

Chapter 12

LICENSES AND PERMITS

- 12.01 Licenses and Fees Required¹
- 12.02 General Provisions As to Licenses
- 12.03 Intoxicating Liquor and Fermented Malt Beverages
- 12.04 Dog Licensing and Regulation
- 12.05 Transient Merchants
- 12.06 Pool Tables and Bowling Alleys
- 12.07 Dance Halls
- 12.08 Public Gatherings
- 12.09 Taxicabs
- 12.10 Bicycles
- 12.11 Coin Operated Music Devices
- 12.12 Tree Trimmers
- 12.20 Penalty

¹ Amended by Ordinance No. 2009-8. Enacted on November 3, 2009.

12.01 Licenses and Fees Required

A license shall be required for each of the following businesses or activities at the indicated license fee, which shall be for one (1) year unless otherwise indicated.

- (1) Dog Licenses –
 - (a) Neutered males and spayed females – Ten Dollars (\$10.00).
 - (b) Un-neutered males and unspayed females – Fifteen Dollars (\$15.00).
- (2) Dance Hall Licenses – Five Dollars (\$5.00) annually.
- (3) Intoxicating Liquor Licenses –
 - (a) Retail Class "A" – One Hundred Twenty-five Dollars (\$125.00).
 - (b) Retail Class "B" – Two Hundred Dollars (\$200.00).
 - (c) Pharmacists – Ten Dollars (\$10.00).
 - (d) Temporary Class "B" (picnic) wine (club license – wine) – Ten Dollars (\$10.00)
 - (e) Operator's – Twenty-five Dollars (\$25.00).
 - (f) Provisional Operator's License – Fifteen Dollars (\$15.00).
 - (g) When publication of a license application is required, then an additional Fifty Dollar (\$50.00) publication fee shall be collected from the applicant.
- (4) Fermented Malt Beverage Licenses –
 - (a) Retail Class "A" – Fifty Dollars (\$50.00).
 - (b) Retail Class "B" – One Hundred Dollars (\$100.00).
 - (c) Wholesaler's – Twenty-five Dollars (\$25.00).
 - (d) Temporary Class "B" (picnic) beer (club license) – Ten Dollars (\$10.00) per day.
 - (e) Operator's License – Twenty-five Dollars (\$25.00).
 - (f) Provisional Operator's License – Fifteen Dollars (\$15.00).
 - (g) When publication of a license application is required, then an additional Fifty Dollar (\$50.00) publication fee shall be collected from the applicant.
- (5) Transient Merchants – One Hundred Dollar (\$100.00) investigation fee.
- (6) Coin Operated Music Devices – Ten Dollars (\$10.00) per machine.
- (7) Pool Tables and Bowling Alleys – Ten Dollars (\$10.00) per table or alley.
- (8) Public Gatherings – Five Hundred Dollars (\$500.00) per day and location.

- (9) Taxicabs –
 - (a) Taxicabs – Twenty-five Dollars (\$25.00) per year or fractional part thereof for each vehicle.
 - (b) Drivers – Twenty-five Dollars (\$25.00).
- (10) Bicycle Registration Fee – Three Dollars (\$3.00).
- (11) Tree Trimmers – Ten Dollars (\$10.00).
- (12) Soft Drink Dealer Beverage Operators License – Ten Dollars (\$10.00).
- (13) Soft Drink Retailers License – Ten Dollars (\$10.00).
- (14) Electronic Amusement Games and Devices – Five Dollars (\$5.00) per machine after three (3) machines with a maximum of Thirty-five Dollars (\$35.00).

12.02 General Provisions As to Licenses

- (1) Terms Interchangeable –

The words "license" and "permit" as used throughout this chapter shall be interchangeable.
- (2) License Required – No person shall engage in any business or activity enumerated in Section 12.01 without a license therefor as provided by this chapter.
- (3) Application – Application for a license required by this chapter shall be made to the City Clerk on a form furnished by the City and shall contain such information as may be required by the provisions of this chapter or as may be otherwise required by the City Council.
- (4) License Fees –
 - (a) Fees to Accompany Application – License fees imposed under Section 12.01 shall accompany the license application. If a license is granted, the City Clerk shall issue the applicant a receipt for his license fee.
 - (b) Refunds – No fee paid shall be refunded unless the license is denied.
- (5) Granting of Licenses – Unless otherwise designated, licenses required by this chapter shall be issued by the City Clerk only with the approval of the Council, except the City Clerk may issue the following licenses subject to the standards established by this chapter without prior approval of the Council:
 - (a) Dog licenses.
 - (b) Direct sellers.
 - (c) Bicycle licenses.
 - (d) Tree trimmers.

- (6) Terms of Licenses – All licenses issued hereunder shall expire on June 30 in the year of issuance unless issued for a shorter term, when they shall expire at midnight of the last effective day of the license, or unless otherwise provided by these ordinances or state laws.
- (7) Form of License – All licenses issued hereunder shall show the dates of issue and expiration and the activity licensed and shall be signed by the City Clerk.
- (8) Records of Licenses – The City Clerk shall keep a record of all licenses issued.
- (9) Display of Licenses – All licenses hereunder shall be displayed upon the premises or vehicle for which issued, or, if carried on the person, shall be displayed to any officer of the City upon request.
- (10) Compliance With Ordinances Required – It shall be a condition of holding a license under this chapter that the licensee comply with all ordinances of the City. Failure to do so shall be cause for suspension or revocation of the license.
- (11) Transfer of Licenses – All licenses issue hereunder shall be personal to whom issued and no license shall be transferred without the consent of the Council.
- (12) Exemptions – No license other than a liquor or beer license shall be required under this chapter for any nonprofit educational, charitable, civic, military, or religious organization if the activity, which would otherwise be licensed, is conducted for the benefit of the members or for the benefit of the public generally.
- (13) Renewal of Licenses – All applications for renewal of licenses hereunder shall be made to the City Clerk by April 15.
- (14) Consent to Inspection – An applicant for a license under this chapter thereby consents to the entry of police or authorized representatives of the City upon the licensed premises at all reasonable hours for the purposes of inspection and search, and consents to removal from the premises and introduction into evidence in prosecutions for violations of this chapter all things found therein in violation of this chapter or state law.
- (15) Revocation and Suspension of Licenses –
 - (a) Except as otherwise provided, any license issued under this chapter may be revoked for cause by the City Council. No license shall be revoked except upon written verified complaint filed with the City Council by the Mayor, a member of the City Council, the Chief of Police, the Chairman of the License Committee, or a resident of the City. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the City Council. The licensee shall be given notice of such hearing, which shall be not more than twenty (20) nor less than five (5) days after notice, except as otherwise agreed between the parties.
 - (b) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the Mayor or presiding officer of the City Council to compel the attendance of witnesses.

- (c) After hearing the evidence, the City Council may revoke such license or impose a limited period of suspension. The determination of the Council shall be final, subject to review under Ch. 68 of the Wisconsin Statutes, provided the licensee shall not be entitled to a further hearing unless granted by the City Council.
 - (d) The Police Department shall repossess any license revoked hereunder.
 - (e) If the licensee does not apply for a hearing within the time provided, the license may be revoked by the City Council.
 - (f) The Mayor or City Council may suspend the license of a licensee hereunder without hearing for not to exceed ten (10) days.
- (16) Payment of City Taxes, Assessments, and Forfeitures Required - ²
- (a) Payment Required. In the event a license is granted by the Common Council for any businesses or activities required by § 12.01 of this Code, the City Clerk shall hold and not issue the license until the City Treasurer certifies that all real estate taxes, personal property taxes, room taxes, and all other City taxes, assessments, claims, and forfeitures that are due and owing to the City are paid in full.
 - (b) Exception. The City Clerk shall not refuse to issue any dog license issued pursuant to Section 12.01(1) of this Code for unpaid City taxes, assessments, claims, and forfeitures.
 - (c) Appeal and Hearing. Any applicant or licensee that wishes to contest the City Clerk's determination that all taxes, assessments, claims, and forfeitures have not been paid may appeal the determination to the Common Council and be given a hearing as provided by Section 12.02(15) of the Code.

12.03 Intoxicating Liquor and Fermented Malt Beverages

- (1) State Code Adopted – The provisions of Chapter 125, Wisconsin Statutes, defining and regulating the sale, procurement, dispensing, and transfer of alcohol beverages, including the penalty provisions therein, are adopted and made a part of this Code. Any future amendments, revisions, or modifications of the statutes incorporated in this section are intended to be made part of this Code in order to secure statewide regulation of licensing and sale of alcohol beverages.
- (2) Definitions –
 - (a) "Intoxicating liquor" means all ardent, spirituous, distilled, or vinous liquors, liquids or compounds, and by whatever name, containing 0.5% or more of alcohol by volume, which are beverages, but does not include "fermented malt beverages."
 - (b) "Fermented malt beverages" means any beverage made by the alcohol fermentation of an infusion in potable water of barley malt and hops containing 0.5% or more alcohol by volume.

² Created by Ordinance No. 5 (2017/2018). Enacted November 1, 2017.

- (3) License Required – No person, except as provided by Chapter 125, Wisconsin Statutes, shall, within the City of Sheboygan Falls, serve, sell, manufacture, rectify, brew or engage in any other activity for which this ordinance or Chapter 125, Wisconsin Statutes, requires a license, permit, or other authorization without holding the appropriate license, permit, or other authorization as provided in this ordinance. Except for licensed public warehouses, a wholesaler, manufacturer, rectifier, brewer, and retailer shall have a separate permit or license covering each location or premises from which deliveries and sales of alcoholic beverages are made or at which alcohol beverages are stored.
- (4) Classes of Licenses and Fees – The following classes of license may be issued by the City Clerk under the authority of the City Council after payment of the fee herein specified, which, when so issued, shall permit the holder to sell, deal, or traffic in alcohol beverages as provided in Chapter 125, Wisconsin Statutes.
- (a) Retail Licenses – Each of the following licenses may be issued to any person qualified under Wis. Stat. § 125.04(5), except a person acting as an agent for or in the employ of another. Each license must particularly describe the premises for which issued and is not transferable, except as provided in Wis. Stat. § 125.04(12) (1994-95).
1. "Class A" Liquor License –
 - a. A "Class A" license authorizes the retail sale of intoxicating liquor for consumption off the premises where sold and in original packages and containers.
 - b. The annual fee for a "Class A" license shall be as provided in Section 12.01 of this Code.
 2. "Class B" Liquor License -
 - a. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the glass and not in the original package or container.
 - b. The fee for an initial issuance of a "Class B" license shall be Ten Thousand Dollars (\$10,000.00). The initial issuance of a "Class B" license for a bona fide club or lodge situated and incorporated in the state, however, shall be the fee set forth in subparagraph c., below.
 - c. The annual fee for renewal of an existing "Class B" license shall be as provided in Section 12.01 of this Code.
 3. Class "A" Fermented Malt Beverage License -
 - a. A Class "A" license authorizes retail sales of fermented malt beverages for consumption off the premises where sold and in original packages, containers, and bottles.
 - b. The annual fee for a Class "A" license shall be as provided in Section 12.01 of this Code.

4. Class "B" Fermented Malt Beverage License -
 - a. A Class "B" license authorizes retail sales of fermented malt beverages to be consumed, either on the premises where sold, or off the premises.
 - b. The annual fee for a Class "B" license shall be as provided in Section 12.01 of this Code.
- (b) Operator's Licenses – Any person eighteen (18) years or older who is serving alcohol beverages in an establishment with a Class A or B license must obtain an operator's license, unless the person is under the immediate supervision of someone with an operator's license.
 1. Operator's licenses may be issued only on written applications on forms provided by the City Clerk.
 2. Operator's licenses shall be valid for one (1) year and shall expire on June 30 of each year.
 3. The annual fee for an operator's license shall be as provided in Section 12.01 of this Code.
 4. A provisional operator's license may be issued to any individual who has submitted an initial application for an operator's license under this section, is enrolled in a responsible beverage server training course, and who has met all the other requirements of this section. This license shall be valid for a period of sixty (60) days, or until the regular operator's license is issued. The fee for a provisional operator's license shall be as provided in Section 12.01 of this Code, which shall be nonrefundable and shall not apply toward any other operator's license under this section.
- (c) Wholesaler's Licenses -

A wholesaler's license authorizes wholesale sales of fermented malt beverages in original packages or containers to retailers or other wholesalers.

 1. A wholesaler's license may not be issued to an entity that has an interest, directly or indirectly, in any retail license issued under subparagraph (a), above.
 2. Each license must particularly describe the premises for which it is issued and is not transferable, except as provided in Wis. Stat. § 125.04(12) (1994-95).
 3. The annual fee for a wholesaler's license shall be as provided in Section 12.01 of this Code.

12.04 Dog Licensing and Regulation

- (1) License Required – Every person residing in the City who owns a dog, which is more than five (5) months of age on January 1 of any year, shall annually, at the time and in

the manner prescribed by law for the payment of personal property taxes, obtain a license therefor.

- (2) Issuance of License – Upon receipt of the required fee and exhibition of the certificate required by subparagraph (7), the Clerk shall issue to such person a license to keep such dog for one year. Such person shall, upon procuring the license, place upon the dog a collar with a tag furnished to him by the City Clerk of the County Clerk.
- (3) State Regulations – Wis. Stat. ch. 174, shall apply so far as applicable.
- (4) Harboring Certain Dogs Prohibited – No person shall own, harbor or keep any dog which:
 - (a) Habitually pursues any vehicle upon any public street, alley, or highway.
 - (b) Assaults or attacks any person.
 - (c) Is vicious. A showing that a dog has bitten, attacked, or injured any person shall constitute a prima facie showing that such dog is vicious. All complaints relating to vicious dogs shall be referred to the Fire and Police Committee, which shall, within thirty (30) days after receipt of a complaint, schedule a hearing giving notice and opportunity to be heard to the owner. If a majority of the Committee determines the dog vicious, they shall have it destroyed in a humane manner. The Police Department may discharge the provisions of this section.
 - (d) Habitually barks or howls to the annoyance of any two (2) or more persons.
 - (e) Is required to be licensed but is not.
- (5) Certificate of Inoculation Required – No license shall be issued hereunder for any dog unless the applicant exhibits a certificate of a qualified veterinarian showing that the dog has been inoculated for rabies and distemper within two (2) years prior to application.
- (6) Confinement and Disposition –
 - (a) Confinement of Dogs –

The Police Department or any officer appointed by the City Council shall apprehend any dog running at large within the City or which does any of the things prohibited under subparagraph (6) and confine the same in a suitable place.
 - (b) Disposition of Unclaimed Dogs –

The Police Department or the keeper of a pound shall keep all dogs apprehended for five (5) days (unless sooner claimed by the owner or keeper). If any dog is not reclaimed by the rightful owner within such time, the dog may be sold for the amount incurred in apprehending, keeping, and caring for the dog, or it may be destroyed in a proper and humane manner.
 - (c) Owner or Keeper to Pay Costs –

The owner or keeper of any dog so confined may reclaim such a dog at any time before the same is disposed of upon payment of all costs and charges incurred in

apprehending, keeping, and caring for the dog. Such costs and charges may include expenses for inoculations or other medical treatment of the dog. The owner or keeper's payment of costs and charges incurred in apprehending, keeping and caring for the dog shall be made directly to the General Fund.

(d) Owner or Keeper to Post Bail –

The owner or keeper of any dog so confined shall, in addition to any costs required to be paid under subparagraph (c) hereof, post bail in the following amounts prior to reclaiming such dog:

1. Five Dollars (\$5.00) for the first offense involving such dog within one calendar year.
2. Ten Dollars (\$10.00) for the second offense involving such dog within one calendar year.
3. Fifteen Dollars (\$15.00) for the third offense involving such dog within one calendar year.
4. Twenty-five Dollars (\$25.00) for the fourth or more offenses involving such dog within one calendar year.

(7) Enforcement – The Chief of Police or his qualified assistants shall be responsible for the apprehension and confinement of dogs as herein provided; and such officer shall apprehend and confine dogs as provided in this section and may enforce this section, including the right to commence actions for the collection of any forfeiture imposed by this chapter. Such action shall be brought in the name of the City. Such officer shall be paid such compensation as the Council shall determine by resolution.

(8)³ Number of Cats and Dogs Limited – No person shall have within the City more than a combination of three (3) cats or dogs in a single household unless licensed for the care, treatment and boarding of such animals, or unless the cats are kept in a rescue shelter/foster home subject to a conditional use permit granted pursuant to §17.18(1)(i) of this Code.

12.05 Transient Merchants

(1) Registration Required – It shall be unlawful for any transient merchant to engage in sales within the City of Sheboygan Falls, Sheboygan County, without being registered for that purpose as provided herein.

(2) Definitions – In this Ordinance:

- (a) "Transient merchant" means any individual who engages in the retail sale of merchandise at any place in this state temporarily, and who does not intend to become and does not become a permanent merchant of such place. For purposes of this section, sale of merchandise includes a sale in which the personal services rendered upon or in connection with the merchandise constitutes the greatest part of value for the price received, but does not include a farm auction sale conducted by or for a resident farmer of personal property

³ Amended by Ordinance No. 2-2011/2012. Enacted June 7, 2011.

- used on the farm, or the sale of produce or other perishable products at retail or wholesale by a resident of this state.
- (b) "Permanent merchant" means any person who, for at least one year [six months] prior to the consideration of the application of this ordinance to said merchant:
 - 1. Has continuously operated an established place of business in the local trade area among the communities bordering the place of sale, or
 - 2. Has continuously resided in the local trade area among the communities bordering the place of sale and now does business from his/her residence.
 - (c) "Merchandise" shall include personal property of any kind, and shall include merchandise, goods, or materials provided incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of goods by a donor or prospective customer.
 - (d) "Charitable organization" shall include any benevolent, philanthropic, patriotic, or eleemosynary person, partnership, association or corporation, or one purporting to be such.
 - (e) "Clerk" shall mean the City Clerk.
- (3) Exemptions – The following shall be exempt from all provisions of this ordinance:
- (a) Any person delivering newspapers, fuel, dairy products, or bakery goods to regular customers on established routes;
 - (b) Any person selling merchandise at wholesale to dealers in such merchandise;
 - (c) Any person selling agricultural products, which the person has grown;
 - (d) Any permanent merchant or employee thereof who takes orders at the home of the buyer for merchandise regularly offered for sale by such merchant within this county and who delivers such merchandise in their regular course of business;
 - (e) Any person who has an established place of business where the merchandise being sold is offered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested, a home visit by said person;
 - (f) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer;
 - (g) Any person selling or offering for sale a service unconnected with the sale or offering for sale of merchandise;
 - (h) Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law;
 - (i) Any employee, officer or agent of a charitable organization who engages in direct sales for or on behalf of said organization, provided that there is submitted to the

Clerk proof that such charitable organization is registered under Wis. Stat. § 440.41, or which is exempt from that statute's registration requirements, shall be required to register under this ordinance;

- (j) Any person who claims to be a permanent merchant, but against whom complaint has been made to the Clerk that such person is a transient merchant, provided that there is submitted to the Clerk proof that such person has leased for at least one year, or purchased, the premises from which he/she has conducted business in the market area for at least one year [six months] prior to the date the complaint was made;
- (k) Any individual licensed by an examining board as defined in Wis. Stat. § 15.01(7); or
- (l) This ordinance does not apply to transient merchants while doing business at special events authorized by the City Council.

(4) Registration –

- (a) Applicants for registration must complete and return to the Clerk a registration form furnished by the Clerk, which shall require the following information:
 1. Name, permanent address, telephone number, and temporary address, if any;
 2. Age, height, weight, color of hair and eyes;
 3. Name, address and telephone number of the person, firm, association or corporation that the transient merchant represents or is employed by, or whose merchandise is being sold;
 4. Temporary address and telephone number from which business will be conducted, if any;
 5. Nature of business to be conducted and a brief description of the merchandise, and any services offered;
 6. Proposed methods of delivery of merchandise, if applicable;
 7. Make, model and license number of any vehicle to be used by applicant in the conduct of his/her business;
 8. Most recent cities, villages, towns, not to exceed three (3), where applicant conducted his/her business;
 9. Place where applicant can be contacted for at least seven (7) days after leaving this City; and
 10. Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's transient merchant business within the last five (5) years, and the nature of the offense and the place of conviction.

- (b) Applicants shall present to the Clerk for examination:
1. A driver's license or some other proof of identify as may be reasonably required;
 2. A state certificate of examination and approval from the sealer or weights and measures where applicant's business requires use of weighing and measuring devices approved by state authorities; or
 3. A state health officer's certificate where applicant's business involves the handling of food or clothing and is required to be certified under state law, such certificate to state that applicant is apparently free from any contagious or infectious disease, dated not more than ninety (90) days prior to the date of the application license is made.

- (c)⁴ At the time the registration is returned, a fee of One Hundred Dollars (\$100.00) shall be paid to the Clerk to cover the cost of processing said registration. All transient merchants shall obtain from the Sheboygan Falls Police Department a photo identification card signed by the Chief of Police or his designee. Identification cards shall be worn and adequately displayed by the merchant at all times while soliciting in the City.

The applicant shall sign a statement appointing the Clerk his/her agent to accept service of process in any civil action brought against the applicant arising out of any sale or service performed by the applicant in connection with the direct sales activities of the applicant, in the event the applicant cannot, after reasonable effort, be served personally.

Upon payment of said fee and the signing of said statement, the Clerk shall register the applicant as a transient merchant and date the entry. Said registration shall be valid for a period of one (1) year from the date of entry, subject to subsequent refusal as provided in Paragraph (5) below.

(5) Investigation –

- (a) Upon receipt of each application, the Clerk may refer it immediately to the Chief of Police, who may make and complete an investigation of the statements made in such registration.
- (b) The Clerk shall refuse to register the applicant if it is determined, pursuant to the investigation above, that:
1. The application contains any material omission or materially inaccurate statement;
 2. Complaints of a material nature have been received against the applicant by authorities in the most recent cities, villages and town, not exceeding three (3), in which the applicant conducted similar business;

⁴ Amended by Ordinance No. 10 - 2006/2007. Enacted on January 16, 2007.

3. The applicant was convicted of a crime, statutory violation or ordinance violation within the last five (5) years, the nature of which is directly related to the applicant's fitness to engage in transient selling; or
 4. The applicant failed to comply with any applicable provision of Paragraph (4)(b) above.
- (6) Appeal – Any person refused or denied registration may appeal the denial through the appeal procedure provided by ordinance or resolution of the Common Council, or, if none has been adopted, under the provisions of Wis. Stat. §§ 68.07 through 68.16.
- (7) Regulation of Transient Merchants –
- (a) Prohibited Practices –
1. A transient merchant shall be prohibited from: calling at any dwelling or other place between the hours of 9:00 p.m. and 9:00 a.m., except by appointment; calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning; calling at the rear door of any dwelling place; or remaining on any premises after being asked to leave by the owner, occupant or other person having authority over such premises.
 2. A transient merchant shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity, or characteristics of any merchandise offered for sale, the purpose of his/her visit, his/her identity or the identity of the organization he/she represents. A charitable organization transient merchant shall specifically disclose what portion of the sale price of the merchandise being offered will actually be used for the charitable purpose for which the organization is soliciting. Said portion shall be expressed as a percentage of the sale price of the merchandise.
 3. No transient merchant shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.
 4. No transient merchant shall make any loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a one-hundred foot radius of the source.
 5. No transient merchant shall allow rubbish or litter to accumulate in or around the area in which he/she is conducting business.
- (b) Disclosure Requirements –
1. After the initial greeting and before any other statement is made to a prospective customer, a transient merchant shall expressly disclose his/her name, the name of the company or organization he/she is affiliated with, if any, and the identity of merchandise or services he/she offers to sell.

2. If any sale of merchandise is made by a transient merchant, or any offer for the later delivery of merchandise is taken by the seller, the buyer shall have the right to cancel said transaction if it involves the extension of credit or is a cash transaction of more than Twenty-five Dollars (\$25.00), in accordance with the procedure as set forth in Wis. Stat. § 423.203; the seller shall give the buyer two copies of a typed or printed notice of that fact. Such notice shall conform to the requirements of Wis. Stat. §§ 423.203(1)(a)(b) and (c), (2) and (3).
 3. If the transient merchant takes a sales order for the later delivery of merchandise, he/she shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance, whether full, partial, or no advance payment is made, the delivery or performance date, and whether a guarantee or warranty is provided and, if so, the terms thereof.
- (8) Records – The Chief of Police shall report to the Clerk all convictions for violation of this ordinance and the Clerk shall note any such violation on the record of the registrant convicted.
 - (9) Revocation of Registration –
 - (a) Registration may be revoked by the Common Council after notice and hearing, if the registrant made any material omission or materially inaccurate statements in the application for registration, made any fraudulent, false, deceptive or misleading statement or representation in the course of engaging in transient sales, violated any provision of this ordinance or was convicted of any crime or ordinance or statutory violation, which is directly related to the registrant's fitness to engage in selling.
 - (b) Written notice of the hearing shall be served personally or pursuant to (4)(c) above, on the registrant at least seventy-two (72) hours prior to the time set for the hearing; such notice shall contain the time and place of hearing and a statement of the acts upon which the hearing will be based.
 - (10) Penalty – Any person adjudged in violation of any provision of this ordinance shall forfeit not less than Ten Dollars (\$10.00) nor more than One Thousand Dollars (\$1,000.00) for each violation per day, plus costs of prosecution. Each violation shall constitute a separate offense.

12.06 Pool Tables and Bowling Alleys

- (1) Granting of Licenses – All licenses granted under this section shall be signed by the Mayor and City Clerk.
- (2) Fees – See Section 12.01(7).

12.07 Dance Halls

- (1) Definitions – As used in this Section, certain words and phrases are defined as follows:
 - (a) Public Dance or Ball – Any dance at which admission can be obtained by the public generally, upon payment of an admission fee, or by the purchase,

- possession or presentation of a ticket or token, or in which a charge is made for the caring of clothing or other property or any other dance to which the public generally, without restriction, may gain admission with or without payment of a fee or a dance operated for profit.
- (b) Public Dance Hall – Any room, hall, or place at which a public dance may be held, except any hall or place in which classes in dancing are held and instructions in dancing given.
 - (c) Exception – Neither the term "public dance or ball" nor the term "public dance hall" shall be construed to apply to a dance conducted in a church or school hall or to such place when conducted under the auspices of the proper church authorities, nor to any dance conducted under the auspices of a parent-teachers association in conformity to law and rules of the proper school authorities, nor to the place in which same may be held.
- (2) License Requirements –
- (a) Duty of Manager – Every owner, occupant, lessee, or manager of any hall, shall before permitting any public dances therein, procure a license from the City Council.
 - (b) Application – Application for such license shall be filed with the City Clerk and the fee shall be Five Dollars (\$5.00) annually, which sum shall be deposited with Clerk at the time application is made. If the application is granted, the Clerk shall pay such sum over to the City Treasurer. If the application is denied, the deposit shall be returned to the applicant.
 - (c) Issuance and Display of License – All licenses granted hereunder shall be issued in the name of the City, stating the name of the person to whom issued, the date, the date of expiration, shall describe the place which may be operated under such license and shall be signed by the Mayor and City Clerk. Such license shall be display in a conspicuous place in the hall covered thereby.
 - (d) Expiration – Each license granted hereunder shall expire on the 31st day of December after the issuance thereof. The application for the license shall accurately describe the premises where the applicant wishes to operate the dance.
- (3) Halls to Be Kept Clean – Public dance halls shall be kept in a clean and sanitary condition and all stairways, passages and rooms connecting with such hall shall be kept open to the public view and well lighted.
- (4) Disorder Conduct – No person shall dance in any public dance hall in any indecent, immoral, boisterous, disorderly or vulgar manner, and the person holding a license hereunder shall have the authority to immediately stop such conduct, and shall use all necessary and reasonable force to suppress such conduct in a summary manner, and any police officer of the City shall immediately stop such conduct.
- (5) Regulation of Minors – No person shall take part in any public dance who is under sixteen (16) years, unless such person is accompanied by a parent or some other adult person who is in good faith exercising supervision over such person. Any person under sixteen (16) present in such dance hall shall, on demand of the holder of the license, or any police officer of the City, point out and give the name of the parent or other person

above mentioned, and failing to do so, may be summarily ejected from such hall by the licensee or officer, and shall also be subject to the penalty hereinafter mentioned.

- (6) Violation By License Holder – Any holder of a license hereunder who shall violate any of the provisions hereof, or who shall permit any violation of the provisions hereof, when it is reasonably within his power to prevent the dance, shall have such license revoked, and after such revocation no license to operate a dance hall covered by such license shall be issued for a period of at least six (6) months.

12.08 Public Gatherings

- (1) Intent – The purpose of this section is to regulate the assemblage of large numbers of people, in excess of those normally needing the health, sanitary, fire, police transportation and utility services regularly provided in the City in order that the health, safety and welfare of all persons in the City, residents and visitors alike, may be protected.
- (2) License; When Required – No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to an actual or reasonably anticipated assembly of 2,500 or more people, which continues or can reasonably be expected to continue for eighteen (18) or more consecutive hours, whether on public or private property, unless a license to hold the assembly has been issued by the City Council. Written application for such license shall be made at least thirty (30) days in advance of the assembly. A license to hold an assembly issue to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.
- (3) Definitions – As used in this section, certain words are defined as follows:
 - (a) Person – Any individual, partnership, corporation, firm, company, association, society or group.
 - (b) Assembly – A company of persons gathered together at any location at any single time for any purpose.
- (4) Duration of License and Restrictions –
 - (a) A separate license shall be required for each day and each location in which 2,500 or more people assemble or can reasonably be anticipated to assemble. The fee for each such license shall be as provided in Section 12.01 of this Code.
 - (b) A license shall permit the assembly of only the maximum number of people state in the license. The licensee shall not sell tickets to, nor permit to assemble at the licensed location, more than the maximum permissible number of people.
 - (c) The license shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly.
- (5) Exceptions – This section shall not apply to any permanent and regularly established place of worship, stadium, athletic field, arena, auditorium, coliseum, fair grounds, road racing areas when used exclusively for that purpose, or other similar permanently established place of assembly for assemblies, which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held, nor to

government sponsored fairs held on regularly established fairgrounds, nor to assemblies required to be licensed by other ordinances, resolutions and regulations of the City.

(6) Conditions On Issuance – Prior to the issuance of a license hereunder, the applicant shall furnish the Clerk the following information:

(a) Determination of Size of Assembly – Determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly and provided that, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of the City.

(b) Assurances –

1. Fencing – A fence completely enclosing the proposed location, of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have at least four (4) gates, at least one (1) at or near four (4) opposite points of the compass.

2. Drinking Water – Potable water, meeting all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one (1) gallon per person per day and water for bathing at the rate of at least ten (10) gallons per person per day.

3. Toilet Facilities – Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every 200 females and at least one toilet for every 300 males, together with an efficient, sanitary means of disposing of waste matter deposited, which is in compliance with all state and local laws and regulations. A lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet.

4. Sewage Disposal – A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 pounds of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task.

5. Medical Services – Physicians and nurses licensed to practice in the state sufficient to provide the average medical care enjoyed by residents of the state for the maximum number of people to be assembled at the rate of at least one physician for every 1,000 people and at least one nurse for every 1,500 people, together with an enclosed, covered structure where treatment may be rendered, containing separately

enclosed treatment rooms for each physician, and at least one emergency ambulance available for use at all times.

6. Lighting – If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five (5) foot candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.
7. Parking – A free parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four (4) persons.
8. Telephones – Telephones connected to outside lines sufficient to provide service for the maximum number of people to be assembled at the rate of at least one separate line and receiver for each 1,500 persons.
9. Camping Accommodations – If the assembly is to continue overnight, camping facilities in compliance with all state and local requirements as set forth in the Wisconsin Administrative Code and ordinances of the City, sufficient to provide camping accommodations for the maximum number of people to be assembled.
10. Security Guards – Security guards, either regularly employed, duly sworn, off-duty state peace officers or private guards licensed in the state sufficient to provide adequate security for the maximum number of people to be assembled at the rate of at least one security guard for every 750 people.
11. Fire Protection – Fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all state and local standards for the location of the assembly, as set forth in the Wisconsin Administrative Code and ordinances of the City, and sufficient emergency personnel to efficiently operate the required equipment.
12. Noise – All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.
13. Clean-up – A method of cleaning up of the premises and otherwise restoring them to the condition they were in prior to the assembly.
14. Bond – A bond filed with the City Clerk-Treasurer, either in cash or underwritten by a surety company licensed to do business in Wisconsin, at the rate of Five Dollars (\$5.00) per person for the maximum number of people permitted to assemble with a total maximum of One Hundred Thousand Dollars (\$100,000.00) which shall indemnify and hold harmless the City or any of its agents, officers, servants, and employees from any liability or causes of action which might arise by reason of granting this license and from any costs incurred in cleaning up any waste material produced or left by the assembly.

- (7) Application – Application shall be made at least thirty (30) days prior to the planned date of the assembly, in writing to the Clerk. The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual, natural, human being, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group, or, if there are no officers, by all members of such association, society or group. The application shall contain:
- (a) Names of Parties – The name, age, residence and mailing address of all persons required to sign the application and, in the case of a corporation, a certified copy of the Articles of Incorporation, together with the name, age, residence, and mailing address of each person holding ten percent (10%) or more of the stock of such corporation.
 - (b) Location of Assembly – The address and legal description of all property upon which the assembly is to be held together with the name, residence, and mailing address of the record owner(s) of all such property.
 - (c) Owner's Consent – Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner(s) of all such property that the applicant has permission to use such property for an assembly of 2,500 or more persons.
 - (d) Purpose – The nature or purpose of the assembly.
 - (e) Term – The total number of days and hours during which the assembly is to last.
 - (f) Size of Assembly – The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the municipality if the assembly is to continue overnight.
 - (g) Ticket Sales – The maximum number of tickets to be sold, if any.
 - (h) Plans – A separate plan of the applicant for each of the following:
 - 1. To limit the maximum number of people permitted to assemble;
 - 2. Fencing the location of the assembly and the gates contained in such fence;
 - 3. Supplying potable water, including the source, amount available and location of outlets;
 - 4. Providing toilet and lavatory facilities, including the source, number and location, type and the means of disposing of waste deposited;
 - 5. Holding, collection and disposing of solid waste material;
 - 6. Provide for medical facilities, including the location and construction of a medical structure, the names and addresses and hours of availability of

- physicians and nurses, and provisions for emergency ambulance service;
7. To illuminate the location of the assembly, including the source, amount of power and the location of lamps;
 8. Parking vehicles, including size and location of lots, points of high access and interior roads, including routes between highway access and parking lots;
 9. Telephone service, including the source, number and location of telephones;
 10. Camping facilities, if any, including facilities available and their locations;
 11. Security, including the number of guards, their deployment and their names, addresses, credentials and hours of availability;
 12. Fire protection, including the number, type and location of all protective devices, including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment;
 13. Sound control and sound amplification, if any, including number, location and power of amplifiers and speakers; and
 14. Food concessions and concessioners who will be allowed to operate on the grounds, including the names and addresses of all concessioners and their license or permit numbers.
- (i) Bond – The application shall include the bond required under Section (6)(b)14. The application shall be processed within twenty (20) days of receipt and shall be issued if all conditions are complied with.
- (8) Revocation – The license may be revoked by the City Council if any of the conditions necessary for the issuing of the license or which are contained in the license are not complied with, or if any condition previously met ceases to be complied with.
- (9) Enforcement –
- (a) Injunction – The provisions of this section may be enforced by injunction in any court of competent jurisdiction.
 - (b) Abatement As Nuisance – The holding of an assembly in violation of this section shall be deemed a public nuisance and may be abated as such.
- (10) Violations – Any person who violates any provision of this section or any condition upon which he is granted a license may be required to pay a forfeiture of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00).

12.09 Taxicabs

- (1) Application for License – Application for original or renewal taxicab licenses shall be made in writing to the City Clerk. Such application shall contain the following information:

- (a) The full name and address of the applicant;
 - (b) The proposed location of his taxi stand;
 - (c) The make, model, and serial number of the vehicle or vehicles he proposes to operate and their state license numbers;
 - (d) Proof of a non-cancelable policy of liability insurance covering all vehicles covered by the license in the amount of Five Thousand Dollars (\$5,000.00) for the injury or death of one person in any one accident; in the amount of Ten Thousand Dollars (\$10,000.00) for the injury or death of more than one person in any one accident; and in the amount of Five Thousand Dollars (\$5,000.00) for damage to property of others for any one accident due to the negligent operation of such vehicle, such proof to be kept on file with the application.
- (2) Approval – The application shall be submitted by the City Clerk to the City Council for its approval.
- (3) Fees – The taxicab license fee shall be as provided in Section 12.01 of this Code for each taxicab. Such fee shall be paid before the license is issued by the City Clerk-Treasurer. No license shall be issued for less than a full year's fee and shall be non-transferable, except such license may be substituted for a different cab provided the application blank is amended to show such change.
- (4) Taxi Drivers License –
- (a) Required – No person shall operate a taxicab unless he shall have in his possession a valid taxi driver's license. The fee for such license shall be as provided in Section 12.01 of this Code. No license shall be issued for less than a full year's fee and shall be non-transferable. License shall expire on June 30th following issuance.
 - (b) Application – Each applicant shall deposit his fee and shall submit in writing to the City Clerk on forms furnished by the Department, a statement of the applicant's full name, his present residence, his residence for the last three (3) years, his age, height, weight, color of eyes and hair, citizenship, place of last previous employment, Wisconsin State Motor Vehicle Operator's License number, whether he has ever been convicted of a felony or a misdemeanor, whether he has been previously licensed as a driver or chauffeur and if so, when and by what authority, whether his license has ever been revoked or suspended and if so, for what cause, and the name of the prospective employer. The application shall be submitted by the City Clerk to the City Council for approval.
- (5) License Restrictions – No license shall be granted to any person who:
- (a) Is under twenty-one (21);
 - (b) Does not possess a valid Wisconsin State motor vehicle operator's license;
 - (c) Has been convicted of driving a vehicle upon the highway under the influence of intoxicating liquor or narcotics, unless two (2) years have elapsed since his date of conviction or discharge from a penal institution; or,

- (d) Shall make any false statement or withhold any fact on his application blank which might disqualify him.
- (6) Revocation –
 - (a) The City Council may revoke the taxicab business license for failure of the licensee to maintain his equipment as required by Ch. 85, Wis. Stat., for lapse or cancellation of the insurance required in (1)(d), or for conduct by the licensee or by persons driving vehicles under such license, which is prejudicial to the public safety, welfare, morals or good order of the community.
 - (b) The City Council may revoke the taxicab driver's license if he:
 - 1. Has been convicted of a felony, unless the Council determines that the conviction was for an act unrelated to the licensee's competence and qualification for the license;
 - 2. Has had his state motor vehicle operator's license revoked or suspended;
 - 3. Has been convicted of driving while under the influence of intoxicating liquor or narcotics; or
 - 4. During any continuous six (6) months' period had three (3) or more convictions of any of the offenses set forth in Wis. Stat. §§ 85.15, 85.16, 85.17, 85.18, 85.39 and 85.40, or any statutory provision of Wis. Stat., Chs. 340 to 349.
- (7) Rates to Be Posted – Every person operating a taxicab shall have at all times prominently posted and displayed in such taxicab, so as to be visible to the passengers therein, the rates or fares for the use of the cab. Any overcharge shall subject the driver and owner to revocation of his license.
- (8) Taxicab to Be Marked – Every taxicab shall be distinctly marked on two (2) sides, in letters not less than one and one-half inches in height, with the words "TAXICAB," together with the licensee's name; and his license posted in each cab. The driver shall also have his license posted in the cab he is operating at all times.

12.10 Bicycles

- (1) Registration Required – Every bicycle having wheels twenty (20) inches in diameter or over shall be registered with the police department and have the registration sticker attached to the bicycle. As used in this article, a bicycle shall be defined as every device propelled by the feet acting upon pedals and having wheels, any two (2) of which are twenty (20) inches or more in diameter.
- (2) Application for Registration – Applications for registration shall be filed by the owner, if an adult, with the police department on forms provided for it, and in the event the owner is a minor, by his parent or guardian. All bicycles operated upon city streets must be registered within ten (10) days of purchase and delivery of the bicycle to the owner.
- (3) Registration Plate Fee and Terms; Records –

- (a) Upon payment of a registration fee as provided in Section 12.01 of this Code by the applicant, the Police Department shall issue a registration plate for the bicycle which shall permit the bicycle to be operated upon the streets of the City. No further application or fee shall be required for use of said bicycle.
 - (b) The Police Department shall keep a record of the date of issuance of each registration plate, to whom issued, and the number thereof. A copy of each application shall be kept on record with the Police Department.
- (4) Display of Plate; Fee for Replacement – No bicycle shall be considered registered until a registration plate, which shall remain legible at all times, shall be affixed to the bicycle, which shall remain so affixed until re-registration or until removed by the Police Department for cause. No person shall unlawfully remove, deface, or destroy any such identification plate. In the event a replacement plate must be issued, the fee therefor shall be One Dollar (\$1.00).
- (5) Transfer of Registration; Fee – Every person who transfers the title of any bicycle shall endorse upon the bottom of the registration card the name and address of the transferee, the date of the transfer and the name of the transferor. The transferee, upon re-registration, shall pay a transfer fee of One Dollar (\$1.00).
- (6) Safety Equipment; Maintenance In Safe Operating Condition.
 - (a) Lights and Reflectors – No person shall operate a bicycle upon a street in the City during hours of darkness unless such bicycle is equipped with a lamp on the front emitting a white light visible from all distances from fifty (50') feet to three hundred (300') feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
 - (b) Brakes – No person shall operate a bicycle upon a highway in the City unless it is equipped with a brake that operates effectively.
 - (c) Audible Signals – No person shall operate a bicycle upon a highway in the City unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100') feet, but a bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren or whistle.
 - (d) Operating Condition – No person shall operate a bicycle upon a highway in the City unless the bicycle is in safe operating condition.
- (7) Rules for Operation – Whenever a bicycle is operated upon a street in the City, the following rules shall apply:
 - (a) The rider of a bicycle shall ride as near as practicable to within five (5') feet of the right-hand curb or edge of the roadway, exercising due care when passing a standing vehicle or one proceeding in the same direction, or when making a left-hand turn at an intersection.
 - (b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, nor shall a bicycle be used to tow any coaster, sled, person on roller skates or toy vehicle.

- (c) No person operating a bicycle shall cling or attach himself or his bicycle to any moving vehicle.
 - (d) Persons riding bicycles shall ride single file.
 - (e) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
 - (f) No person operating a bicycle shall participate in any race, speed or endurance contest with any other moving vehicle on a city street or alley.
 - (g) No rider of a bicycle shall practice any fancy or acrobatic riding or stunts while operating such bicycle, nor operate such bicycle without keeping at least one hand on its steering apparatus, nor operate a bicycle upon the sidewalks in the business district or in any school zones within the City.
 - (h) All bicycles shall be stopped for arterial highway signs and automatic traffic signals and when emerging from alleys or driveways.
 - (i) No bicycle shall be parked on a sidewalk in a business district.
 - (j) Bicycles, which are not mechanically safe, shall not be operated on the public ways of the City.
- (8) Violations –
- (a) Any person under the age of fourteen (14) years who violates any provision of this section shall be issued a bicycle citation. Any person who shall receive three (3) bicycle citations in a one-year period shall be referred to Circuit Court, Children's Division.
 - (b) Any person over the age of fourteen (14) years who violates any provision of this section shall be issued a citation therefor, and shall forfeit Ten Dollars (\$10.00) for the first violation, Fifteen Dollars (\$15.00) for the second violation, and for the third violation shall forfeit Twenty Dollars (\$20.00), and be referred to Circuit Court, Children's Division. Any bicyclist who shall strike a pedestrian while riding a bicycle shall forfeit Twenty-five Dollars (\$25.00) and shall be referred to Circuit Court, Children's Division.
 - (c) Any person holding a valid drivers license shall be issued a Uniform Traffic Citation for any violation, and shall forfeit such amount as is provided by the Uniform Bond Schedule.

12.11 Coin Operated Music Devices

- (1) Restricted – No person shall operate any mechanical, musical or speaking device, radio, band or noise-producing device of any nature that shall disturb the peace and thereby create a nuisance.
- (2) Application – Application to operate a coin-operated music or speaking device in the City shall be made to the City Clerk upon a form furnished by him for that purpose. The form shall contain:
 - (a) A statement of the applicant's name and residence;

- (b) The type of device for which license is desired, together with the full description of such device, identifying it by number and other marks;
 - (c) The location of the device; and
 - (d) The name of the owner and whether or not he is a citizen of the United States, and other material facts.
- (3) Conditions of License – The license granted hereunder shall expire on the 30th day of June of the succeeding year after the same is issued. The holder of the same may operate the machines from 8:00 a.m. until 1:00 a.m., Central Standard Time, and from 8:00 a.m. until 2:00 a.m., Daylight Savings Time. The machines must be toned down at all times so that the sound cannot be heard in a disturbing manner outside of the building within which such machines are located.
- (4) Fees – A fee as provided in Section 12.01 of this Code for the operation of each coin-operated machine shall be paid. Such fee must be paid to the City Treasurer and the receipt showing the payment thereof shall accompany the application. The fees shall not be prorated or refunded under the provisions of this Chapter, but the full fee shall be charged for each year or fraction thereof. The licenses shall be non-transferable as far as ownership is concerned, but may be substituted for another machine provided the City Clerk is notified of the change.
- (5) Approval of License – The City Clerk shall present each application to the City Council at its next regular meeting for approval. Upon its approval, the City Clerk shall issue the license to the applicant.
- (6) License Tag – The City Clerk shall deliver to each licensee hereunder as evidence of his license a tag containing the words "Music Device License issued by the City of Sheboygan Falls," together with the number of the license and the date of the expiration of the license. Such license tag shall be securely fixed to the music device for which the same has been issued.
- (7) Violations – Any person violating this section who has a license for a coin-operated music device shall, upon the second offense within one (1) year, have his license revoked in addition to the penalties provided in Section 12.20.

12.12 Tree Trimmers

- (1) License Required – It shall be unlawful to engage in the business of tree trimming in the City without first having obtained license therefor. The annual fee for such license shall be as provided in Section 12.01 of this Code. An application shall be made to the City Clerk for such license.
- (2) Trees On Public Property – No tree trimmer shall trim any tree on any public parkway or other property owned by the City without the written permission of the Superintendent of Public Works.
- (3) Trees On Private Property – No tree trimmer shall trim any trees on any private property without the express written permission of the property owner.

- (4) Stump and Tree Removal – Every tree trimmer operating within the City of Sheboygan Falls shall be required to remove from the site, the stump and any and all trees and branches cut or removed in the operation of tree removal or trimming.

12.20 Penalty

In addition to the suspension or revocation of a license issued under this chapter, any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided by Section 25.04 of this Municipal Code.

R:\CLIENT\08281\00001\00000476.DOC