

ORDINANCE NO. 71

BUSINESS LICENSES

The Town Board of Supervisors for the Town of Geneva, Walworth County, Wisconsin, does ordain as follows:

Section 1. Purpose and Intent.

The purpose and intent of this Ordinance is to aid the Town of Geneva in the development of a business data file, to aid in compliance with Town ordinances and emergency situations, and provide for the administration and enforcement of this Ordinance and provide penalties for its violation.

Section 2. License Required.

It is unlawful for a person to conduct any business within the Town of Geneva without first having secured a business license to do so as provided in this resolution. Home Occupation Businesses shall also be required to secure a business license.

Section 3. License Application.

- A. Applications for licenses shall be made to the Town Clerk on Town approved application forms and then forwarded to the Town Board for approval. The application shall be accompanied by the full amount of the required business license fee for either an original license or the renewal license as stipulated in Resolution No. 151, Fee Schedule.
- B. In addition to such other information deemed necessary by the Town Clerk, the application shall require the disclosure of the number of employees at each location, and shall state whether the owner works in the business at each specific location, and shall include a declaration that the information contained herein is true and complete to the best of the applicant's knowledge.

Section 4. Issuance Decision.

The Town Administrator and/or the Town Building Inspector have the right to investigate any and all applicants. The Town or its designee shall determine if the business conforms to all of the rules and regulations of the Towns and whether or not the business constitutes a significant threat to the health, welfare, and safety of the community. Upon the Town's approval of an application meeting the requirements for licensing, the Town Clerk shall issue a business license. If the above prerequisites are not complied with, the application shall be denied in writing with the reasons for denial being stated. An unsuccessful applicant may appeal such denial to the Town Board. Applicant may reapply after cited correction(s) are addressed. The business license fee will again be required.

Section 5. License Duration and Renewal.

All licenses granted shall be for a one (1) year term from July 1st through June 30th and shall be renewed on an annual basis. The appropriate fee shall accompany the application for license renewal. Any license not renewed within thirty (30) days of expiration date shall be deemed an illegal operation and shall be subject to penalty fees as listed in the fee schedule.

Section 6. License Exemptions.

A business license permit shall be required, but no fee shall be charged for any person or organization conducting or operating a nonprofit enterprise, when it is without profit, for a public, charitable, educational, literary, fraternal, or religious purpose.

Section 7. License Posting.

Any license issued shall be placed in a conspicuous place within the business establishment confines and viewable by the general public.

Section 8. Illegal Operation.

In addition to any other penalties provided, whenever a business is being operated without a valid business license, the Town may seek to close down said business through any lawful process, including, but not limited to, injunctive measures.

Section 9. Non-Issuance of Licenses or Permits.

- A. No initial or renewal licenses or permits shall be granted for any premises for which Town taxes, assessments or other claims of the Town are delinquent and unpaid.
- B. No initial or renewal licenses or permits shall be granted to any person delinquent in payment for any Town taxes, assessments or other claims owed to the Town, or who is delinquent in the payment of forfeiture resulting from a violation of any Ordinance of the Town.
- C. For purposes of this section, a delinquency in payment of any taxes, assessments, forfeitures or other claims of the Town owed to the Town shall not occur until the first year of the year following the imposition, levy or assessment of the tax, assessment, forfeiture or claim, unless such imposition is on a deferred schedule approved by the Town Board.
- D. Upon any licensing or permitting having been denied, the licensee shall be given notice thereof together with the reasons therefore and shall have an opportunity to appear and be heard before the Town Board. Upon hearing the matter, the decision of the Town Board shall be final.

Section 10. Penalty.

Any person who operates a business within the Town of Geneva without a license or who violates any term or provision of this Ordinance shall forfeit the fee as set forth in Resolution No. 151, the Town of Geneva Fee Schedule. Each day a violation exists or continues shall constitute a separate offense.

Section 11. Severability

If any Section, Provision, or Portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 12. Effective Date.

This Ordinance shall be in effect from and after June 30, 2010, upon passage and posting or publication as provided by Law.

THE TOWN BOARD OF THE TOWN OF GENEVA,
WALWORTH COUNTY, WISCONSIN

Daniel L. Lauderdale, Chairman

Bob Kamps, Supervisor

Keith Millard, Supervisor

Larry K. Kulik, Supervisor

Steve Kukla, Supervisor

ATTEST:

Debra L. Kirch, Clerk/Treasurer

Adopted:

Posted: