

Note: This version of the Chapter 34 differs from the official printed version as follows:

- a. Dimensions are expressed in numerical format rather than alpha format, e.g., “27 feet” rather than “twenty-seven feet.”
- b. Paragraph indentation style is different.
- c. Unused and blank section numbers are omitted rather than shown as reserved.
- d. Editor’s notes, amendment history, cross references and other editorial enhancements are omitted.
- e. Page numbering is different.

Chapter 34

LICENSES AND PERMITS

Article I In General

Sec. 34-1	Required
Sec. 34-2	Application
Sec. 34-3	Payment of fee
Sec. 34-4	Bond and insurance
Sec. 34-5	Approval or denial of licenses
Sec. 34-6	Certificate
Sec. 34-7	Terms
Sec. 34-8	Exhibition of certificate
Sec. 34-9	Transfer
Sec. 34-10	Determinations of the town board
Sec. 34-11	Inspection
Sec. 34-12	Revocation and suspension
Sec. 34-13	License fees

Article II Alcohol Beverages

Sec. 34-41	State statutes adopted
Sec. 34-42	Licenses and permits; authorization required
Sec. 34-43	Classes of licenses and fees
Sec. 34-44	License application
Sec. 34-45	License restrictions
Sec. 34-46	Transfer of licenses
Sec. 34-47	Posting and care of licenses
Sec. 34-48	Regulation of licensed premises and licensees
Sec. 34-49	Closing hours
Sec. 34-50	Revocation and suspension of licenses
Sec. 34-51	Nonrenewal of licenses
Sec. 34-52	Violations by agents and employees

Article III Manufactured/Mobile Home Parks

Sec. 34-81	Definitions
Sec. 34-82	Penalty for violation of article
Sec. 34-83	Conflict of article provisions with other ordinances
Sec. 34-84	Location outside parks
Sec. 34-85	Permit for location outside manufactured/mobile home park
Sec. 34-86	License
Sec. 34-87	Inspection and enforcement
Sec. 34-88	Service building and accommodations

- Sec. 34-89 Limitations on length of stay and number of occupants.
- Sec. 34-90 Management.
- Sec. 34-91 Monthly parking fee.
- Sec. 34-92 Revocation and suspension.

Article IV Adult-Oriented Establishments

Division 1 Generally

- Sec. 34-121 Intent of article
- Sec. 34-122 Definitions
- Sec. 34-123 Responsibilities of the operator

Division 2 License

- Sec. 34-151 Required
- Sec. 34-152 Application
- Sec. 34-153 Standards for issuance
- Sec. 34-154 Display
- Sec. 34-155 Restrictions on corporate licenses
- Sec. 34-156 Sale or transfer
- Sec. 34-157 Renewal
- Sec. 34-158 Suspension or revocation

ARTICLE I IN GENERAL

Sec. 34-1 Required

No person shall engage in any trade, profession, business or privilege in the town for which a license or permit is required by any provision of this Code without first obtaining such license or permit from the town in the manner provided in this chapter, unless otherwise specifically provided.

Sec. 34-2 Application

Unless otherwise provided, application for a license or permit shall be made in writing to the clerk upon forms provided by the town, and the applicant shall state the location of the proposed activity and such other facts as may be required for or be applicable to the granting of such a license or permit.

Sec. 34-3 Payment of fee

The fees required for any license or permit shall be paid at the office of the clerk before the granting of the license or permit. No fee paid shall be refunded unless the license or permit is denied.

Sec. 34-4 Bond and insurance

All required bonds shall be executed by a surety company and be subject to the approval of the town board. Where policies of insurance are required, such policies shall be approved as to substance and form by the town attorney. Satisfactory evidence of coverage by bond or insurance shall be filed with the town before the license or permit is issued.

Sec. 34-5 Approval or denial of licenses

Where the approval of any town or state officer is required prior to the issuance of any license or permit, such approval shall be presented to the town before any license or permit is issued.

Sec. 34-6 Certificate

Licenses or permit certificates shall show the name of the licensee or permittee, the date of issue, the activity licensed and the term of the license or permit and shall be signed in the name of the town by the chair and town clerk and be impressed with the town seal. The clerk shall keep a record of all licenses and permits issued.

Sec. 34-7 Terms

- (a) Unless otherwise provided, the license year shall end on June 30 of each year.
- (b) Where the issuance of licenses for a period of less than 1 year is permitted, the effective date of such license shall commence with the date of issuance.
- (c) Permits shall be issued for the term set forth in the permit.

Sec. 34-8 Exhibition of certificate

Every licensee or permittee shall carry his license or permit certificate upon his person at all times when engaged in the activity for which the license or permit was granted, except that where such activity is conducted at a fixed place or establishment, the license or permit certificate shall be exhibited at all times in some conspicuous place in his place of business. The licensee or permittee shall exhibit the license certificate upon demand of any police officer or person representing the issuing authority.

Sec. 34-9 Transfer

Unless otherwise provided, no license or permit shall be transferable or assignable.

Sec. 34-10 Determinations of the town board

All determinations made by the town board shall be subject to the provisions of Wis. Stats. ch. 68.

Sec. 34-11 Inspection

Town officials may enter upon the premises where any licensed or permitted activity is being conducted for the purpose of inspection at any reasonable time.

Sec. 34-12 Revocation and suspension

- (a) Except as otherwise provided, any license issued under this chapter may be revoked for cause by the town board. No license shall be revoked except upon written verified complaint filed with the town board by the chair, a member of the town board, the chief of police or a resident of the town. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the town board. The licensee shall be given notice of such hearing, which shall be not more than 20 nor less than 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 chair or presiding officer of the board to compel the attendance of witnesses.
- (c) After hearing the evidence, the board may revoke such license or impose a limited period of suspension. The determination of the board shall be final, subject to review under Wis. Stats. ch. 68. provided that the licensee shall not be entitled to a further hearing unless granted by the town board.
- (d) The police department shall repossess any license revoked under this chapter.
- (e) If the licensee does not apply for a hearing within the time provided, the license may be revoked by the town board.

Sec. 34-13 License fees

Unless otherwise indicated, fees for licenses issued under this chapter shall be as follows and shall be the same whether issued for a 6-month period or a 1-year period:

(1) Alcohol beverages:

- a. Retail class A fermented malt beverage: as set by town board resolution from time to time per year.
- b. Retail class B fermented malt beverage: as set by town board resolution from time to time per year.
- c. Wholesaler's fermented malt beverage: as set by town board resolution from time to time.
- d. Special event (picnic): as set by town board resolution from time to time (daily).
- e. Retail class A intoxicating liquor: as set by town board resolution from time to time.
- f. Retail class B intoxicating liquor: as set by town board resolution from time to time.
- g. Reserve retail class "B" intoxicating liquor: as set by town board resolution from time to time.
- h. Operator's license: as set by town board resolution from time to time per year.
- i. Provisional operator's license: as set by town board resolution from time to time per year.
- j. Provisional class "A" or class "B" license: as set by town board resolution from time to time.

- (2) *Cigarette license*: as set by town board resolution from time to time.
- (3) *Dogs*:
 - a. Neutered males and spayed females: as set by town board resolution from time to time.
 - b. Unneutered males and unspayed females: as set by town board resolution from time to time.
 - c. Late fee: as set by town board resolution from time to time per dog if paid after April 1.
 - d. No license: as set by town board resolution from time to time.
 - e. Kennel license (4 or more dogs), as set by town board resolution from time to time.
- (4) *Hauler; refuse and recyclables*: as set by town board resolution from time to time (annual fee), payable on or before July 1.
- (5) *Manufactured/mobile homes and manufactured/mobile home parks*:
 - a. Manufactured/mobile homes: See Wis. Stats. § 66.0435.
 - b. Manufactured/mobile home parks:
 - 1. Fee: as set by town board resolution from time to time, per unit; minimum: as set by town board resolution from time to time.
 - 2. Surety bond: as set by town board resolution from time to time.

ARTICLE II ALCOHOL BEVERAGES

Sec. 34-41 State statutes adopted

The provisions of Wis. Stats. ch. 125, defining and regulating the sale, procurement, dispensing, consumption and transfer of alcohol beverages, including provisions relating to persons under the legal drinking age, are adopted and made a part of this article by reference. A violation of any of such provisions shall constitute a violation of this article.

Sec. 34-42 Licenses and permits; authorization required

- (a) *When required*. Except as provided by Wis. Stats. § 125.06, no person shall within the town, serve, sell, manufacture, rectify, brew or engage in any other activity for which this article or Wis. Stats. ch. 125, requires a license, permit or other authorization without holding the appropriate license, permit or other authorization as provided in this chapter.
- (b) *Unenclosed premises*. No licensee shall permit the consumption of fermented malt beverages or intoxicating liquor on any part of the licensed premises not enclosed within the building, except under permit granted by the town board. Application for a permit may be made at the time of application for the fermented malt beverage or intoxicating liquor license or may be made at any time during the license year. Such permit may be revoked by the board at its pleasure at any time. No person shall consume or have in his possession fermented malt beverages or intoxicating liquor on any unenclosed part of the licensed premises which is not described in such permit.
- (c) *Separate license required for each place of sale*. Except for licensed public warehouses, a license shall be required for each location or premises where alcohol beverages are stored, sold or offered for sale.
- (d) *Sign restricting consumption of alcohol beverages beyond licensed premises*. Each license holder shall be required to have a sign posted at the exit doors of the premises stating that open alcohol beverages shall not be allowed outside of the premises. This shall not apply to licenses issued to hotel or resort facilities where there is not a door leading directly to the outside from the portion of the building used for the sale of intoxicating liquor or fermented malt beverages.

Sec. 34-43 Classes of licenses and fees

The following classes and denominations of licenses may be issued by the clerk under the authority of the town board upon compliance with law and payment of the fee as set by town board resolution from time to time which, when so issued, shall permit the holder to sell, deal or traffic in alcohol beverages as provided in the referenced statute.

- (1) *Class A fermented malt beverage retailer's license.* See Wis. Stats. § 125.25.
- (2) *Class B fermented malt beverage retailer's license.* See Wis. Stats. § 125.26. A class "B" license may be issued at any time for 6 months in any calendar year. Such license shall not be renewable during the calendar year in which issued. See Wis. Stats. § 125.26(5).
- (3) *Wholesaler's fermented malt beverage license.* Such license may not exceed the amount set by town board resolution from time to time per year or fraction thereof. See Wis. Stats. § 125.28.
- (4) *Retail class A liquor license.* See Wis. Stats. § 125.51(2).
- (5) *Retail class B liquor license.* A retail "class B" liquor license shall permit its holder to sell liquor in original packages or containers in multiples not to exceed 4 liters at any one time to be consumed off the licensed premises. See Wis. Stats. § 125.51(3).
 - a. A license may be issued after July 1 in any license year which shall expire on the following June 30.
 - b. Licenses valid for 6 months may be issued at any time. The license may not be renewed during the calendar year in which issued. See Wis. Stats. § 125.51(9).
- (6) *Operator license.* See Wis. Stats. § 125.17.
 - a. Operator's licenses may be granted to individuals by the town board for the purpose of complying with Wis. Stats. § 125.32(2) and Wis. Stats. § 125.68(2).
 - b. Operator's license may be issued only on written application on forms provided by the clerk.
 - c. Operator's licenses shall be valid for 1 year and shall expire on June 30 of each year.
- (7) *Provisional operator's license.* See Wis. Stats. § 125.17(5).
 - a. *Requirements.* The clerk may grant a provisional operator's license to an individual who complies with Wis. Stats. § 125.04(5), has also applied for a regular operator's license and who has not been previously denied a license under this article, subject to the following:
 1. The applicant for a provisional operator's license shall furnish an affidavit stating that he has not been an habitual law offender or been convicted of a felony, unless pardoned.
 2. A written statement shall be provided by a sponsor for the applicant who shall have an alcohol license issued under Wis. Stats. ch. 125, stating the length of time the sponsor has known the applicant, that the applicant has a place of employment and the sponsor shall reimburse the town for any expenses incurred by the town in revoking the applicant's provisional operator's license.
 3. Evidence that the applicant has either completed or is enrolled in a training course required by Wis. Stats. § 125.17(6). If the applicant fails to successfully complete the course, the provisional license shall be revoked.
 - b. *Restrictions.*
 1. No provisional operator's license may be issued to a person who has been denied an operator's license by the town board.
 2. The provisional operator is limited to working for the sponsor unless and until a regular operator's license is issued by the town board.
 3. The provisional operator's license shall expire 60 days after its issuance or when a regular operator's license is issued, whichever is sooner.
 4. The clerk may revoke the provisional operator's license if it is discovered that the licensee of the provisional license made a false statement on the application.

- c. *Fee.* The provisional operator's license fee shall be as provided by town board resolution from time to time.
- (8) *Provisional class "A" or class "B" license*
- a. The clerk may issue provisional licenses to a person who has applied for a "class A" or class "B" license, and such provisional license authorizes only the activities that the type of retail license applied for authorizes.
 - b. The provisional license expires 60 days after issuance or when the regular license applied for is issued, whichever is sooner.
 - c. The official who issued the provisional retail license may revoke the license if it is discovered that the holder made a false statement on the application.
 - d. Provisional licenses may not be issued if it would go beyond the quota established therefor.
 - e. The provisional class "A" or class "B" license fee shall be as provided by town board resolution from time to time.

Sec. 34-44 License application

- (a) *Form.* Application for a license to sell or deal in intoxicating liquor or fermented malt beverages shall be made in writing on forms prescribed by the state department of revenue and filed with the clerk at least 15 days prior to issuance. The premises shall be physically described, including every room and storage space to be covered by the license and including all rooms joined by connecting entrances or not separated by a solid wall.
- (b) *Application to be notarized.* The application shall be signed and sworn to by the applicant as provided by Wis. Stats. § 887.01.
- (c) *Publication.* Prior to issuance of a license under this section, the clerk shall publish notice of the application in the official town newspaper.
- (d) *List of licensees.* By July 15 of each year, the clerk shall forward to the state department of revenue a list containing the name, address and trade name of each person holding a license issued under this section, except a picnic, manager's or operator's license.
- (e) *Inspection of premises*
 - (1) Upon the filing of each application, the chief of police, the fire chief, the zoning administrator and the health department shall inspect or cause to be inspected each application and the premises, together with any other investigation necessary to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto and whether the applicant is a proper recipient of a license. Such officials shall furnish the town board in writing a report on such investigation, accompanied by a recommendation as to whether a license should be granted or refused.
 - (2) No license shall be renewed without reinspection of the premises and a report as originally required.

Sec. 34-45 License restrictions

- (a) *Statutory requirements.* Licenses shall be issued only to persons eligible therefore under Wis. Stats. § 125.04.
- (b) *Location*
 - (1) No retail "class A" or "class B" license shall be issued for premises the main entrance of which is less than 300 feet from the main entrance of any established public school, parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the main entrance of such school, church or hospital to the main entrance to the premises covered by the license.

- (2) This section shall not apply to premises licensed as such on June 30, 1947, nor shall it apply to any premises licensed as such prior to the occupation of real property within 300 feet thereof by any school, hospital or church building.
- (c) *Violators of liquor or beer laws or ordinances.* No retail class A or B license shall be issued to any person who has been convicted of a violation of any federal or state liquor or fermented malt beverage law or the provisions of this article or whose license has been revoked under Wis. Stats. § 125.12, during 1 year prior to such application. A conviction of a member of a partnership or the partnership itself shall make the partnership or any member thereof ineligible for such license for 1 year.
- (d) *Health and sanitation requirements.* No retail class B license shall be issued for any premises which does not conform to the sanitary, safety and health requirements of the state department of commerce pertaining to buildings and plumbing, to the rules and regulations of the state department of health applicable to restaurants and to all such ordinances and regulations adopted by the town board.
- (e) *License quota.*
- (1) The number of persons and places that may be granted a retail class "A" liquor license is limited to 2, and the number of persons and places that may be granted a retail class "B" liquor license is limited to 8.
- (2) The number of persons and places that may be granted a reserve retail class "B" liquor license is limited to 4.
- (f) *Corporations.* No corporation organized under the laws of this state or of any other state or foreign country may be issued any alcohol beverage license or permit unless such corporation meets the requirements of Wis. Stats. § 125.04(6).
- (g) *Age requirement.* No license under this article, except an operator's license, shall be granted to any person who has not attained the legal drinking age. Operator's licenses may be issued only to applicants who have attained the age of 18.
- (h) *Effect of revocation of license.* 12 months shall elapse before another license shall be granted to the person whose license was revoked.
- (i) *Delinquent taxes, assessments and claims.* No license shall be granted for any premises for which taxes, assessments or other claims of the town are delinquent and unpaid, or to any person delinquent in payment of such claims, including unpaid forfeiture judgments, to the town.
- (j) *Issuance for sales in dwellings.* No license shall be issued to any person for the purpose of possessing, selling or offering for sale any alcohol beverages in any dwelling house, flat or residential apartment.
- (k) *Nonuse of license.* Any license issued under this article which is not used for a period of 60 days may be revoked as provided in section 34-50.
- (1) *Class A license restriction; premises.* All licensed premises which remain open to the public or employees of the class A license holder, and such license holder operates any other business open for business between the hours of 9:00 p.m. and 8:00 a.m. shall during the hours between 9:00 p.m. and 8:00 a.m., store, display or stock all intoxicating liquor and wine in a securely locked area or cabinet. Access to all intoxicating liquor and/or wine during the hours between 9:00 p.m. and 8:00 a.m. shall be only by the licensed holder and/or any licensed operator on the premises during such hours.

Sec. 34-46 Transfer of licenses

- (a) *As to person.* No license shall be transferable as to licensee except as provided by Wis. Stats. § 125.04(12).
- (b) *As to place.* Licenses issued under this section may be transferred to another premises once during any license year as provided in Wis. Stats. § 125.04(12). Application for such transfer shall be made on blanks furnished by the state department of revenue. Proceedings for transfer shall be had in the

same manner and form as the original application. The fee for such transfer shall be as set by town board resolution from time to time.

Sec. 34-47 Posting and care of licenses

Every license or permit required under this section shall be framed and posted and at all times displayed as provided in Wis. Stats. § 125.04(10). No person shall post such license or permit any other person to post it upon premises other than those mentioned in the application, or knowingly deface or destroy such license.

Sec. 34-48 Regulation of licensed premises and licensees

- (a) *Gambling and disorderly conduct.* Each licensed and permitted premises shall at all times be conducted in an orderly manner; and no disorderly, riotous or indecent conduct or gambling shall be allowed at any time on any such premises. Nude dancing or other exposure of the genital area of men or women unclothed or the exposure of the areola of a woman's breast uncovered by opaque material shall be deemed disorderly conduct under this section and subject any owner or operator to license suspension or revocation.
- (b) *Employment of underage person.* No licensee shall employ any underage person in violation of Wis. Stats. § 125.07(3).
- (c) *Sales by clubs.* No club shall sell intoxicating liquors or fermented malt beverages except to members and guests invited by members.
- (d) *Safety and sanitation requirements.* Each licensed premises shall be maintained and conducted in a sanitary manner and shall be a safe and proper place for the purpose for which used.
- (e) *Noise control.* Each licensed premises shall be maintained and the business authorized therein shall be conducted in a manner that shall not cause unusual and extraordinary noise to emanate therefrom to disturb the residents of the neighborhood in which the premises are located. There shall be no loudspeakers outside the licensed premises. Windows and doors to the licensed premises shall be of clear glass and kept closed at all times, except when doors are being used for ingress or egress.

Sec. 34-49 Closing hours

No premises for which an alcohol beverage license has been issued shall remain open for the sale of alcohol beverages:

- (1) If a wholesale fermented malt beverage license, between 5:00 p.m. and 8:00 a.m., except on Saturday when the closing hour shall be 9:00 p.m.
- (2) If a retail "class A" license, between 9:00 p.m. and 8:00 a.m.
- (3) If a retail "class B" license, between 2:00 a.m. and 6:00 a.m. on weekdays and between 2:30 a.m. and 6:00 a.m. on Saturdays and Sundays. On January 1 premises operating under a class B license are not required to close. No package, container or bottle sales may be made after midnight.
- (4) All class A and B licenses shall close at 6:00 p.m. on December 24.
- (5) Hotels and restaurants, the principal business of which is the furnishing of food and lodging to patrons, bowling alleys, indoor horseshoe pitching facilities, curling clubs, golf courses and golf clubhouses may remain open for the conduct of their regular business, but no intoxicating liquors or fermented malt beverages shall be sold during prohibited hours.

Sec. 34-50 Revocation and suspension of licenses

- (a) *Procedure.* Whenever the holder of any license under this article violates any portion of this article, proceedings for the revocation or suspension of such license may be instituted in the manner and

under the procedure established by Wis. Stats. § 125.12, and the provisions therein relating to granting a new license shall likewise be applicable.

(b) *Effect of revocation.* See section 34-45(h).

Sec. 34-51 Nonrenewal of licenses

Before renewal of any license issued under this article is refused, the licensee shall be given written notice of any charges or violations or the reasons proposed for nonrenewal and a copy of any proposed motion for nonrenewal and shall have an opportunity to be heard before the town board.

Sec. 34-52 Violations by agents and employees

A violation of this article by an authorized agent or employee of a licensee shall constitute a violation by the licensee.

ARTICLE III MANUFACTURED/MOBILE HOME PARKS

Sec. 34-81 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Manufactured/mobile home means any coach, cabin, trailer, house car or other vehicle or structure intended for, or capable of, human dwelling or sleeping purposes, mounted upon wheels or supports, equipped with furniture and cooking and heating appliances, with or without toilet facilities and capable of being moved by its own power or transported by another vehicle.

Manufactured/mobile home park means any park, court, camp, site, plot, parcel or tract of land designated, maintained or used for the purpose of supplying a location or accommodations for more than 2 manufactured/mobile homes and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the manufactured/mobile home park and its facilities. The term "manufactured/mobile home park" shall not include automobile or trailer sales lots which unoccupied manufactured/mobile homes are parked for purposes of inspection and sales.

Person means an individual, partnership, firm, company, corporation, whether manufactured/ mobile home tenant or manufactured/mobile home owner, lessee, licensee or their agent, heir or assignee.

Space means a plot of ground in a manufactured/mobile home park of not less than 4,250 square feet designed for 2 automobiles and manufactured/mobile home.

Temporary occupancy means less than 365 days.

Unit means a manufactured/mobile home unit.

Unit, dependent, means a manufactured/mobile home which does not have bathroom or toilet facilities.

Unit, nondependent, means a manufactured/mobile home that has bath or shower and toilet facilities.

Sec. 34-82 Penalty for violation of article

In addition to the revocation, suspension or nonrenewal of any license issued under this article, any person found to be in violation of any provision of this article shall be subject to a penalty as provided in section 1-9.

Sec. 34-83 Conflict of article provisions with other ordinances

All ordinances or parts of ordinances, including the county zoning ordinances under section 59.97, which are inconsistent with or contrary hereto shall apply with respect to the establishment and operation of any manufactured/mobile home park only if such ordinance is more restrictive than this article.

Sec. 34-84 Location outside parks

- (a) No person shall, except as provided in this article, park any manufactured/mobile home on any street, alley, highway or town road, or other public place, or on any tract of land owned by any person, within the town.
- (b) Emergency or temporary stopping or parking is permitted on any street, alley, highway or town road for not longer than 1 hour, subject to any other and further prohibitions or regulations imposed by the traffic and parking regulations or ordinances for that street, alley, highway or town road.
- (c) No person shall park or occupy any manufactured/mobile home on any premises which is situated outside an approved manufactured/mobile home park for more than 8 months, except under special permit as provided in section 34-85. The parking of only one unoccupied manufactured/mobile home in an accessory private garage building, or in a rear yard, is permitted, provided that no living quarters shall be maintained or any business practiced in such manufactured/mobile home while it is so parked or stored.

Sec. 34-85 Permit for location outside manufactured/mobile home park

- (a) The town board may issue special written permits allowing the location of a manufactured/ mobile home outside of a manufactured/mobile home park. The person to whom such permit is granted shall be subject to the parking permit fee as provided in section 34-91. The permit shall be granted only upon written consent of the owner, his legal agent or the lessee of the location for which the permit is granted, which consent shall include a statement by the owner that in the event the tenant does not pay the taxes, the owner will be responsible for payment of such taxes as provided in section 34-91(b) and in accordance with Wis. Stats. § 70.043. Not more than 1 manufactured/mobile home shall be granted a permit to locate on any one premises outside of a manufactured/mobile home park and such manufactured/mobile home shall be on a permanent foundation, connected to water and sewage facilities and shall be owned by the owner of the land on which located. All permits issued under this subsection are intended to be temporary only (in an emergency situation) and shall not be issued for a period of not longer than 1 year.
- (b) Application for the permit shall be made to the town clerk and shall be accompanied by:
 - (1) A permit fee as set by the town board from time to time
 - (2) The name and permanent addresses of the occupants of the manufactured/mobile home
 - (3) The license number of the manufactured/mobile home and towing vehicle
 - (4) The place of last stay
 - (5) The intended purpose of the stay at the requested location
 - (6) Whether the occupants are nonresident tourists
 - (7) Whether any occupant is employed in this state
 - (8) The exact location of the premises
 - (9) Name of the owner and occupant of any dwelling on the premises
 - (10) Permission to locate
 - (11) A statement of the nature and location of sanitary facilities and permission of the occupant of the dwelling house for their use

- (12) A statement that all wastes from manufactured/mobile home occupant will be disposed of in a sanitary manner
- (c) Application for location on a vacant lot or a parcel of land shall be accompanied by:
 - (1) A statement of the nature and location of sanitary facilities which shall include:
 - a. A safe water supply
 - b. A toilet within 200 feet of the proposed location of the manufactured/mobile home
 - (2) A statement of permission from the owner for their use.
- (d) All occupants of any manufactured/mobile home located outside of a manufactured/ mobile home park shall register with the town clerk as provided in section 34-90. All provisions of this article governing the location, use and sanitation of manufactured/mobile homes located in a licensed manufactured/mobile home park shall, so far as they are applicable, apply to any manufactured/mobile home outside of such park.

Sec. 34-86 License

- (a) *Required.* No person shall establish, operate or maintain, or permit to be established, operated or maintained, upon any property owned, leased or controlled by him, a manufactured/ mobile home park within the limits of the town without first having obtained a license for each such park from the town board pursuant to this section. Such license shall expire 1 year from the date of issuance, but may be renewed under the provisions of this section for additional periods of 1 year.
- (b) *Fees.* The application for such license or the renewal thereof shall be filed with the town clerk and shall be accompanied by a fee as set by town board resolution from time to time for each space in the existing or proposed park, and a surety bond as set by town board resolution from time to time. This bond shall guarantee the collection by the licensee of the monthly parking permit fee as set by the town board resolution from time to time, and the payment of such fees to the town treasurer, the payment by the licensee of any fine or forfeiture including legal costs imposed upon or levied against such licensee for a violation of this section pursuant to which the license is granted, and shall also be for the use and benefit, and may be prosecuted and recovery had thereon, by any person who may be injured or damaged by reason of the licensee violating the provisions of this section. A fee as set by town board resolution from time to time shall be paid for each transfer of a license.
- (c) *Application.*
 - (1) The application of a license or a renewal thereof shall be made on forms furnished by the town clerk and shall include the following:
 - a. The name and address of the owner.
 - b. Fee of the tract. (If the fee is vested in some person other than the applicant, a duly verified statement by that person that the applicant is authorized by him to construct or maintain the manufactured/mobile home park and to apply for the license).
 - c. A legal description of the premises upon which the manufactured/mobile home park is to be located as will readily identify and definitely locate the premises.
 - (2) The application shall be accompanied by 2 copies of the park plan showing the following, either existing or as proposed:
 - a. The extent and area used for park purposes
 - b. Roadways and driveways
 - c. Location of units for manufactured/mobile homes
 - d. Location and number of sanitary conveniences, including toilets, washrooms, laundries and utility rooms to be used by occupants of units
 - e. Method and plan of sewage disposal
 - f. Method and plan of garbage and rubbish disposal
 - g. Plan for water supply
 - h. Plan for lighting of units

- i. Site plans showing name and address of each occupant of each lot
- (3) If the existing or proposed park is designed to serve nondependent manufactured/ mobile homes, such plans shall clearly set forth the location of all sewer and water pipes and connections.
- (d) *Quota*. The number of manufactured/mobile home park licenses available in the town shall be 4.

Sec. 34-87 Inspection and enforcement

- (a) No manufactured/mobile home park license (or permit for location outside of licensed manufactured/mobile home park) shall be issued until the town clerk shall notify the town board and those officials of the board shall have inspected each application and the premises on which manufactured/mobile homes will be located to ensure compliance with the regulations, ordinances and laws applicable thereto.
- (b) No license will be renewed without a reinspection of the premises. For the purposes of making inspections and securing enforcement, such officials or their authorized agents shall have the right and are hereby empowered to enter on any premises on which a manufactured/ mobile home is located, or about to be located, and to inspect the same and all accommodations connected therewith at any reasonable time.
- (c) Every manufactured/mobile home or manufactured/mobile home park shall be located on a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of stormwater or other waters. No manufactured/mobile home or other park shall be situated in any area that is located so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.
- (d) Manufactured/mobile home spaces shall be clearly defined and shall consist of a minimum of 4,250 square feet and a width of not less than 50 feet. The park shall be so arranged that all spaces shall face or abut on a driveway of not less than 50 feet in width, giving easy access from all units to a public street. Such driveway shall be graveled or paved and maintained in good condition, having natural drainage, be well lighted at night and have no obstructions.
- (e) The park shall be so laid out that no dependent unit shall be located farther than 200 feet from the toilets and service buildings provided for in this article, and walkways to such buildings shall be graveled or paved and well lighted at night.
- (f) Every manufactured/mobile home shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than 30 amperes capacity and a heavy duty outlet receptacle. Electrical outlets shall be weatherproofed, and no power lines shall be less than 15 feet above ground.
- (g) No manufactured/mobile home unit shall be parked in a park outside of a designated space.
- (h) No common drinking vessels shall be permitted or any drinking faucets placed in any toilet room.
- (i) Every manufactured/mobile home park serving dependent units shall provide an abundant supply of hot water at all reasonable hours for bathing, washing and laundry facilities.

Sec. 34-88 Service building and accommodations

- (a) Every manufactured/mobile home park designed to serve dependent units shall have erected thereon suitable buildings for housing toilets, lavatories, showers, slop sinks and laundry facilities as required by this article; such buildings to be known as service buildings. Service buildings shall be located not more than 200 feet from any dependent unit space, nor closer than 15 feet from any manufactured/mobile home space. Such buildings shall be of permanent construction and adequately lighted, screened and ventilated.
- (b) There shall be provided separate toilet rooms for each sex. Water flush toilets shall be required. Toilets shall be provided for each sex in the ratio of 1 toilet for each 8 dependent units or fraction

thereof and shall have separate compartments. Every male toilet room shall also contain 1 urinal for each 16 dependent units, but in no case shall any male toilet be without 1 urinal. Toilet rooms shall contain lavatories with running water in the ratio of 1 lavatory to every 2 or less water closets.

- (c) Separate bathing facilities for each sex shall be provided with 1 shower enclosed in a compartment at least 4 feet square for each 8 dependent units or fraction thereof. Each shower compartment shall be supplemented by an individual dressing compartment of at least 12 square feet.
- (d) Laundry facilities shall be provided at the ratio of 1 double tray unit and 1 conventional type washing machine, or 1 automatic washing machine with electric outlet, for each 8 units. Sufficient drying facilities shall be available.
- (e) Slop sinks for disposal of liquid wastes originating at the units shall be provided in a separate room of the service building in the ratio of 1 slop sink for each 15 dependent units.
- (f) The accommodations of this section shall be based upon the total park capacity according to the accepted plans.
- (g) Floors of toilets, showers and the laundry shall be of concrete, tile or similar material impervious to water and easily cleaned and pitched to a floor drain.

Sec. 34-89 Limitations on length of stay and number of occupants

- (a) No person shall occupy any manufactured/mobile home within the town for permanent occupancy, unless such manufactured/mobile home is located in a manufactured/mobile home park licensed under this section, except as provided in section 34-85.
- (b) The town board may, in its discretion and by a uniform rule, limit the number of occupants in any manufactured/mobile home occupying a space in a licensed park for reasons of health and public welfare.

Sec. 34-90 Management

- (a) In every manufactured/mobile home park there shall be located the office of the attendant or person in charge of such park. A copy of the park license and of this article shall be posted therein and the park register shall at all times be kept in the office.
- (b) It shall be the duty of the attendant or person in charge, together with the licensee to:
 - (1) Keep a register of all guests, to be open at all times to inspection by state and federal officers and the town board, which register shall show for all guests:
 - a. Names and addresses
 - b. Number of school age children
 - c. State of legal residence
 - d. Dates of entrance and departure
 - e. License number of all manufactured/mobile homes and towing or other vehicles
 - f. States issuing such license
 - g. Place of employment of each occupant
 - h. Purpose of stay in park
 - i. Place of last location and length of stay
 - (2) Maintain the park in a clean, orderly and sanitary condition at all times.
 - (3) Ensure that the provisions of this section are complied with and enforced, and report promptly to the proper authorities any violations of law which may come to their attention.
 - (4) Report to the town chair all cases of persons or animals affected or suspected of being infected with any communicable disease.
 - (5) Maintain in convenient places, approved by the town chair, hand fire extinguishers in the ratio of 1 to each 8 units.

- (6) Collect the monthly parking permit fee as set by town board resolution from time to time. A book shall be kept current showing the names of the persons paying such service charges and the amount paid, which moneys are the property of the town.
- (7) Prohibit the lighting of open fires on the premises.

Sec. 34-91 Monthly parking fee

- (a) There is hereby imposed on each owner or operator of a manufactured/mobile home park licensee in this article a monthly parking permit fee as determined in accordance with Wis. Stats. § 66.058, on each occupied nonexempt manufactured/mobile home which shall have been parked in such park at any time during the month. It shall be the full and complete responsibility of the licensee to collect the proper amount from each manufactured/mobile home and to pay the town treasurer such monthly parking permit fees on or before the 10th of the month following the month for which such fees are due, in accordance with the terms of this article.
- (b) Occupants of nonexempt manufactured/mobile homes parked outside of licensed manufactured/mobile home parks in accordance with section 34-43 shall pay tax in accordance with Wis. Stats. § 70.043(2). If the occupant of a manufactured/mobile home does not pay such taxes, the owner of the real property upon which a manufactured/mobile home is parked shall be responsible for the payment of such taxes.

Sec. 34-92 Revocation and suspension

The town board is hereby authorized to revoke any license or permit issued pursuant to the terms of this article in accordance with Wis. Stats. § 66.058.

ARTICLE IV ADULT-ORIENTED ESTABLISHMENTS

DIVISION 1 GENERALLY

Sec. 34-121 Intent of article

The town board intends that the enforcement of this article shall be used primarily to combat the obscenity industry and shall never be used for harassment or censorship purposes against materials or performance having serious artistic, literary, political, educational or scientific value. The town board further intends that the enforcement of this article shall be consistent with the first amendment to the United States Constitution, article I; section 3 of the state constitution; and the compelling state interest in protecting the free flow of ideas.

Sec. 34-122 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult cabaret means an establishment which features topless dancers, strippers or similar entertainers.

Adult entertainment means any exhibition of any motion picture, video cassette, live performance, display or dance of any type which has as its dominant theme or is distinguished or characterized by an emphasis on any actual or simulated specified sexual activities, specified anatomical areas, the removal of articles of clothing or partial or total nude appearance.

Adult entertainment store means an establishment including in its stock in trade for sale, rent, lease, inspection or viewing books, films, video cassettes, novelties, magazines or other periodicals which have as their dominant theme or are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas.

Adult minitheater means an enclosed building with a capacity of less than 25 persons used for presenting adult entertainment having as its dominant theme or distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

Adult-oriented establishments means, but is not limited to, adult entertainment stores, adult theaters, adult minitheaters, adult cabarets and any premises to which public patrons or members are invited or admitted and which are physically arranged so as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purposes of viewing of adult entertainment, whether or not such adult entertainment is held, conducted, operated or maintained for commercial gain.

Adult theater means an enclosed building with a capacity of 25 or more persons used for presenting adult entertainment having as its dominant theme or distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

Operator means any person, partnership, corporation or other organization operating, conducting, maintaining or owning any adult-oriented establishment.

Specified anatomical areas means:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks and female breast below a point immediately above the top of the areola.
- (2) Human male genitals in a discernible turgid state, even if opaquely covered.

Specified sexual activities means simulated or actual:

- (1) Showing of human genitals in a state of sexual stimulation or arousal.
- (2) Acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio or cunnilingus.
- (3) Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts.

Sec. 34-123 Responsibilities of the operator

- (a) Any act or omission of any employee constituting a violation of the provisions of this article shall be deemed the act or omission of the operator for purposes of determining whether the operator's license shall be revoked, suspended or renewed.
- (b) No employees of an adult-oriented establishment shall allow any minor to loiter around or to frequent an adult-oriented establishment or to allow any minor to view adult entertainment.
- (c) The operator shall maintain the adult-oriented establishment in a clean and sanitary manner as determined by a public health official.
- (d) The operator shall maintain at least 20 foot-candies of light in the public portions of the adult-oriented establishment, including aisles, at all times.
- (e) No alcohol beverage may be served or permitted on the premises at any time. (f No sexual activity of any kind shall be permitted on the premises.
- (g) The operator shall ensure compliance of the adult-oriented establishment and its patrons with the provisions of this article.
- (h) No person licensed as an adult-oriented establishment may, in any manner, advertise its establishment as licensed by the town board.
- (i) Any adult-oriented establishment having available for customers, patrons or members, any booth, room or cubicle for the private viewing of any adult entertainment must comply with the following requirements:
 - (1) Each booth, room or cubicle shall be totally accessible to and from aisles and public areas of the adult-oriented establishment and shall be unobstructed by any door, lock or other control-type devices.
 - (2) Every booth, room or cubicle shall meet the following construction requirements:

- (a) Each booth, room or cubicle shall be separated from adjacent booths, rooms or cubicles and any nonpublic areas by a wall.
 - (b) Each booth shall have at least one side totally open to a lighted public aisle so that there is an unobstructed view at all times of anyone occupying the booth.
 - (c) All walls shall be solid and without any openings, extended from the floor to a height of not less than 6 feet and be light colored, nonabsorbent, smooth textured and easily cleanable.
 - (d) The floor must be light colored, nonabsorbent, smooth textured and easily cleanable.
 - (e) The lighting level of each booth, room or cubicle, when not in use, shall be a minimum of 20 footcandles at all times, as measured from the floor.
- (3) Only one individual shall occupy a booth, room or cubicle at any time. No occupant shall engage in any type of sexual activity.

DIVISION 2 LICENSE

Sec. 34-151 Required

- (a) No person may engage in, conduct or carry on the operation or maintenance of an adult-oriented establishment without first obtaining a valid adult-oriented establishment license issued under this article.
- (b) A license may be issued only for one adult-oriented establishment located at a fixed and certain place. Any person desiring to operate more than one adult-oriented establishment must have a license for each adult-oriented establishment.

Sec. 34-152 Application

- (a) Any person desiring to obtain an adult-oriented establishment license shall pay the required fee set by the board from time to time, to defray the costs of administration and investigation of the application.
- (b) Any person desiring an adult-oriented establishment license shall file a written application with the clerk on a form provided by the clerk's office. The information provided to the clerk shall be given under oath.
 - (1) *Corporations.* If the applicant is a corporation, the name of the corporation shall be set forth exactly as set forth in its articles of incorporation, together with the date and state of incorporation, the names, residence addresses and date of birth of each of its officers, directors and each stockholder holding 5% or more of the stock or beneficial ownership of the corporation. An officer of the corporation shall also verify the application.
 - (2) *Partnerships.* If the applicant is a partnership, the application shall set forth the name of the partnership, the name, residence address and date of birth of each of the partners, including limited partners, and shall be verified by each partner. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate partner.
 - (3) *Others.* If the applicant is neither a corporation nor a partnership, the application shall set forth the true full name, residence address and date of birth of the applicant and be verified by the applicant. The application shall also include any other name by which the applicant has been known during the previous 5 years.
- (c) The application also shall set forth the proposed place of business of the adult-oriented establishment by business address, including suite number, not by post office box, and shall contain a description of the nature and scope of the proposed business operation. In addition, the following information shall be furnished concerning the applicant if an individual; concerning each officer and director and all stockholders who own 5% or more of the stock or beneficial ownership if the applicant is a

corporation; and concerning each partner, including limited partners, if the applicant is a partnership and any employees which may be employed from time to time:

- (1) The previous residence address, if any, for a period of 7 years immediately prior to the date of application and the dates of such residence.
 - (2) Written proof that the individual is at least 18 years of age.
 - (3) A complete set of fingerprints submitted by the applicant through the county sheriff's department to the clerk.
 - (4) The business, occupation or employment history for 7 years immediately preceding the date of application including, but not limited to, whether such person previously operated under any such permit or license in another municipality in this or another state and whether any permit or license had ever been suspended or revoked.
 - (5) All convictions in any state or federal court within the past 7 years, including municipal ordinance violations, exclusive of traffic violations, with a brief statement of the nature of the convictions and the jurisdiction in which the convictions occurred.
 - (6) All pending criminal charges in any state or federal court, with a brief statement of the nature of the pending charges and the jurisdiction in which the charges are pending.
 - (7) The names, addresses and dates of birth of persons who will have custody of the business records at the business location.
 - (8) The name and address of the person who will be the agent for service of process.
 - (9) Such other information relating to the application as may be required by the town board.
- (d) The application shall include the proposed hours of operation and a detailed floor plan and site plan. Plans shall include details of all signage, temporary or permanent, inside or outside the structure. Plans shall specify the nature, location and operation of all security systems and devices and security personnel requirements.
- (e) The clerk shall notify the police chief, the zoning administrator, chief of the fire department and the building inspector of any adult-oriented establishment license application, and these officials shall inspect or cause to be inspected each such application and the premises to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto. These officials shall furnish to the town board, in writing, the information derived from such investigation and a statement as to whether the applicant and the premises meet the requirements of the department for whom the officer is certifying within 5 business days of receipt of notice from the clerk.
- (f) Upon receipt of reports from all agencies listed in subsection (e) of this section, or 30 days after the clerk's notification, the application shall be placed on the next town board meeting agenda for consideration. The town board shall grant, grant with conditions or deny a license to the applicant. The clerk shall notify the applicant whether the application is granted or denied.
- (g) Whenever an application is denied, the clerk shall advise the applicant, in writing, of the reasons for such action. If the applicant requests a hearing within 10 days of receipt of notification of denial, a public hearing shall be held at the next regularly scheduled town board meeting for which adequate public notice may be provided.
- (h) Failure or refusal of the applicant to give any information relevant to the application, failure or refusal to appear at any reasonable time and place for examination under oath regarding such application or refusal to submit to or cooperate with regard to any information required by this article shall constitute an admission by the applicant that he is ineligible for such license and shall be grounds for denial.

