

RESOLUTION
Town of Grand Rapids
Wood County, Wisconsin

RESOLUTION NO: 2018-33
Re: Ordinance No. 70 – Licensing and Regulation

The Town Board of the Town of Grand Rapids, Wood County, Wisconsin,
RESOLVES as follows:

Ordinance 70 is hereby amended as presented.

The Town Board of the Town of Grand Rapids, Wood County, Wisconsin, has the specific authority under Chapters 60 and 66 of Wisconsin Statutes, and specifically § 60.22, Wis. Stats. to amend this ordinance.

The Ordinance has been amended to add the following, with remaining items being re-labeled accordingly:

70.1 – BUSINESS LICENSE

A. PURPOSE.

The purpose of this Section is to aid in the development of a business data file to provide for the health, safety and general welfare of the citizens of the Town of Grand Rapids, and conduct routine safety inspections of the premises occupied by businesses operating within its boundaries, to ensure compliance with Town ordinances, assist in emergency situations, and foster economic development.

B. DEFINITIONS.

The following words, phrases and terms wherever they occur in this Ordinance section, shall be interpreted as herein defined:

1. **Business:** shall be defined as any trade, occupation, profession, or other kinds of commercial activity, with a permanent physical location in the Town and where money is exchanged for goods or services, or access to the general public is allowed.

C. BUSINESS LICENSE REQUIRED.

1. It shall be unlawful for a person to conduct any business within the Town without first having secured a business license as provided in this Ordinance. No permits issued by the Town, including but not limited to building permits, occupancy permits, or town conditional use permits shall be granted to a business operator or the property owner until a business license has been obtained.
2. No business license shall be required and 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.
3. No business license shall be required and no fee shall be charged for any home occupation permitted under Town Ordinance 52.3(L).
4. No business license shall be required and no fee shall be charged for Mobile Food Vendors subject to a Mobile Food Vending License in the Town.
5. Businesses lawfully in existence on the effective date of this Ordinance may continue to and thus operate hereunder without the requirement of securing a business license. Such exemption from the business license requirements under this ordinance shall be terminated upon a change of use or ownership of the business.

D. BUSINESS LICENSE APPLICATION:

1. Applications for a Business License shall be made to the Zoning Administrator on forms approved by the Town Board. The application shall be accompanied by the full amount of the required business license fee.
2. The Zoning Administrator shall investigate all applications and determine if the business conforms to all of the rules and regulations of the Town, and whether or not the business constitutes a significant threat to the health, welfare, and safety

of the community. No license shall be issued under the section until the Building Inspector, Zoning Administrator and Fire Inspector have reviewed and made recommendations for approval of the application. Upon the Zoning Administrator's determination of an application meeting the requirements for licensing, he or she 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.

3. Any person denied a business license may appeal the denial to the Town Board by filing a written statement within fourteen (14) days after the date registration was denied, setting forth the grounds for appeal. The Town Clerk will notify the applicant, at least 48 hours prior to the hearing date, time and place of such hearing. Notice will be personally served on the appellant.

- a) In determining whether to overturn a denial under subparagraph (3), the Town Board may require, as a condition to granting the license, a business owner implement measures to promote health, safety and general welfare of the community, including but not limited to installation of digital security imaging systems, outdoor lighting, providing adequate parking, or obtaining a required state or county license for a specific business.

E. BUSINESS LICENSE FEES.

The license fee for a Business License shall be set by the Town Board for said license as per Ordinance 39- "Schedule of Fees and Forfeitures," and must be paid to the Town at the time of application.

F. BUSINESS LICENSE CONDITIONS.

1. When there is a change in business name, owner(s) addresses, phone numbers or any other pertinent information since the original business application, the Zoning Administrator must be contacted and the license amended accordingly. No fee shall be required for a license amendment.
2. Each business location shall obtain a business license from the Zoning Administrator. Any operating business which has not obtained a business license prior to operation or within six (6) months after the effective date of this Ordinance shall be subject to penalties as enumerated in Section 70.1(H) of this ordinance.
3. Business licenses are not transferable from person-to-person or to another location within the Town under any circumstance. A change in the type of business shall require a new business license. A change to another Location shall require filing an Application for Transfer, along with payment of a required Relocation Fee.
4. Any license issued under this chapter shall be placed in a conspicuous place within the business establishment. Any licensee who fails to post a license as required shall be presumed to be operating without a license.
5. Each year, the Zoning Administrator shall request reports from the Town of Grand Rapids Police Department and the Fire Department regarding any complaints received, calls for service or actions taken regarding the business. Staff reports received indicating that there are complaints or actions involving the property may be recommended to the Town Board for suspension or revocation of the business license.
6. A business license acquired under this Ordinance may be suspended or revoked by the Town Board upon its finding, after notice to the license holder of the meeting at which suspension or revocation will be considered, that the terms of this ordinance or a license issued thereunder have been violated. The appeal process under Section 70.1(D)(3) of this Ordinance is available for license holders who have been suspended or revoked under this subsection.

G. OUTSTANDING CLAIMS AS A CONDITION OF LICENSE ISSUANCE.

The Town shall not issue any license to transact any business within the Town, or may imitate procedures to suspend or revoke a Business License of any applicant whose Business permanent physical location:

1. Has delinquent taxes within the Town or who has delinquent assessments, forfeitures or other financial claims owed to the Town.
2. As it relates to taxes, subparagraph (1) shall not cause the suspension or revocation of an existing license if real taxes are delinquent for not more than one year.

H. PENALTIES.

1. Any person who operates a business within the Town of Grand Rapids without a license, or who violates any term or provision of this Ordinance shall, upon conviction, be subjected to forfeiture per Ordinance 39 "Schedule of Fees and

Forfeitures," together with the costs of prosecution. Each day a violation exists or continues shall constitute a separate offense.

2. In addition to any other penalties provided in this Section, whenever a business is being operated illegally or 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.

This ordinance amended by a majority of the town board with a quorum present and voting and proper notice having been given, amends the attached **Ordinance 70 – Licensing and Regulation**.

Motion	For	Against	Abstain	Absent	ACTION TAKEN
_____ Arne Nystrom	[✓]	[]	[]	[]	<input checked="" type="checkbox"/> Adopted as presented
_____ Bill Clendenning	[✓]	[]	[]	[]	<input type="checkbox"/> Adopted as amended
<u>2</u> _____ Patty Lumby	[✓]	[]	[]	[]	<input type="checkbox"/> Rejected
<u>1</u> _____ Dan Paulsen	[✓]	[]	[]	[]	<input type="checkbox"/> Tabled until _____
_____ Andrew Simon	[✓]	[]	[]	[]	<input type="checkbox"/> Referred to _____

I, Lisa Dotter, Clerk for the Town of Grand Rapids, hereby certify that the above is a true and correct copy of a Resolution which was adopted on the 11th day of December, 2018 by the Town Board, Town of Grand Rapids, County of Wood.

Dated this 11th day of December, 2018.

By: Arne Nystrom
Arne Nystrom, Town Chairman

By: Lisa Dotter
Lisa Dotter, Clerk