

### **3.25 AN ORDINANCE PROVIDING FOR NON-RENEWAL OF PERMIT, LICENSE OR FRANCHISE**

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

#### **SECTION 1:**

Section 3.25 of the Code of Ordinances of the Village of Melrose is hereby created so as to read as follows:

#### **1. PERMIT, LICENSE, OR FRANCHISE**

a) No permit, license or franchise shall be granted or renewed by the Village or by any Village officer, board or employee, to any person, partnership, corporation or other recognized legal entity which owes the Village any money or has any debts outstanding to the Village. Included without limitation shall be delinquent real and personal property taxes, delinquent special assessments, delinquent licensing fees, and any sums due for personal property delivered or services rendered for which the applicant is indebted to the Village and upon which timely payment has not been made. The provisions hereunder shall not apply to any applicant which is making regular payments on its debts to the Village according to a previously approved plan by the Village board.

b) No permit, license or franchise shall be granted or renewed by the Village or by any Village officer, board or employee, to any person, partnership, corporation or other recognized legal entity which is delinquent on any taxes, fees or other money owed to any wholesaler, retailer or other recognized legal entity.

c) If any holder of any permit, license or franchise which was granted or renewed by the Village, has any debts outstanding (as specified in section 1(a) hereof) owed to the Village, the Village shall have the power to revoke or suspend any such permit, license or franchise.

#### **2. PROCEDURE**

a) Written notice of intention not to grant or renew any permit, license or franchise under the provisions of section 1 hereof shall be given to the applicant prior to the denial or failure to renew such permit, license or franchise. The applicant shall be given the opportunity to appear before and be heard by the Village board if the applicant requests such opportunity in writing filed with the Village clerk prior to the time set to act upon such application or renewal thereof.

b) In a revocation and/or suspension matter, any resident of the Village may file a sworn written complaint with the Village clerk alleging a violation of section 1 hereof. The clerk shall issue a summons commanding the permit, license or franchise holder to appear not less than three (3) days and not more than ten (10) days from the date of issuance and show cause why his or her

license should not be revoked or suspended. Thereafter the Village shall use the hearing procedure specified in Wis. Stat. s. 125.12(2)(b).

## **SECTION 2: SEVERABILITY**

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent, jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

## **SECTION 3: CONFLICTING ORDINANCES**

All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

## **SECTION 4: EFFECTIVE DATE**

Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

/signed/

Tory Lockington, Village President

/signed/

Dan Ciechanowski, Village Clerk

Passed: 9-4-2013

Approved: 9-4-2013

Published: 9-18-2013