreign corporation or a person acting as an agent for or in the employ of another.
- (10) Conditions of Licenses. In addition to the conditions imposed by the state statutes adopted under Subsec. (1) of this section, the following restrictions shall apply to licenses issued hereunder:
- (A) Every applicant procuring a license thereby consents to the entry of the Chief of Police or his designate, the Mayor or the Chairman of the Ordinance Committee at all reasonable hours for the purpose of inspection and search, and consents to the removal from said premises of all things and articles there had in violation of City ordinances or state laws, and consents to the introduction of such things and articles in evidence in any prosecution that may be brought for such offenses.
 - (B) No club shall sell fermented malt beverages or intoxicating liquors except to members and to guests invited by members.
 - (C) No retail "Class A" or "Class B" licensees shall sell or offer to sell fermented malt beverages or intoxicating liquor to any person on credit except credit extended by a hotel to a resident guest or a club to a bona fide member, and by grocers and druggists who maintain a credit system in connection with other purchases as well. No licensee shall sell fermented malt beverages or intoxicating liquor to any person on a passbook or store order, or receive from any person any goods, wares, merchandise or other articles in exchange for fermented malt beverages or intoxicating liquor.
 - (D) Each licensed premises shall at all times be conducted in any orderly manner, and no disorderly, riotous or indecent conduct shall be allowed at any time or on any licensed premises.
 - (E) There shall be no treating by a licensee at any time
- (11) Carry Out Hours.
- (A) It shall be unlawful for anyone holding either a "Class B" fermented malt beverage or intoxicating liquor license or a duly authorized operator's permit to sell or permit to be sold any intoxicating liquor or fermented malt beverage in an original, unopened package, container, or bottle or any intoxicating liquor or fermented malt beverage for consumption away from the premises between the hours of 12:00 p.m. and 6:00 a.m. It shall also be a violation of this ordinance to remove any packaged goods as set forth above from the licensed premises after 12:00 p.m.
 - (B) It shall be unlawful for anyone holding either a "Class A" fermented malt beverage or intoxicating liquor license or a duly authorized operator's permit to sell or permit to be

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sold any intoxicating liquor or fermented malt beverage in an original, unopened package, container or bottle or any intoxicating liquor or fermented malt beverage for consumption away from the premises between the hours of 9:00 p.m. and 8:00 a.m. Monday through Saturday and between 9:00 p.m. Saturday evening and 12:00 p.m. Sunday morning.

(12) Opening and Closing Hours.

(A) Hours for all licensed establishments shall be determined by State Law as set forth in Wis. Stat. Secs. 125.32 and 125.68 as follows:

	Off-Premises (Carryouts)	On-Premises Consumption
Class "A" beer	Midnight - 8 a.m.	not permitted
Class "B" beer	Midnight - 6 a.m.	Mon. - Fri. 2 a.m. - 6 a.m. Sat. - Sun. 2:30 a.m. - 6 a.m.
"Class A" liquor	9 p.m. - 8 a.m.	not permitted
"Class B" liquor	Midnight - 6 a.m.	Mon.- Fri. 2 a.m. - 6 a.m. Sat.- Sun. 2:30 a.m.- 6 a.m.
"Class C" wine	not permitted	Mon.- Fri. 2 a.m. - 6 a.m. Sat.- Sun. 2:30 a.m.- 6 a.m.

(B) Opening and closing hours for "Class A" establishments are as set forth in Section 11 as it pertains to the sale of carry out products for "Class A" establishments.

(C) No intoxicating liquor shall be consumed upon any licensed premises after said closing hours, and said premises shall be promptly vacated at such closing hours by all persons except the owner and owner's regular employees.

(13) Fermented Malt Beverages: Sale to a Minor or Possession Off Licensed Premises. Any person who sells or furnishes fermented malt beverages to any person under the prevailing legal drinking age, not accompanied by his parent, guardian, or spouse, for consumption outside the building of permanent structure in which a license to dispense malt beverages is possessed or any person under the prevailing legal drinking age, not accompanied by his parent, guardian, or spouse, who possesses fermented malt beverages outside a building or permanent structure in which a license to dispense malt beverages is possessed may be fined not less than \$50.00 nor more than \$500.00, and upon default in payment of said fine may be imprisoned not more than 90 days, and the court also shall restrict or suspend the motor vehicle operating privilege as provided in Wis. Stat. Sec. 343.30(6). Whenever fermented malt beverages are dispensed for consumption outside a building or permanent structure by a licensed dispenser, the premises in which a person under the prevailing legal drinking age may possess such beverages shall include all areas within 10 feet of the point at which such beverages are dispensed. It is the legislative intent hereof to require that persons under the prevailing legal drinking age be permitted to consume fermented malt beverages only under the supervision of parent, guardian, spouse or properly licensed persons. As used in this Subsection, spouse means a husband or wife who is the prevailing legal drinking age or over.

(14) Consumption of Beer or Intoxicating Liquor on the Public Streets and in the Public Parks of the City.

(A) No person shall sell or serve, or offer to sell or serve, any fermented malt beverages or intoxicating liquor upon any public street.

(B) No person shall consume or carry an open bottle, can or glass of any fermented malt beverage or intoxicating liquor upon any public street in the City.

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- (C) No person shall drink any intoxicating liquor or malt beverage in any building or place open to the public except a licensed tavern or bar or dining room in conjunction therewith or a private club except as provided herein.
 - (D) No person shall drink wine, malt beverages or intoxicating liquor in a motor vehicle or have or permit any bottle or can of same which has been opened or upon which the label has been broken to be in any motor vehicle.
 - (E) No person shall throw any malt beverage, wine or intoxicating liquor cans or bottles from any motor vehicle or deposit them in any public place in the City, except in receptacles in public parks provided for the disposal of waste.
 - (F) No person shall consume or carry an open bottle, can or glass of fermented malt beverage, wine or intoxicating liquor at the City swimming pool.
- (15) Grants for Certain Reserve “Class B” Liquor Licensees.
- (A) Findings and Purpose. The Common Council finds that businesses such as restaurants, hotels and taverns make important contributions to the City’s economy. These establishments serve important public purposes including increasing the City’s property tax base, providing employment and promoting tourism. Excessive license fees deter new businesses and are contrary to the above-stated public purposes. Wis. Stat. Sec. 125.51(3)(e)(2) requires municipalities to establish a minimum fee of \$10,000 for each Reserve “Class B” Liquor License issued. Since the new fee far exceeds the actual cost of licensing the activity, additional revenue will be available to the City. It is the purpose of this ordinance to utilize revenue generated by Wis. Stat. Sec. 125.51(3)(e)2 to assist new Reserve “Class B” licensees achieve the important public purposes identified herein.
 - (B) Following the issuance of an original “Class B” Liquor License and upon application, the Common Council may provide a grant to the licensee in an amount not to exceed \$9,400.00. Prior to awarding any grant, the Common Council shall make such findings and establish such conditions to ensure that any funds awarded hereunder further the important public purposes identified herein. *(Revised 9-12-05)*

12.015 IMPROPER EXHIBITIONS

- (1) **Nude Dancing in Licensed Establishments Prohibited.** It is unlawful for any person to perform or engage in, or for any licensee or manager or agent of the licensee to permit any person, employee, entertainer or patron to perform or engage in any live act, demonstration, dance of exhibition on the premises of a licensed establishment which:
 - (a) Shows his or her genitals, pubic area, vulva, anus, anal clef or cleavage with less than a fully opaque covering; or
 - (b) Shows any portion of the female breast below a point immediately above the top of the areola; or
 - (c) Shows the covered male genitals in a discernible turgid state.
- (2) **Exemptions.** The provisions of this ordinance do not apply to the following licensed establishments: theaters, performing arts centers, civic centers, and dinner theaters where live dance, ballet, music dramatic performances of serious artistic merit are offered on a regular basis and in which the predominant business or attraction is not stimulation or sexual gratification to such customers and where the establishment is not distinguished by an emphasis on, or the advertising or promotion of, employees engaging in nude erotic dancing.

12.015 Improper Exhibitions

- (2) Definitions. For purposes of this ordinance, the term “licensed establishment” means any establishment licensed by the common council of the City of Reedsburg to sell alcoholic beverages pursuant to Wis. Stat. Ch. 125. The term “licensee” means the holder of a retail “Class A,” “Class B,” or “Class C” licenses granted by the common council of the City of Reedsburg pursuant to Wis. Stat. Ch. 125.
- (3) Penalties. Any person, partnership or corporation who violates any of the provisions of this ordinance shall be subject to forfeiture as set forth in Code sec. 25.04.

12.017 REVOCATION AND SUSPENSION OF LICENSES

- (1) Proceedings to suspend, revoke or non-renew a license issued pursuant to Code sec. 12.01 shall be conducted in a manner consistent with Wis. Stat. Sec. 125.12.
- (2) A license issued pursuant to Code sec. 12.01 may be suspended, revoked, or non-renewed if it is determined that the person holding the license:
 - (A) Has violated this chapter or municipal regulations adopted under Wis. Stat. Chapter 125.
 - (B) Keeps or maintains a disorderly or riotous, indecent or improper house.
 - (C) Has sold or given away alcohol beverages to known habitual drunkards.
 - (D) Does not possess the qualifications required under this chapter to hold the license.
 - (E) Has been convicted of manufacturing, distributing or delivering a controlled substance or controlled substance analog under Wis. Stat. Sec. 961.41(1); of possessing, with intent to manufacture, distribute or deliver, a controlled substance or controlled substance analog under Wis. Stat. sec. 961.51(1m); or of possessing with intent to manufacture, distribute or deliver, or of manufacturing, distributing or delivering a controlled substance or controlled substance analog under a substantially similar federal law or a substantially similar law of another state.
 - (F) Knowingly allows another person who is on the premises for which the license under this chapter is issued, to possess, with intent to manufacture, distribute or deliver a controlled substance or controlled substance analog.
 - (G) Received the benefit from an act prohibited under Wis. Stat. sec. 125.33(11),
- (3) (A) In addition to causes for suspension, revocation or non-renewal set forth in Code sec. 12.017(2), a license may be suspended, revoked or non-renewed if the person holding the license accumulates 100 or more demerit points as specified in section (B) below within a twelve (12) month period. In determining the accumulated demerit points against the person holding the license within a twelve (12) month period, the City shall use the date each violation was committed as the basis for the determination.
 - (B) If the following number of demerit points are accumulated by a licensee within a twelve (12) month period, the following actions shall be taken by the Ordinance Committee or the Common Council:

<u>Points</u>	<u>Action</u>
100	Meeting with and warning from the Ordinance Committee
126-199	Review by Ordinance Committee and possible suspension of 3-14 days by the Common Council
200 or more	Mandatory revocation by Common Council

12.017 Revocation and Suspension of Licenses

- (4) Upon conviction for a violation of the following, retail licensees shall be assessed the following demerit points:
 - (A) Selling to an underage person shall be defined as any person that has an alcoholic beverage in his possession in violation of State drinking laws found in any licensed establishment. Exceptions to enforcement of this section shall be any underage person found in possession of a false ID or any person identified as underage by said establishment before any arrests have been made. Violation - 25 points.
 - (B) Underage person loitering on premises without legal adult. Violation - 25 points.
 - (C) False statement on license application. Violation - 100 points.
 - (D) Impede search of licensed premises. Violation - 100 points.
 - (E) No licensed bartender on premises. Violation - 25 points.
 - (F) Licensed premises in non-compliance with sanitary/building codes with 30-day notice to comply. Violations that are not complied with within 30 days shall be as follows: Sanitary - 25 points per single violation; Building code - 10 points per violation.
 - (G) Sell or dispense after hours. Violation - 25 points.
 - (H) Place to place deliveries. Violation - 25 points.
 - (I) Sell or serve on a public street without permit. Violation - 25 points.
 - (J) Violation of improper exhibition 12.015. Violation - 50 points.
 - (K) Public nuisance defined as any violation of Chapter 9.05(2)(12) and Chapter 12.03, 10.04 and 10.05 that applies to establishments. Violation - 15 points.
 - (L) Open after closing hour. (Violation of Code sec. 12.01(12)) – 25 points
- (5) Upon conviction for a violation of the following, operators shall be assessed the following demerit points.
 - (A) Selling to an underage person shall be defined and exempted as (a)(1) of the licensee code. Violation - 25 points.
 - (B) False statement on application. Violation - 100 points.
 - (C) Sell or dispense after hours. Violation - 25 points.
 - (D) Place to place deliveries. Violation - 25 points.
 - (E) Sell or serve on a public street. Violation - 25 points.
 - (F) Assault on a police officer. Violation - 200 points.
- (6) Repossession of License or Permit. Whenever any license or permit under this section shall be revoked or suspended, the Clerk shall notify the licensee of such suspension or revocation and shall notify the Chief of Police, who shall take physical possession of the license or permit wherever it may be found and file it in the Clerk's office.
- (7) Effect of Revocation of Licenses. No license shall be issued for any premises if a license covering such premises has been revoked within 6 months prior to application. No license shall be issued to any person who has had a license issued pursuant to this section revoked within 12 months prior to application.

12.02 TRANSIENT MERCHANTS *(Rev. 01-09-12)*

- (1) Registration Required. It shall be unlawful for any transient merchant to engage in sales within the City of Reedsburg, without being registered for that purpose as provided herein.

12.02 Transient Merchants

- (2) Definitions. In this ordinance:
- (A) “Transient merchant” means any individual who engages in the retail sale of merchandise at any place in the City of Reedsburg temporarily, and who does not intend to become and does not become a permanent merchant of such place. For purposes of this section, sale of merchandise constitutes the greatest part of value for the price received, but does not include a farm auction sale conducted by or for a resident farmer of personal property used on the farm or sale of produce or other perishable products at retail or wholesale by a resident of this State. (*Rev. 03-25-13*)
 - (B) “Permanent merchant” means any person who, for at least one year prior to the consideration of the application of this ordinance to said merchant (a) has continuously operated an established place of business in the local trade area among the communities bordering the place of sale; (b) has continuously resided in the local trade area among the communities bordering the place of sale and now does business from his/her residence.
 - (C) “Merchandise” shall include personal property of any kind and shall include merchandise, goods or materials provided incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of goods by a donor or prospective customer.
 - (D) “Charitable organization” shall include any benevolent, philanthropic, patriotic or eleemosynary person, partnership, association or corporation or one purporting to be such.
 - (E) “Clerk” shall mean the City Clerk.
- (3) Exemptions. The following shall be exempt from all provisions of this ordinance:
- (A) Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes;
 - (B) Any person selling merchandise at wholesale to dealers in such merchandise;
 - (C) Any permanent merchant or employee thereof who takes orders at the home of the buyer for merchandise regularly offered for sale by such merchant within this county and who delivers such merchandise in their regular course of business;
 - (D) Any person who has an established place of business where the merchandise being sold is offered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested, a home visit by said person;
 - (E) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer;
 - (F) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer;
 - (G) Any person selling or offering for sale a service unconnected with the sale or offering for sale of merchandise;
 - (H) Any employee, officer or agent of a charitable organization who engages in direct sales for or on behalf of said organization, provided that there is submitted to the Clerk proof that such charitable organization is registered under Sec. 440.42, Wis. Stats. Any charitable organization engaging in the sale of merchandise and not registered under Sec. 440.42, Wis. Stats., or which is exempt from that statute's registration requirements, shall be required to register under this ordinance;
 - (I) Any person who claims to be a permanent merchant, but against whom complaint has been made to the Clerk that such person is a transient merchant; provided that there is submitted to the Clerk proof that such person has leased for at least one year, or purchased, the premises from which he/she has conducted business in the market area for at least one year prior to the date the complaint was made;
 - (J) Any individual licensed by an examining board as defined in Sec. 15.07(7), Wis. Stats.;
 - (K) Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law;

12.02 Transient Merchants

- (L) Transient merchants while doing business at special events authorized by the City Council; and
 - (M) Any group sales authorized by the City Council.
 - (N) Any resident holding a garage sale of personal property on premises.
- (4) Registration.
- (A) Applicants for registration must complete and return to the Clerk, a registration form furnished by the Clerk, which shall require the following information:
 - (1) Name, permanent address and telephone number, and temporary address, if any;
 - (2) Age, height, weight, color of hair and eyes;
 - (3) Name, address and telephone number of the person, firm, association or corporation that the transient merchant represents or is employed by, or whose merchandise is being sold;
 - (4) Temporary address and telephone number from which business will be conducted, if any;
 - (5) Nature of business to be conducted and a brief description of the merchandise and any services offered;
 - (6) Proposed methods of delivery of merchandise, if applicable;
 - (7) Make, model and license number of any vehicle to be used by applicant in the conduct of his/her business;
 - (8) Most recent cities, villages, towns, not to exceed three, where applicant conducted his/her business;
 - (9) Place where applicant can be contacted for at least seven days after leaving this City;
 - (10) Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's transient merchant business within the last five years and the nature of the offense and the place of conviction.
 - (B) Applicants shall present to the Clerk for examination:
 - (1) A driver's license or some other proof of identity as may be reasonably required;
 - (2) A State Certificate of Examination and approval from the sealer of weights and measures where applicant's business requires use of weighing and measuring devices approved by State authorities;
 - (3) A State Health Officer's Certificate where applicant's business involves the handling of food or clothing and is required to be certified under State law; such certificate to state that applicant is apparently free from any contagious or infectious disease, dated not more than 90 days prior to the date the application license is made.
 - (C) At the time the registration is returned, a fee of \$27.50 shall be paid to the Clerk to cover the cost of processing said registration.

The applicant shall sign a statement appointing the Clerk as his/her agent to accept service of process in any civil action brought against the applicant arising out of any sale or service performed by the applicant in connection with the direct sales activities of the applicant, in the event the applicant cannot, after reasonable effort, be served personally. Upon payment of said fee and the signing of said statement, the Clerk shall register the applicant as a transient merchant and date the entry. Said registration shall be valid for a period of one year from the date of entry, subject to subsequent refusal as provided in Sec. 5(B) below.
- (5) Investigation.
- (A) Upon receipt of each application, the Clerk may refer it immediately to the Chief of Police who may make and complete an investigation of the statements made in such registration.
 - (B) The Clerk shall refuse to register the applicant if it is determined, pursuant to the investigation above, that: the application contains any material omission or materially inaccurate statement; complaints of a material nature have been received against the applicant by authorities in the most recent cities, villages and towns, not exceeding three,

12.02 Transient Merchants

in which the applicant conducted similar business; the applicant was convicted of a crime, statutory violation or ordinance violation within the last five years, the nature of which is directly related to the applicant's fitness to engage in direct selling; or the applicant failed to comply with any applicable provision of Sec. 4(B) above.

- (6) Appeal. Any person refused or denied registration may appeal the denial through the appeal procedure provided by ordinance or resolution of the Common Council, or if none has been adopted, under the provisions of Sec. 68.07 through 68.16, Wis. Stats.
- (7) Regulation of Transient Merchants.
 - (A) Prohibited Practices.
 - (1) A transient merchant shall be prohibited from: calling at any dwelling or other place between the hours of 9:00 p.m. and 9:00 a.m. except by appointment; calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning; calling at the rear door of any dwelling place; or remaining on any premises after being asked to leave by the owner, occupant, or other person having authority over such premises.
 - (2) A transient merchant shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or characteristics of any merchandise offered for sale, the purpose of his/her visit, his/her identity or the identity of the organization he/she represents. A charitable organization transient merchant shall specifically disclose what portion of the sale price of the merchandise being offered will actually be used for the charitable purpose for which the organization is soliciting. Said portion shall be expressed as a percentage of the sale price of the merchandise.
 - (3) No transient merchant shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.
 - (4) No transient merchant shall make any loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a one hundred foot radius of the source.
 - (5) No transient merchant shall allow rubbish or litter to accumulate in or around the area in which he/she is conducting business.
 - (B) Disclosure Requirements.
 - (1) After the initial greeting and before any other statement is made to a prospective customer, a transient merchant shall expressly disclose his/her name, the name of the company or organization he/she is affiliated with, if any, and the identity of merchandise or services he/she offers to sell.
 - (2) If any sale of merchandise is made by a transient merchant, or any offer for the later delivery of merchandise is taken by the seller, the buyer shall have the right to cancel said transaction if it involves the extension of credit or is a cash transaction of more than \$25, in accordance with the procedure as set forth in ss. 423.203, Wis. Stats; the seller shall give the buyer two copies of a typed or printed notice of that fact. Such notice shall conform to the requirements of ss. 423.203(1)(a)(b) and (c), (3) and (3), Wis. Stats.
 - (3) If the transient merchant takes a sales order for the later delivery of merchandise, he/she shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance whether full, partial or no advance payment is made, the name, address and telephone number of the seller, the delivery or performance date, and whether a guarantee or warranty is provided and, if so, the terms thereof.
- (8) Records. The Chief of Police shall report to the Clerk all convictions for violation of this ordinance and the Clerk shall note any such violation on the record of the registrant convicted.

12.02 Transient Merchants

- (9) Revocation of Registration.
- (A) Licenses issued hereunder may be revoked by the Council after notice and hearing, for any of the following causes:
- (1) Fraud misrepresentation or incorrect statement contained in the application for license.
 - (2) Fraud, misrepresentation or incorrect statement made in the course of carrying on his business as solicitor, transient merchant, itinerant merchant or itinerant vendor.
 - (3) Any violation of this section.
 - (4) Conviction of any crime or misdemeanor.
 - (5) Conducting the business of peddler, canvasser, solicitor, transient merchant, itinerant merchant or itinerant vendor, as the case may be, in an unlawful manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- (B) Notice of the hearing for revocation of a license shall be given by the City Clerk in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least 5 days prior to the date set for hearing.
- (10) Appeal. Any person aggrieved by the action of the Chief of Police or the City Clerk in the denial of a permit or license may appeal to the Council. Such appeal shall be taken by filing with the Council, within 14 days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The Council shall set a time and place for a hearing on such appeal and notice of such hearing shall be given at the appeal and in the same manner as provided in Subsection (9)(B) for notice of hearing on revocation.
- (11) Reapplication. No licensee whose license has been revoked shall make further application until a period of at least six (6) months shall have elapsed since the last previous revocation.
- (12) Expiration of Licenses. No license shall be issued for a longer period than one year. All annual licenses issued hereunder shall expire at midnight on December 31 in the year when issued. Other than annual licenses which shall expire at midnight on the date specified in the license.

