

ORDINANCE NO. 2022 - 009

VILLAGE OF CRIVITZ
MARINETTE COUNTY, WISCONSIN

AN ORDINANCE REGARDING REVISIONS TO THE OPERATORS LICENCE ORDINANCE
IN THE MUNICIPAL CODE OF ORDINANCES FOR THE VILLAGE OF CRIVITZ

THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF CRIVITZ, MARINETTE
COUNTY, WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

- I. **REVISION.** Section 7-2-31 of the Village of Crivitz Code of Ordinances is hereby revised, as follows:

Sec. 7-2-31. - Procedure Upon Application.

- (a) The ~~Village Clerk-Treasurer~~ may issue an operator's license, which such license shall only be granted upon application, in writing, on forms to be obtained from the ~~Village Clerk's office~~, only to persons eighteen (18) years of age or older, and only subsequent to approval under Subsection (b) hereof. Operator's licenses shall be ~~valid~~ only within the limits of the Village of Crivitz.
- (b) All applications are subject to an investigation by the Chief of Police, and/or other appropriate authority, to determine whether the applicant and/or premises to be licensed complies with all regulations, ordinances and laws applicable thereto. The Police Department shall conduct an investigation of the applicant, including, but not limited to, requesting information from State, surrounding municipalities, and/or any community where the applicant has previously resided, concerning the applicant's arrest and conviction record. Based upon such investigation, the Chief of Police shall recommend, in writing, to the ~~Village Clerk-Treasurer~~, approval or denial of the application. If the Chief of Police recommends denial, the Chief of Police shall provide, in writing, the reasons for such recommendation.

- II. **REVISION.** Section 7-2-33 of the Village of Crivitz Code of Ordinances is hereby revised, as follows:

Sec. 7-2-33. - Operator's License Fee; Provisional and Temporary Licenses.

- (a) **Fee.** The fee for a standard operator's license and a provisional operator's license shall be as established by the Village Board. There is no fee for a temporary operator's license.
- (b) **Provisional License.** The ~~Village Clerk-Treasurer~~ may issue provisional operator's licenses in accordance with Wis. Stats. § 125.17(5). The provisional operator's license shall expire sixty (60) days after its issuance or when a

standard operator's license is issued to the holder, whichever is sooner. The **Village Clerk-Treasurer** may, upon receiving an application for a provisional license, issue such license without requiring the successful completion of the approved program as described herein. However, such provisional license shall be used only for the purpose of allowing such applicant the privilege of being licensed as a beverage operator pending his or her successful completion of the approved program. A provisional license may not be issued to any person who has previously been denied an operator's license or who has had his or her operator's license revoked or suspended within the preceding twelve (12) months. The **Village Clerk-Treasurer** shall provide an appropriate application form to be completed in full by the applicant. The **Village Clerk-Treasurer** may revoke the provisional operator's license issued if it is discovered that the holder of the license made a false statement on the application. Following completion of a **responsible beverage server training course** and verification thereof, the license application for a standard operator's license, **with the appropriate fee and subject to investigation approval**, may be approved and issued by the **Village Clerk-Treasurer**.

- (c) **Temporary License.** The **Village Clerk-Treasurer** may issue a temporary operator's license, at no fee, provided that:
 - (1) This license may be issued only to applicants employed by, or donating services to, a nonprofit corporation.
 - (2) No person may hold more than one (1) license of this kind per year.
 - (3) The temporary operator's license is valid for any period from one (1) to fourteen (14) days, and the period for which it is valid shall be stated on the license.

III. REVISION. Section 7-2-34 of the Village of Crivitz Code of Ordinances is hereby revised, as follows:

Sec. 7-2-34. - Issuance or Denial of Operator's License.

- (a) **Issuance.** After an investigation and approval by the Chief of Police, the **Village Clerk-Treasurer** may proceed to issue the operator's license. Such license shall be issued and numbered in the order they are granted and shall give the applicant's name and address and the date of the expiration of such license.
- (b) **Denial.**
 - (1) If the application is denied, the **Village Clerk-Treasurer** shall, in writing, inform the applicant of the denial, the reason(s) therefore, and the opportunity to request a reconsideration of the application by the Village Board in a closed session. Such notice must be sent by registered mail to, or served upon, the applicant at least ten (10) days prior to the Village Board's reconsideration of the matter. At such reconsideration by the

Village Board, the applicant may present, and present evidence and testimony as to why the applicant believes the license should be granted.

- (2) If, upon reconsideration, the Village Board does again deny the application, the Village Clerk-Treasurer shall notify the applicant, in writing, of the reason(s) therefore. An applicant who is denied any license upon reconsideration of the matter, may apply to the Circuit Court, pursuant to Wis. Stats. § 125.12(2)(d), for review.

IV. REVISION. Section 7-2-35 of the Village of Crivitz Code of Ordinances is hereby revised, as follows:

Sec. 7-2-35. - Training Course.

- (a) Except as provided in Subsection (b) below, the Village Clerk-Treasurer may not issue an operator's license unless the applicant has successfully completed a responsible beverage server training course at any location that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board or a comparable training course, which includes computer-based training and testing that is approved by the department or the department of safety and professional services, or unless applicant fulfills one of the following requirements:
 - (1) The person is renewing an operator's license;
 - (2) Within the past two (2) years, the person held a Class "A", Class "B", "Class A", "Class B", or "Class C" license or permit or a manager's or operator's license; or
 - (3) Within the past two (2) years, the person has completed such a training course.
- (b) The Village Clerk-Treasurer may issue a provisional operator's license to a person enrolled in a training course under Subsection (a) above, and shall revoke that license if the applicant fails to successfully complete the course in which he or she enrolls.
- (c) The Village Clerk-Treasurer may not require the applicants for operators' licenses undergo training in addition to the under Subsection (a) above, but may require applicants to purchase, at cost, materials that deal with relevant local subjects not covered in the course under Subsection (a).

VI. EFFECTIVE DATE.

This Ordinance shall be adopted under suspension of local rules, and shall take effect upon passage and publication as provided by law.

Offered by: Michael Strandt

Seconded by: Ginger Deschane

VOTE:

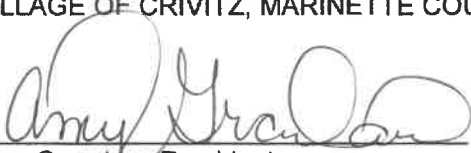
Ayes 7
Abstention 0

Nays 0
Absent 0

Date of Adoption: 8-25-2022

Date of Publication: 8-31-2022

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF CRIVITZ, MARINETTE COUNTY, WISCONSIN


Amy Grandaw, President


Kaitlin Deschane, Clerk-Treasurer