

NOTICE OF AMENDMENT TO ORDINANCE NO. 23

An Ordinance Providing for Non-renewal of Permit, License or Franchise

The Hamilton Town Board approved an amendment to Ordinance No. 23 on August 23, 2013. That Sections 1 and 2 of the Township's Code of Ordinances are hereby amended to add Section 1(c) and Section 2(b). The entire ordinance reads as follows:

Section 1. a) No permit, license or franchise shall be granted or renewed by the Town or by any town officer, board or employee, to any person, partnership, corporation or other recognized legal entity which owes the Town any money or has any debts outstanding to the town. 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 Town 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 town according to a previously approved plan by the town board.

b) No permit, license or franchise shall be granted or renewed by the Town or by any Town 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 Town, has any debts outstanding (as specified in section 1(a) hereof) owed to the Town, the Town shall have the power to revoke or suspend any such permit, license or franchise.

Section 2. 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 town board if the applicant requests such opportunity in writing filed with the town 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 Town may file a sworn written complaint with the town 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 Town shall use the hearing procedure specified in Wis. Stat. s. 125.12(2)(b).

Section 3. The declaration of invalidity of any phrase, sentence or clause of this ordinance by a court of competent jurisdiction shall not render the remainder of this ordinance invalid unless specifically so declared by such court.

Section 4. This ordinance shall become effective and in full force and effect from and after its passage and publication as required by law.

Dated this 23rd day of August, 2013.

Richard Schomburg, Town Chairman

Sara Schultz, Town Clerk

Adopted: August 23, 2013

Published: September 5, 2013