12.025 GARAGE SALES

- (1) Garage, yard, rummage, and other similar sales from residential premises do not require permits or licenses but shall meet the following standards:
- (A) Shall not exceed four consecutive days.
 - (B) Occur no more than once per month on any one parcel.
 - (C) Hours shall be 7am-8pm.
 - (D) All items shall be stored out of public view from a street and/or sidewalk on non-sale days.
 - (E) Sales are prohibited on vacant lots.
 - (F) Signs shall not be placed in the tree bank or any public right-of-way.
- (2) This section does not prohibit the sale of individual vehicles and trailers. Additional sales per year shall be allowed under each of the following circumstances:
- (A) The sale is a result of the resident of that parcel moving to another parcel.
 - (B) The sale is conducted through the estate or legal guardian of the resident.

12.03 CIGARETTE RETAILER LICENSE *(Created 11-22-10)*

- (1) License Required. No person shall sell cigarettes in the City without first obtaining a license from the City Clerk. [§134.65] \$100.

12.04 DANCES AND DANCE HALLS

- (1) Definitions.
 - (A) "Public Dance" means any dance or ball to which admission may be had by the public generally without restriction upon the payment of a fee, or by the purchase, possession or presentation of a ticket or token obtained for money or in which a charge is made for the caring of clothing or other property.
 - (B) "Public Dance Hall" means any room, place or space in which a public dance is intended to be held.
 - (C) "Private Dance" means any dance given at any home and not held for profit, or any dance given by permanently organized clubs, fraternal orders or societies, where the attendance is limited to the members of the society, club or order and the guests of the members of said societies, clubs, or orders admitted by invitation only when no fee or other payment of any kind is made by guests, or any dance given by school association in a school building or by any person conducting a class of dancing or dancing school.
- (2) It shall be unlawful to hold any public dance in any public dance hall until the public dance hall in which the same may be given or held shall first have been duly licensed for such purposes. No person shall permit any room or building owned or controlled by him to be used for the purpose of a public dance hall unless the same shall be licensed as herein provided.
- (3) Licenses.
 - (A) Any person desiring to procure a license as herein provided shall file with the City Clerk a written application upon a blank form furnished by the City. Such application shall contain the name or names of the applicant or applicants, his or their address, the premises on which the applicant proposes to conduct public dances, the name of the owner of the premises, and a statement of whether or not the applicant has ever been convicted of violating any ordinance regulating the conduct of public dances and public dance halls.
 - (B) Such application shall be accompanied by a bond executed to the City Clerk in the penal sum of \$500.00 and be signed by 2 sufficient sureties to be approved by the City Council which bond shall be conditioned for the faithful observance of the provisions of this section for the prompt payment of any fines that may be imposed hereunder and for the payment of such inspection fees as shall be charged against such license issued pursuant hereto.
 - (C) The annual license fee shall be \$10.00, which fee shall accompany the application.
 - (D) Upon compliance with the foregoing provisions, a license shall be issued, which license shall be signed by the Mayor and the City Clerk. Each license granted hereunder shall expire on January 1 on each year. A copy of this section shall be furnished with each license. Each license shall state plainly the date of issuance and expiration, the name of the licensee and the location of the public dance hall licensed. Each license shall be prominently displayed on the premises licensed.
- (4) All public dance halls and facilities appertaining thereto shall be kept at all times in a clean, healthful and sanitary condition, and all stairways and other passages and all rooms connected with a public dance hall shall be kept open and well lighted during public use. Proper ventilation must be maintained at all times. Suitable toilet facilities shall be maintained with separate toilets for each sex.
- (5) The license of any dance hall shall be revoked by the Council upon a sufficient showing of a violation of any provision of this section or any other law or ordinance applicable to public dances or public dance halls. A violation as set forth herein before by any person conducting a public dance, whether the holder of the license, for said hall or some other person, shall be sufficient for revocation hereunder; provided no license shall be revoked except upon 5 days notice of hearing and after the holder of said license shall be given an opportunity to be heard.

12.04 Dances and Dance Halls

Whenever a license is revoked no new license shall be issued for the premises covered by said revoked license or not to the holder thereof for a period of one year from the date of revocation.

- (6) No person conducting a public dance, his agent or manager, or for the holder of a public dance license shall:
 - (A) Permit any minor under 15 at a public dance unless accompanied by a parent or natural guardian.
 - (B) Permit any intoxicated person in or about the dance hall or adjoining stairs or premises.
 - (C) Permit the sale, transportation or consumption of any kind of intoxicating liquor or beverages in or about a public dance hall.
 - (D) Permit any loud, obscene or boisterous conduct in or about a public dance hall.

12.05 AMUSEMENTS AND SHOWS

- (1) Definition. The words "show" and "amusements" as herein used, shall include any exhibition within the City, or animals, wax or other figures, feats or circus riding, rope or wire dancing, sleight of hand performance or any circus, carnival, shooting gallery, carousel, roller skating rinks, or any other exhibition or the carrying on or operation within the City any such show, exhibition or business.
- (2) Theaters Exempt. This section shall not require a license for permanent theater establishments.
- (3) Licenses Required. No person shall operate within the City any show or amusement without first having obtained a license from the City for that purpose and without having paid the necessary fee as hereinafter provided and prescribed.
- (4) Application. Any person desiring to transfer the business as aforesaid shall obtain license application form from the City Clerk. He shall fill out this application form stating the nature and place or places where his business is to be carried on, the length of time for which license is desired, a general description of the things intended to be exhibited, the name and permanent address of the applicant of the firm, person or corporation which he represents and the place or places of residence of the applicant of the firm, person or corporation which he represents and the place or places of residence of the applicant for 2 years previous. Such application shall be accompanied by the fee hereinafter required and no license shall be granted until the provisions of this section have been complied with.
- (5) Issuance of License. Upon approval of the license committee and the payment of the required license fee, the City Clerk shall issue a license for the time specified in the application.
- (6) Fee. The fee for any such license shall be as follows:
 - (A) For all circus or animal shows or any combination thereof having one ring, \$15.00 per day, for each additional ring, \$10.00 per day and \$3.50 per day for each side show or other stand or concession traveling therewith, but in no event shall the total license fee be more than \$25.00 per day.
 - (B) For all merry-go-rounds on revolving wheels carrying passengers, a license fee of \$2.50 per day each and for all slides, swings, bird shows, lifting machines, blowing and striking machines, lunch counters, and refreshment stands and other similar exhibitions and devices the sum of \$3.50 per day for each stand or show, but the total license fee to any carnival or other show licensed under this Subsection, shall not be more than \$25.00 per day.
 - (C) For any shows or entertainment given in a tent with a seating capacity of less than 50, the license fee shall be \$3.00 per day.
 - (D) For any show or entertainment given in a tent with a seating capacity of less than 50, the license fee shall be \$3.00 per day.
 - (E) For any roller skating rink, a license fee of not less than \$1.00 per day, nor more than \$2.50 per day, such fee to be determined by the licensing committee.

12.05 Amusements and Shows

- (7) Revocation. The Mayor or Chief of Police may at any time revoke any license for a violation of this section or any ordinance of the City or any law of the state or of the United States. When a license shall be revoked, no refund of any unearned portion of the license fee shall be made. Notice of such revocation and the reason or reasons therefor, in writing, shall be served personally upon the person named in the application or upon the person actively in charge of said show, exhibition or business.

12.06 AMUSEMENT GAMES

- (1) No person shall maintain or operate any pinball machines, shuffle boards, music boxes, or any other form of game run for profit in the City unless the owner or the party having such game, machine or amusement in custody shall have obtained a license to operate the same from the City.
- (2) Upon the issuance of any such license to any person, there shall be prominently displayed at such game, machine or amusement or attached to said machine, game or amusement, the license so issued, so that it may be open to inspection at any time.
- (3) For each such game, machine or amusement there shall be paid to the City Treasurer, a license fee of \$5.00 for any part of a year and all such licenses shall expire on June 30 after being issued.

12.07 GOLF, MINIATURE

- (1) No person shall operate any miniature golf grounds, Tom Thumb Golf Grounds, Peter Pan Golf Grounds or any other like or similar place or amusement within the City without first having obtained a license therefor as hereinafter provided.
- (2) Application for such license shall be made to the City Clerk and shall be accompanied by the license fee of \$25.00 and said application shall be thereafter acted upon by the Council who may grant or refuse such license in their discretion, after a 2 weeks' notice has been given by publication in a newspaper published in the City for the public hearing, such notice to specify therein the purpose of such hearing and at which time the place of such hearing is to be held and at which hearing all persons residing in said City and desiring so to do may be heard. All licenses issued after such hearing shall expire on December 31 following the granting thereof and all such licenses may be revoked by the Council on 5 days' notice, for cause.
- (3) No licensee shall keep open his place of business between 11:00 p.m. and 7:00 a.m. All licensees shall conduct their places of business in an orderly and quiet manner and no licensee shall be permitted to keep his place of business illuminated more than 30 minutes after the closing down herein provided.

12.08 TATTOO ESTABLISHMENTS *(Created 9-24-07)*

- (1) Definitions:
 - (A) Tattoo, as a verb, means inserting pigment under the surface of the skin of an individual by pricking a needle or other instrument.
 - (B) Tattooist means a person who tattoos another person at that person's request.
 - (C) Tattoo establishment means the premises where a tattooist applies a tattoo to another person.
- (2) No person shall operate a tattoo establishment within the City without first having obtained a license therefore, as hereinafter provided.

12.08 Tattoo Establishments

- (3) Application for such license shall be made to the City Clerk and shall be accompanied by a license fee of \$50.00. Said license shall be for one year, or a portion thereof, and shall be renewable, upon application and payment of the fee, on or before July 1 or each year.

12.09 POOL HALLS, BILLIARD HALLS, ETC.

- (1) No person shall keep a billiard table, pool table, pigeon hole table or bowling alley within the City without having obtained a license therefor.
- (2) The sum to be paid for such license shall be \$5.00 per year per each billiard table, pool table, pigeonhole table or bowling alley, wherever kept.
- (3) Notices shall be conspicuously posted in every such saloon, billiard hall, and bowling alley as follows: "Minors are not permitted to play here."

12.10 MOBILE HOMES AND MOBILE HOME PARKS

- (1) Definitions. Whenever used in this section, unless a different meaning appears from the context:
 - (A) "Mobile Home" means any trailer, coach, cabin, mobile home, house card or other vehicle or structure intended for or capable of human dwelling or sleeping purposes, mounted upon wheels or supports, and or capable of being moved by its own power or transported by another vehicle.
 - (B) "Unit" means a mobile home unit.
 - (C) "Nondependent Unit" means a mobile home that has bath or shower and toilet facilities.
 - (D) "Dependent Unit" means a mobile home which does not have bathroom or shower and toilet facilities.
 - (E) A "Mobile Home Park" means any park, court, campsite, plot, parcel, or tract, of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than 2 mobile homes and shall include all buildings used or intended for use as part of the equipment thereof whether or not a charge is made for the use of the mobile home park and its facilities. It shall not include automobile or mobile home sales lots on which unoccupied mobile homes are parked for purposes of inspection and sale.
 - (F) A "space" in any new mobile home park or addition to existing parks means a plot of ground in a park of not less than 1,000 square feet of space designed for the location for only automobile and/or one mobile home.
 - (G) The word "person" shall be construed to include an individual partnership, firm, company, corporation, whether tenant, owner, lessee, licensee, or their agent, heir, or assign.
- (2) Location Outside Parks.
 - (A) No person shall park any mobile home on any street, alley, highway or other public place, or on any tract of land owned by any person within the City, except in a licensed mobile home park.
 - (B) Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than one hour subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.

12.10 Mobile Homes and Mobile Home Parks

- (C) No person shall park or occupy any mobile home on any premises which is situated outside an approved mobile home park. The parking of only one unoccupied mobile home in an accessory private garage building, or in a rear yard, is permitted providing no living quarters shall be maintained or any business practiced in said mobile home while such mobile home is so parked or stored.
- (3) License for Mobile Home Park: Application and Issuance.
- (A) Mobile homes shall not be used as a permanent place or abode or as a permanent dwelling, or for indefinite periods of time, provided any non-dependent mobile home properly connected with the public water supply and sanitary sewer system may be permitted in any licensed mobile home park if such mobile home shall be constructed and located in compliance with all requirements of the building, plumbing, health, sanitary, electrical and zoning ordinances.
- (B) An annual license is required. The application for a mobile home park license or the renewal thereof shall be filed with the City Clerk and shall be accompanied by a fee of \$2.00 for each space in the existing or proposed park, and a surety bond in the sum of \$5,000. This bond shall guarantee the collection by the licensee of the monthly parking permit fee provided for in subsection (12) and the payment of such fees to the City Treasurer, the payment by the licensee of any fine or forfeiture including legal costs imposed upon or levied against said licensee for a violation of the ordinances of the City pursuant to which such license is granted, and shall also be for the use and benefit and may be prosecuted and recovery had thereon by any person who may be injured or damaged by reason of the license violating the provisions of this section.
- (C) The application for a license or a renewal thereof shall be made on forms furnished by the City Clerk and shall include the name and address of the owner in fee of the tract (if the fee is vested in some person other than the applicant, duly verified statement by that person that the applicant is authorized by him to construct or maintain the mobile home park and make the application), and such a legal description of the premises, upon which the park is or will be located as will readily identify and definitely locate the premises. The application shall be accompanied by two copies of the park plan showing the following, either existing or as proposed:
1. The extent and are used for park purposes;
 2. Roadways and driveway;
 3. Location of units for homes;
 4. Location and number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms to be used by occupants of units;
 5. Method and plan of sewage disposal;
 6. Method and plan of garbage removal;
 7. Plan for water supply, and
 8. Plan for electrical lighting units.
- (4) Inspection and Enforcement. No mobile home park license shall be issued until the City Clerk shall notify the Chief of Police, Health Officer, Chief of Fire Department, and Building Inspector or their authorized agents of such application, and these officials shall inspect or cause to be inspected each application and the premises on which mobile homes will be located comply with the regulations, ordinances and laws applicable thereto. These officials shall furnish to the Council, in writing, the information derived from such investigation, and a statement as to whether the applicant and premises meet the requirements of the department for which the office is certifying. No license shall be renewed without a re-inspection of the premises. For the purpose of making inspections and securing enforcement, such officials or their authorized agents may enter on any premises on which a mobile home is located, or about

12.10 Mobile Homes and Mobile Home Parks

to be located, and to inspect the same and all accommodations connected therewith at any reasonable time.

(5) Location of Mobile Home Parks.

- (A) No mobile home or mobile home park shall be located in any fire district.
- (B) No occupied mobile home within the City shall be located between the reorganized setback line for the zoning district in which such mobile home is located and the street or highway, nor less than 10 feet from any building or other mobile home or from the boundary line of the premises on which located.

(6) Park Plan.

- (A) Every mobile home and mobile home park shall be located on a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. No mobile home or mobile home park shall be located in any area that is situated so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.
- (B) Spaces in new parks or additions to present parks shall be clearly defined and shall consist of a minimum of 1,000 square feet and a width of not less than 20 feet. The camp shall be so arranged that all spaces shall face or abut on a driveway of not less than 20 feet in width, giving easy access from all units to a public street, except that those 10 trailers located on the north side of Lucky Street between Grove Street and Dewey Avenue, shall be allowed to have exit onto Lucky Street. Such driveway shall be graveled or paved and maintained in good condition, having natural drainage, be well lighted at night, and shall not be obstructed.
- (C) No dependent unit shall be located within the City.
- (D) Every space shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than 30 amperes capacity, and a heavy-duty receptacle. Electrical outlets shall be weatherproof and no power lines shall be less than 15 feet above ground.
- (E) No unit shall be parked in a park outside of a designated space.

(7) Water Supply.

- (A) An adequate supply of pure water furnished through a pipe distribution system connected directly with the public water main, with supply faucets located not more than 200 feet from any mobile home shall be furnished for drinking and domestic purposes in all parks.
- (B) Individual water service connections provided for direct use of an independent unit shall be so constructed that they will not be damaged by the parking of such units. Such systems shall be adequate to provide 20 pounds of pressure per square inch and capable of furnishing a minimum of 125 gallons per day per space.
- (C) No common drinking vessels shall be permitted, nor shall any drinking water faucets be placed in any toilet room.

(8) Service Building Accommodations.

- (A) Every mobile home park shall have erected thereon suitable buildings for laundry facilities as required by this section. Such buildings shall be of permanent construction and adequately lighted, screened and ventilated.
- (B) Laundry facilities shall be provided in the ratio of one double tray unit and one conventional type washing machine, or one automatic washing machine, with one electric outlet, for each 8 units, sufficient drying facilities shall be available.
- (C) Slop sinks for disposal of liquid wastes originating at the units shall be provided in a separate room of the service building in the ratio of one slop sink for each 16 dependent units.
- (D) Floors of laundry facilities shall be of concrete, tile, or similar material impervious to water and easily cleaned and pitched to a flood drain.

12.10 Mobile Homes and Mobile Home Parks

- (E) The above accommodations shall be based on the total park capacity according to accepted plans.
- (9) Waste and Garbage Disposal.
 - (A) All liquid waste from showers, toilets, laundries, faucets, lavatories, etc. shall be discharged into a sewer system extended from and connected with the public sewer system.
 - (B) Every space shall be provided with sewer connections which shall comply with the state plumbing code. The sewer connection shall be provided with suitable fittings so that watertight connections can be made. Such connections shall be so constructed so that they can be closed when not connected and trapped in such a manner as to be maintained in an odor-free condition.
 - (C) All sanitary facilities in any unit which are not connected with a public sewer system by approved pipe connections shall be sealed and their use is hereby declared unlawful.
 - (D) Each faucet shall be equipped with facilities for drainage of waste and excess water.
 - (E) Every unit shall be provided with a substantial fly-tight, watertight, metal garbage depository from which the contents shall be removed and disposed of in sanitary manner by the park custodian at least twice weekly between May 1 and October 15, and otherwise weekly.
- (10) Management.
 - (A) In every mobile home park there shall be located the office of the attendant or person in charge. A copy of the license and of this section shall be posted therein and the park register shall be set in said office at all times.
 - (B) The attendant or person in charge, together with the licensee, shall:
 1. Keep a register of all guests, to be open at all times in regards to inspection by state and federal officers and the license committee, which shall show for all guests:
 - A. Names and addresses.
 - B. Number of children of school age.
 - C. States of legal residence.
 - D. Dates of entrance and departure.
 - E. License numbers of all mobile homes and towing or other vehicles.
 - F. States issuing such licenses.
 - G. Purpose of stay in park.
 - H. Place of last location and length of stay.
 - I. Place of employment or each occupant.
 2. Maintain the park in a clean, orderly and sanitary condition at all times.
 3. Insure that the provisions of this section are complied with and enforced and report promptly to the proper authorities any violation of this section or any other violations of law which may come to his attention.
 4. Report to the health officer all cases of persons or animals infected or suspected of being infected with any communicable disease.
 5. Maintain in convenient places, approved by the Fire Chief, hand fire extinguishers in the ratio of one to each 8 units.
 6. Collect the monthly parking permit fee provided for in subsection (12). A book shall be kept showing the names of the persons paying said service charges and the amount paid.
 7. Prohibit the lighting of open fires on the premises.

12.10 Mobile Homes and Mobile Home Parks

- (11) Applicability of Plumbing, Electrical and Building Ordinances. All plumbing, electrical, building and other work on or at any park licensed under this section shall be in accordance with the ordinances of the City and the requirements of the state plumbing, electrical and building codes and the regulation of the State Department of Health and Social Services. Licenses and permits granted under this section grant no right to erect or repair any structure, to do any plumbing work, or to do any electrical work.
- (12) Monthly Park Fee. There is hereby imposed on each owner or operator of a mobile home park licensed herein, a monthly permit fee as determined in accordance with Sec. 66.0435, Wis. Stats., on each occupied, non-exempt mobile home which shall have been parked in such park for a period of 2 weeks or longer during the month. It shall be the full and complete responsibility of the licensee to collect the proper amount from each mobile home and to pay to the City Treasurer such parking permit fees on or before the 10th of the month following the month for which such fees are due, in accordance with the terms of this section and such regulations as the treasurer may reasonably promulgate.
- (13) Revocation and Suspension. The Council may revoke any license or permit issued pursuant to the terms of this section in accordance with Sec. 66.0435(2)(d), Wis. Stats.
- (14) Compliance with Chapter H77, Wisconsin Administrative Code. In compliance with Chapter H77 of the Wisconsin Administrative Code, the following requirements in addition to all those set forth above shall be applicable to the operation of mobile home parks:
 - (A) On a yearly basis, the City Health Inspector shall perform a sanitary survey/inspection of each facility and shall supply a copy of that report to the Department of Health and Social Services.
 - (B) The City Clerk shall provide a copy of this ordinance along with the name of the City Health Inspector to the Department of Social Services and shall be responsible for notifying the department of any changes in that information. The Clerk shall further annually provide the Department of Social Services with a list of all mobile home parks within the City of Reedsburg during the month of April.

12.11 TAXICABS AND DRIVERS

- (1) Definition of Taxicab. "Taxicab" shall include all vehicles transporting passengers for remuneration for which patronage is solicited publicly. This section shall not apply to:
 - (A) Vehicles operating on established routes which are regulated by the Public Service Commission of Wisconsin.
 - (B) Vehicles rented to be driven by the renter or his agent, commonly known as rent-a-cars;
 - (C) Vehicles operated solely as funeral cars or ambulances.
- (2) Taxicab License. No person shall for remuneration transport passengers in a taxicab within the City without first having obtained a taxicab license.
- (3) Application for Taxicab License.
 - (A) Application for taxicab license to operate one or more taxicabs or an application to operate additional taxicabs under an existing license shall be made in writing to the City Clerk upon forms furnished by him, giving the address from which the business is conducted and signed by the owner of the business or his duly authorized agent. The application must also state for each vehicle to be operated, the make, model, and year of manufacture, the engine number, serial number and capacity for passengers, and the Wisconsin State Certificate of Title Number and license number.

