

ORDINANCE NO. 2023-01

**AN ORDINANCE AMENDING SECTION §145-12 OF CHAPTER 145, ALCOHOL BEVERAGES,
REVOCATION OR SUSPENSION OF LICENSES**

SECTION 1. The Village Board of the Village of Allouez, Brown County, Wisconsin, does ordain that Section 145.12, be amended to read as follows:

§ 145-12 Revocation or suspension of licenses.

1. A license may be suspended or revoked by a municipal governing body only if the procedure in § 125.12(2), Wis. Stats., is followed.

2. Grounds for Cancellation for Nonuse of License. Any Class A or Class B Fermented Malt and/or Intoxicating Liquor Licenses granted under this chapter for which the subject premises:

- a. Is not open for business within 60 days of granting of such license; or
- b. Is not open for business for a period of 60 consecutive days or more; or
- c. Is not open for business at least 50% of the days within any 365 consecutive day period, either within a licensing year or overlapping two licensing years may be cancelled unless, after notice and hearing as provided in Section (3) thereof, the Board may determine that good cause exists for failure of the licensee to be open for business for periods in excess of the minimums set forth in this Section. If such cause is found to exist, the Board may set such terms as it deems appropriate to the continuation of the license with respect to minimum days of operation or a timeframe within which the subject premises must open for business to avoid cancellation of the subject license(s).

3. Notice and Hearing. Prior to cancellation of any license, the Village Clerk shall notify the licensee in writing of the Village's intention to cancel the license for nonuse and provide the licensee with an opportunity for a hearing. Such notice shall also specify the time, place and date of the hearing, which shall be not less than 15 days after the date of the notice. Such hearing shall be conducted as provided in accordance with Wis. Stats. § 125.12(2)(b), any amendments thereto.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 21st day of March, 2023.

James F. Rafter, Village President

ATTEST:

Carrie C. Zittlow, Village Clerk

DATE OF PUBLICATION:
