

TOWN OF PLUM LAKE
STATE OF WISCONSIN
VILAS COUNTY

Ordinance 2024-001

Continuation of Business

SECTION I: TITLE AND PURPOSE

This ordinance is entitled the Town of Plum Lake Continuation of Business Ordinance. Section 125.51(4), Wis. Stats. limits the number of retail “Class B” alcohol licenses that a municipality may issue. Due to this statutory quota, the Town of Plum Lake, Vilas County, desires to grant and issue “Class B” alcohol retail licenses to licensees who demonstrate the continuation of a business satisfactory to the Town. Retention of a “Class B” alcohol retail license by a party not conducting business is hereby declared to be against public policy and lacks value to the Town of Plum Lake.

SECTION II: AUTHORITY

The Town Board of the Town of Plum Lake, Vilas County, Wisconsin, has the general authority, powers, and duties under s. 125.10, Wis. Stats., and under its village powers as set forth in Wis. Stats., 60.10(2)(c) and 60.22(3) to adopt this ordinance.

SECTION III: DEFINITIONS

- A. Business Continuation – being open for business and demonstrating a continuation of business in accordance with the terms set forth in Section IV of this ordinance.
- B. Open – conducting business publicly at least 1,248 hours per license year.

SECTION IV: STANDARD

It shall be the condition of maintaining and keeping a “Class B” alcohol retail license in the Town of Plum Lake, Vilas County, that the license continue in business. A licensee of a “Class B” alcohol retail license is not demonstrating business continuation if any of the following is demonstrated:

- A. The licensed premises have not been open for business and conducting business on the premises for activities for which the license was granted for at least 1,248 hours per license year.

SECTION V: SUSPENSION, REVOCATION, NON-RENEWAL OF LICENSE

- A. In the event any licensee violates this ordinance, disciplinary action may be taken by the Town Board, which may include, but is not limited to, suspension, revocation, or non-renewal of the license. Any license that has been revoked shall not be reinstated within 12 months of the date of the revocation.

- B. In the event a disciplinary action is taken against an alcohol licensee, the Town board shall comply with the procedure set forth in s. 125.12(2), Wis. Stats. The Town Board shall issue a summons, signed by the clerk, and set a hearing, not less than three (3) days and not more than ten (10) days from the date of the issuance of the summons, to determine whether the license shall be suspended or revoked. The summons is to be personally served on the licensee at least three (3) days prior to the hearing date. In the event the licensee cannot be found, the summons may be published once in the *Vilas County News-Review* to apprise notice to the licensee.
- C. Evidence and testimony to be considered at the hearing shall be provided in open session. Pursuant to s 19.85(1)(a), Wis. Stats., the Town Board may go into closed session to deliberate its decision provided proper notice has been given.
- D. There is no refund of a fee to the licensee for a license that is revoked.
- E. In lieu of a hearing the Town Board may accept the surrender of a license from the licensee. The Town Board also may determine the time period for when this licensee may apply for the same type of alcohol retail license in the future.

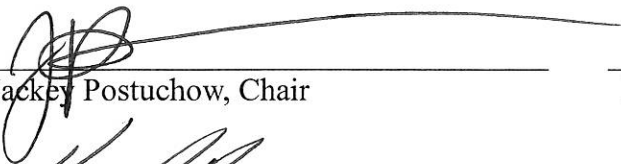
SECTION VI: EXEMPTION

“Class B” alcohol retail licenses granted by the Town Board, but not yet issued, are exempt from the requirement of this ordinance.

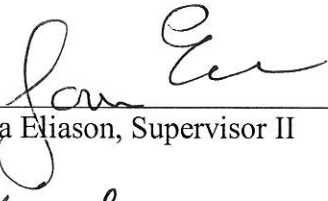
SECTION VII: SEVERABILITY

In the event any portion of this ordinance is or becomes invalid or illegal, the remaining portions shall remain in full force and effect.

Adopted this 23 day of April, 2024.
By the Town Board of the Town of Plum Lake, Vilas County:




Jackey Postuchow, Chair



Jona Eliason, Supervisor II



Kevin Rasmussen, Supervisor I



Attest: Town Clerk