ORDINANCE NO.: 5021

AN ORDINANCE to create Secs. 4-50 and 4-115 of the Code of Ordinances
of the City of La Crosse regarding Provisional Retail Licenses.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I. Section 4-50 is hereby created to read as follows:

Sec. 4-50 Provisional Retail License.

(a)   A provisional retail license may be issued to a person who has applied for a "Class A", "Class B" or "Class C" for a fee in the amount established by resolution.

(b)   The City Clerk may issue a provisional retail license to an applicant for a "Class A", "Class B" or "Class C" license, which authorizes only the activities that the type of retail license applied for authorizes, if the Judiciary & Administration Committee approves the applicant's regular license application and that applicant meets all licensing requirements set forth in this section, and the premises is in full compliance with city code. A provisional retail license may be issued only upon the Clerk's determination that the applicant qualifies for the type of license applied for and upon payment of the fee for the regular and provisional retail license and the cost of publication for the type of retail license applied for.

(c)   A "Class A", "Class B" or "Class C" license application must be filed with the municipal clerk 15 days prior to the granting of a provisional retail license.

(d)   Only one provisional retail license may be issued to an applicant per calendar year for each type of license.

(e)   The Clerk may revoke a provisional license at any time if it is discovered that the license holder made a false statement on the application. Otherwise, the provisional license expires sixty (60) days after its issuance or upon issuance or denial by the Common Council of the "Class A", "Class B" or Class C" license, whichever occurs sooner. A provisional license may not be renewed.

(f)   The Clerk may not issue a provisional "Class B" license if the municipality's quota under Wis. Stat., sec. 125.51(4) prohibits the municipality from issuing a "Class B" license.

SECTION II: Section 4-115 is hereby created to read as follows:

(a)   A provisional retail license may be issued to a person who has applied for a Class "A" or Class "B" license for a fee in the amount established by resolution.

(b)   The City Clerk may issue a provisional retail license to an applicant for a Class "A" or Class "B" license, which authorizes only the activities that the type of retail license applied for authorizes, if the Judiciary & