

**ORDINANCE NO. 20-003**

**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN AN ORDINANCE  
AMENDING ARTICLE II., LICENSES AND FEES, SEC. 6.104(a)(1) ISSUANCE OF  
ALCOHOL BEVERAGE LICENSES OF THE MUNICIPAL CODE FOR THE VILLAGE  
OF WESTON, MARATHON COUNTY, WISCONSIN**

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Sec. 6.104(a)(1). Issuance of Alcohol Beverage Licenses of the Village of Weston Municipal Code is hereby amended as follows:

**Sec. 6.104. Issuance of alcohol beverage licenses.**

**(a) *Village of Weston Policy Guidelines for Alcohol Beverage Licenses***

- (1) **Intent.** It is the responsibility of the Village Clerk and the Everest Metro Police Department to screen applications for alcohol beverage licenses in the Village of Weston. The Village of Weston adopts the following guidelines in order to specify the reasons for denying, non-renewing or revoking an alcohol beverage license.

All applications for beer, wine or liquor license are forwarded to the Everest Metro Police Department for a background check. The Police Department will review the forwarded application and make a recommendation to the Village Board regarding approval or denial. The Village Board makes the final decision on licensing by either accepting or rejecting the recommendation. If the Village Board denies, revokes, suspends or does not renew a license, that person will be notified, in writing, of the denial and the guideline that was used as reason for the denial.

All applications for an operator's license are forwarded to the Everest Metro Police Department for a background check. The Police Department will review the forwarded application and make a recommendation to the Village Clerk regarding approval or denial. The Village Clerk will make the final decision on licensing by either accepting or rejecting the recommendation. If the Village Clerk denies, revokes, suspends or does not renew a license, that person will be notified, in writing, of the denial and the guideline that was used as reason for the denial.

The following guidelines are established by the Village Board to provide a framework for which persons are eligible for issuance of an alcohol beverage license (i.e. grounds for denial) and a framework for suspension, revocation or non-renewal. There is broad discretion retained on behalf of the Village Board to consider each case on an individual basis. Deviation from the guidelines may be allowed if mitigating circumstances exist, which may include, but are not limited to, the particular circumstances documented or the length of time that has expired since the offense.

Individuals granted an alcohol beverage license must act in cooperation with law enforcement to enforce the alcohol beverage laws, drunk driving laws, and assist in minimizing disturbances of the peace and maintaining the safety of the community. Therefore, individuals with a past history of negative or uncooperative contacts with police agencies will be scrutinized; provided, however, that the Village Board shall not discriminate against such applicants based on a prior arrest or conviction record, pursuant

to Wis. Stats. §§ 111.321, 111.322, 111.335 and 125.12(1)(b), unless said arrest or conviction record substantially relates to the circumstances of the particular licensed activity. It is with these goals in mind that these guidelines are adopted.

For the purposes of these guidelines, an “alcoholic beverage license”. “license” or “permit” constitutes a retail license or an operator’s license. These guidelines also apply to corporations, limited liability companies, agents and partnerships. A corporation or limited liability company with an arrest or conviction record may be issued a license if the corporation or limited liability company has terminated its relationship with all the individuals whose actions directly contributed to the conviction [Wis. Stat. § 125.04(5)(c)].

The Village Board will only deny renewal of, suspend or revoke a current alcohol beverage license under these guidelines, or other justification provided by law, if the person committed an offense substantially related to the licensed activity within the license year period immediately preceding the year for which the person is seeking renewal or within the license year period in which the suspension or revocation is sought, unless the police chief demonstrates that previous offenses were not considered in the approval of the current license. In the event the person is considered for non-renewal, suspension or revocation as the result of such an offense, the Village Board shall consider all offenses, regardless of when they occurred, to determine the application of these guidelines.

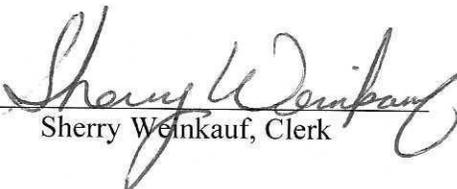
SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 3: SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 16th day of March 2020

VILLAGE BOARD, VILLAGE OF WESTON

By:   
Wally Sparks, President

ATTEST:   
Sherry Weinkauff, Clerk

APPROVED: 3-16-20

ADOPTED: 3-16-20

PUBLISHED: 3-19-20