12.11 Taxicabs and Drivers

- (B) The application shall be submitted by the City Clerk to the Council, which shall set a date for a public hearing before the Council, to examine the public convenience and necessity of granting such license. The City Clerk shall notify the applicant of the time and place set for the hearing. No license shall be granted until the Council shall by resolution have determined that the public convenience and necessity will be served by the service proposed in the application for license. The Council may hold such further hearings and procure such additional information as it may deem necessary or advisable in making such determination.
- (4) License Fees. The taxicab license fee shall be \$5.00 per year, or any fractional part thereof, for the first vehicle operated and \$5.00 per year, or any fractional part thereof, for each additional vehicle operated by the same licensee. The license year shall commence January 1 and end December 31. If less than 6 months remain of the license year, the license fee for the first taxicab shall be reduced one half.
- (5) Insurance.
- (A) No taxicab license shall be issued until the applicant deposits with the City Clerk a policy of liability insurance covering all vehicles to be included under the license. Such policy shall describe each vehicle by make, model and serial number, number of passengers capable of being accommodated therein at one time, and the number of the state motor vehicle license. Such insurance policy shall be issued by a company licensed to do business in the State of Wisconsin, and shall insure the licensee against loss from liability to the amount of \$25,000 for the injury or death of more than one person in any one accident; and in the amount of \$10,000 for damage to property of others for any one accident due to the negligent operation of such vehicle.
- (B) The policy of insurance shall be approved by the City Attorney as to legal form before it is filed, and shall contain a provision that the same may not be canceled before the expiration of its term, except upon 10 days written notice to the City.
- (C) The cancellation or other termination of any insurance policy issued in compliance with this section shall automatically revoke and terminate all licenses issued for the vehicles covered by such insurance policy, unless another policy shall have been filed and approved pursuant to this section, and shall be in effect at the time of such cancellation or termination.
- (6) Issuing of Taxicab License.
- (A) After passage of the resolution of convenience and necessity and upon filing with the City Clerk a receipt of the City Treasurer showing payment of the required license fees and the policy of insurance as hereinafter provided, the City Clerk shall issue to the applicant a taxicab license. Each license granted shall be numbered, and shall show the owner's name and place of business, and the number of vehicles which may be operated thereunder.
- (7) Transfer of Taxicab Licenses. No taxicab license shall be transferable either from the vehicle described in the original application to another vehicle, or from the original license to another person, without formal permission from the Council.
- (8) Renewal. Taxicab licenses may be renewed by the City Clerk upon the payment of the fees and filing of policies of insurance as required for the original license.
- (9) Revocation. A taxicab license may be revoked at any time by the Council for violation of any provision of this section or for violation of any provision of Chapters 340.347, Wis. Stats., or of any such statutory provision incorporated in a municipal ordinance. Such revocation may be for all vehicles or any vehicle included under a license. When any taxicab license is revoked, the City Clerk shall immediately notify the licensee to cease immediately to operate the taxicab for which the license has been revoked.

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(10) Condition of Vehicles.

- (A) The licensee shall keep each taxicab in a clean and sanitary condition, well painted, and equipped and maintained as requires by Chapters 340-347, Wis. Stats.
- (B) The Chief of Police shall inspect each taxicab to determine whether it is properly equipped and maintained before a license is issued. Said inspection to be made yearly between December 30 and December 31.

(11) Taxi Driver's License.

- (A) No person shall operate a taxicab unless he shall possess a taxi driver's license. The fee for such license shall be \$1.00.
- (B) Each applicant shall submit in writing to the Chief of Police, on forms furnished by the Police Department, a statement of the applicant's full name, his present residence, his residence for 3 years past, his age, color, height, weight, color of eyes and hair, citizenship, place of last previous employment, marital status, Wisconsin State motor vehicle operator's license number, whether he has ever been convicted of a felony or a misdemeanor, whether he has ever been previously licensed as a driver or chauffeur, and if so, when and by what authority, whether his license has ever been revoked or suspended, and if so, for what cause, and the name of the prospective employer. Applications shall be retained as Policy Department records.
- (C) No license shall be granted to any person:
 - 1. Who is under 18 years of age;
 - 2. Who does not possess a valid Wisconsin State motor vehicle operator's license;
 - 3. Who has been convicted of a felony or who has been convicted of driving a vehicle upon the highway while under the influence of intoxicating liquor or narcotics, unless 2 years have elapsed since his date of conviction or discharge from a penal institution, whichever is later.
- (D) A taxi driver's license shall expire on December 31 following its issuance. It may be renewed upon application to the Chief of Police on a form furnished by him entitled "Application for Renewal of Taxi Driver's License", which shall show the full name and address of the applicant, and the date upon which his original license was granted and the number thereof.
- (E) Upon presentation of the City Treasurer's receipt for payment of the license fee, the Chief of Police shall deliver to each licensed taxi driver a license, of such form and style as the Chief of Police may prescribe, with the license number thereon, and which must, under penalty of revocation of the license, be continuously and conspicuously displayed on the taxicab when he is engaged in his employment.
- (F) The Chief of Police shall revoke a taxicab driver's license if the licensee has, since the granting of the permit:
 - 1. Been convicted of a felony;
 - 2. Had his state motor vehicle operator's license revoked or suspended;
 - 3. Been convicted of driving while under the influence of intoxicating liquor, or narcotics;
 - 4. Had, during any continuous 6-month period, 3 or more convictions of any of the offenses set forth in the motor vehicle code of the Wisconsin Statutes, or of any such statutory provisions incorporated in a municipal ordinance;
 - 5. Demonstrated to the Chief of Police that, in the interest of the preservation of the public safety, welfare, morals, or good order, the licensee is unfit to drive a taxicab.

12.11 Taxicabs and Drivers

- (H) Written notice of such revocation or refusal to renew shall be given the licensee. Any person whose license shall have been revoked or renewal refused by the Chief of Police may, within 10 days thereof, appeal to the Council for a hearing thereon; and the Council may, after the hearing, affirm or reverse the action of the Chief of Police. If no appeal is taken within 10 days, the action of the Chief of Police shall be final.
- (I) The Chief of Police shall repossess each license which is revoked.
- (12) Transfer of Drivers. A taxi driver may not transfer from one taxicab driver license to another licensee until such transfer has been recorded in writing with the Chief of Police.
- (13) Taxicabs to be Marked. Every taxicab shall be conspicuously marked on the right and left side with the name of the licensee and the words cab or taxicab. A card containing the name of the licensee, taxicab license number, and rates and fares printed thereon shall be kept in a conspicuous place inside of such vehicle at all times.

12.12 NATURAL GAS FRANCHISE

The City of Reedsburg does hereby grant to Wisconsin Power & Light Company. A Corporation organized and existing under the laws of the State of Wisconsin, its successors and assigns, upon the conditions hereinafter set forth, the exclusive right, authority and permission to construct, maintain, operate, enlarge and repair in the City, a system for the furnishing and distribution of natural gas and natural gaseous fuels, and to use the streets, alleys, lanes, boulevards, parks, public ways, public grounds and bridges in the City, for constructing, maintaining, operating, enlarging and repairing its transmission and distribution pipe lines with all the necessary, usual or convenient manholes, valves, passageways and appurtenances for the purpose of supplying and selling natural gases and natural gaseous fuels to the City and its residents and to any building, structure, factory, processing plant, industry or public or private house or any gas user therein.

Provided, this franchise is granted subject to such reasonable rules and regulations as the City Council may by ordinance from time to time prescribe, and it is further subject to all general provisions of statutory laws in force and applicable thereto and to the general orders, rules and regulations of the Public Service Commission of Wisconsin and to such reasonable rules and regulations restricting the use of said streets, highways, public ways, alleys, and bridges and to construction, maintenance and operation of such natural gas transmitting system as the public bodies of the State of Wisconsin having authority under the law may from time to time enact.

12.13 WEIGHTS AND MEASURES REGULATION

- (1) **APPLICATION OF STATE CODES.** Except as otherwise specifically provided in this section, the statutory provisions of Chapter 98, Weights and Measures, Wis. Stats. And Wis. Adm. Code, ATCP 92, Weighing and Measuring Devices, are hereby adopted and by reference made a part of this section as if fully set forth herein. Any act required to be performed or prohibited by any statute or code incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutes incorporated herein or Wis. Adm. Code provisions incorporated herein are intended to be made a part of this section. This section is adopted pursuant to the provisions of Chapter 98, Wis. Stats.
- (2) **APPOINTMENT OF INSPECTORS.** In order to assure compliance with this section, the City hereby grants the authority and duties of sealers and inspectors required by this section to the State of Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (3) **DEFINITIONS.**

12.13 Weights and Measures Regulation

- (A) Commercial Weighing or Measuring Devices. Devices used or employed in establishing the size, quantity, extent, area or measurement of quantities, things, produce or articles for sale, hire or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure.
- (B) Weights and Measures Program. The program that includes administration and enforcement of this section, Chapter 98, Wis. Stats., and applicable Wis. Adm. Code provisions, and any related actions.

12.14 GARBAGE & REFUSE: LICENSING AND REGULATION OF COLLECTOR

(created 6/28/04)

- (1) Application for license as a collector shall be made to the City Clerk.
- (2) Upon application a license may be granted for a period of up to three (3) years.
- (3) The license fee for the collector shall be One hundred and no/100 Dollars (\$100.00) per year or portion thereof within the license period and shall be paid at the time of the issuance of the license.
- (4) Violation of any part of Section 11.09 (including all subsequent amendments) and/or failure to provide prompt, dependable service shall constitute cause for revocation of this license.
- (5) No person not licensed under this section shall operate a garbage and refuse collection service.

12.15 ELECTRICAL INSPECTOR

- (1) Electrical Inspector. That there be and is hereby created the office of electrical inspector. Said office of electrical inspector shall be filled by the Superintendent of the Electrical Department. In case of this inability to serve, he shall have the power to appoint an assistant, or such assistant may be appointed by the Reedsburg Utility Commission and he shall perform the duties of electrical inspector as hereinafter provided.
- (2) Inspection. The electrical inspector shall make a thorough examination of all electrical wires and appliances installed in the City of Reedsburg, and when such wires and appliances are found to be in a dangerous or unsafe condition, he shall notify the person, firm, or corporation owning, using, operating, or installing the same to place them in a safe condition. Any person, firm or corporation failing or refusing to make the necessary repairs or changes and have such work completed within thirty days, or any longer period which the electrical inspector may deem reasonable, the electrical inspector is hereby empowered with authority to discontinue electrical service to such defective wires or appliances until they have been repaired, removed, or changed as directed by such electrical inspector.
- (3) Right of Access to Building. Said electrical inspector shall have the right during reasonable hours to enter any public or private building in the discharge of his official duties or for the purpose of making any inspection or test of the electrical wires and appliances contained therein, and shall have the authority to cause the disconnection of all electrical current and cut or disconnect, in cases of emergency, any wire where such electrical current is dangerous to life or property, or may interfere with the work of the fire department.
- (4) Permits. No alterations or additions shall be made in the existing wiring of any building, nor shall any building be wired for the placing of any electrical lights, motors, heating devices, or any apparatus requiring the use of electrical current, nor shall any alterations be made in any electrical appliances or wiring of any building after inspection; and where the electrical current has been disconnected no re-connection shall be made without notifying the electrical inspector

12.15 Electrical Inspector

and securing a permit therefor. Exceptions are minor repair work, such as repairing flush and snap switches, refusing cutouts, changing lamp sockets, and receptacles, taping bare joints, and repairing drop cords.

Upon the completion of the wiring of any building, it shall be the duty of the person, firm or corporation doing same, to notify the electrical inspector, who shall inspect such wiring within twenty-four hours after time of notice. If approved by him, he shall issue a certificate of satisfactory inspection which shall contain the date of inspection and an outline of the result of such inspection but no certificate shall be issued unless the electric light, power or heating installation and all other electrical apparatus connected with it are in strict conformity with the provisions of this ordinance, the statutes of the State of Wisconsin, the rules and regulations issued by the Industrial Commission under authority of the Wisconsin Statutes, and the latest approved methods of construction for safety to life and property for which the regulations as laid down in the national electrical code shall be prima facie evidence of such latest and most approved methods. No electrical current shall be turned on for such installation until such certificate is issued, except by permission of the electrical inspector. All wires which are to be hidden from view shall be inspected before concealment, and all persons installing same must notify the electrical inspector, giving him twenty-four hours to make such inspection.

- (5) Records of Permits and Inspectors. The electrical inspector shall keep complete records of all permits issued and inspections made and other official work performed under the provisions of this ordinance. He shall be provided with the necessary supplies to carry out the provisions of this section. Copies of all permits and of all certificates of satisfactory inspection shall be filed in the office of the secretary of the Utility Commission.
- (6) thru (11) Reserved for Future Use.
- (12) Section 133.7 of the Wisconsin State Electrical Code, order number 1337.01, order number 1337.02, and order number 1337.03, and all orders amendatory thereof and supplementary thereto, relating to radio equipment, receiving stations and transmitting stations, shall be complied with.
- (13) Arbitration. When the Electrical Inspector condemns all or part of the electrical work of any building, the owner may, within five days after receiving written notice from the electrical inspector, file a petition in writing for review of said action of Electrical Inspector to the Board of Examiners of Electricians, upon receipt of which said board shall at once proceed to determine whether said electrical construction complies with this ordinance, and within three days shall make a decision in accordance with its findings.
- (14) This ordinance shall not be construed to relieve from, or lessen the responsibility or liability of any part owning, operating, controlling or installing any electrical equipment, or damages to anyone injured or any property destroyed by any defect therein, nor shall the City be held as assuming any such liability by reason of the inspection authorized herein, or certificate of inspection issued as herein provided.

12.16 PENALTY AND REVOCATION OF LICENSE

Any person, firm or corporation who shall fail to comply with any of the provisions hereof shall, upon conviction thereof, be punished by a fine of not less than ten dollars and the costs of prosecution, nor more than fifty dollars, and in default of the payment thereof, shall be imprisoned in the county jail of Sauk County, Wisconsin, not less than ten days nor more than sixty days. The license of the firm, person or corporation so convicted is thereby automatically revoked, and no license shall again be issued to the same licensee for a period of less than thirty days, nor more than six months after revocation of said license, and that not until he shall have complied fully with the provisions of this ordinance and have made application therefor and paid the fee as required by this ordinance. (Amended).

12.1 Penalty

12.17 PENALTY *(Rev. 9-24-07)*

For a violation of a section of this Chapter 12, the forfeiture shall be not less than \$5.00 nor more than \$500.00 upon conviction for each offense together with the costs of prosecution.