Sec. 34-153 Standards for issuance

The town board shall issue an adult-oriented establishment license if it finds that:

- (1) The required fee has been paid as established by the town board.

- (2) The application conforms in all respects to this article.
- (3) The location of the adult-oriented establishment is neither within 2,000 feet of any church or synagogue building, school building or park nor within 1,000 feet of any residential district.
- (4) The applicant has not knowingly made a material misstatement in the application.
- (5) The applicant has supplied all the information required under section 34-151 and the information requested by the various public agencies regarding the investigation of the application.
- (6) The adult-oriented establishment, as proposed by the applicant, would comply with all applicable laws including, but not limited to, chapter 10, pertaining to the town's building regulations and chapter 62, pertaining to the zoning regulations.
- (7) The applicant has not had an adult-oriented establishment license or permit or other similar license or permit revoked or suspended in this state or any other state within 10 years prior to the date of application.
- (8) The applicant, if an individual; any of the stockholders holding 5% or more of the stock or beneficial ownership of the corporation, and any officers, agents or directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership, does not, at the time of application, have pending any criminal charge for, or within 10 years prior to the date of application has not been convicted of, any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Wis. Stats. ch. 944 or 948, as amended, or the laws of another state similar in nature to Wis. Stats. ch. 944 or 948, or other offenses, subject to Wis. Stats. § 111.335, as amended.
- (9) The applicant, if a corporation, is licensed to do business and is in good standing in this state.
- (10) All individual applicants; all stockholders holding 5% or more of the stock or beneficial ownership, directors and officers, if the applicant is a corporation; and all partners, including limited partners, if the applicant is a partnership, are at least 18 years of age.

Sec. 34-154 Display

The adult-oriented establishment license shall be displayed in a conspicuous public place within 5 feet of the entrance of the adult-oriented establishment.

Sec. 34-155 Restrictions on corporate licenses

Any corporation or partnership holding an adult-oriented establishment license under this article shall report to the clerk, in writing, within 15 days of the event described in this section, any of the following:

- (1) Any change of officers of the corporation
- (2) Any change in the membership of the board of directors of the corporation
- (3) Any change of address of any officer, director, stockholder holding more than 5% of the stock, agent for service of process, partner, limited partner or individual applicant
- (4) Any change in individuals employed

Sec. 34-156 Sale or transfer

Upon the sale or transfer of any interest in an adult-oriented establishment, the license shall be void. Any person desiring to continue to operate an adult-oriented establishment following sale or transfer shall apply for a new license.

Sec. 34-157 Renewal

- (a) Every license issued pursuant to this article will terminate on the following June 30 from the date of issuance unless sooner revoked and must be renewed before operation is allowed in the following year. All ensuing licenses will be issued on an annual basis from July 1 to June 30. All applications for the renewal of adult-oriented establishment licenses issued by the town shall be filed with the

clerk's office on a form to be provided by the clerk no later than 60 days prior to the expiration of the license. The renewal application shall contain such information and data, given under oath or affirmation, as is required for an application for a new license. Applications to renew licenses shall be processed by the town in the same fashion as new applications. No license shall be renewed without a reinspection of the premises as required under section 34-152(e).

- (b) A license renewal fee as set forth by the town board from time to time shall be submitted with the renewal application. In addition to the renewal fee, a late penalty of \$100.00 shall be assessed against any applicant who files for renewal less than 60 days before the license expires. If the application is denied, one-half of the total fees collected shall be returned.

Sec. 34-158 Suspension or revocation

- (a) Any adult-oriented establishment license may be suspended for not more than 90 days or revoked by the town board for any of the following reasons:
 - (1) Any of the grounds that would warrant the denial of the original application for the license.
 - (2) Discovery that false or misleading information or data was given on any application or material facts were omitted from any application.
 - (3) The operator or any employee of the operator violates any provision of this article or any rules or regulations adopted by the town board pursuant to this article; provided, however, that in the case of a first offense by an operator where the conduct was solely that of an employee, the penalty shall not exceed a suspension of 90 days if the town board shall find that the operator had no actual or constructive knowledge of such violation and could not, by the exercise of due diligence, have had such actual or constructive knowledge.
 - (4) The operator becomes ineligible to obtain a license or permit.
 - (5) Any cost or fee required to be paid by this article is not paid.
 - (6) Any intoxicating liquor or fermented malt beverage is served or consumed on the premises of the adult-oriented establishment.
 - (7) The establishment is operated outside of operation hours established by the town board.
 - (8) There is any substantial change in the floor plan, site plan and sign plan approved by the town board without the approval of the board.
- (b) An adult-oriented establishment license may be suspended or revoked after notice and hearing before the town board to determine if grounds for such suspension or revocation exist. Notice of the hearing shall be in writing and may be served by certified mail addressed to the licensee at the current address of the licensee on file with the clerk's office. The notice shall be served at least 10 days prior to the date of hearing. The notice shall state the grounds of the complaint against the licensee and shall designate the date, hour and the place where the hearing will be held.
- (c) Any operator whose license is revoked shall not be eligible to receive a license for 2 years from the date of revocation. No location or premises for which a license has been revoked shall be used as an adult-oriented establishment for 6 months from the date of revocation of the license.
- (d) Any operator whose license is revoked a second time shall be ineligible to receive a license for 10 years from the date of revocation. No location or premises for which a license has been revoked shall be used as an adult-oriented establishment for 5 years from the date of the second revocation of the license.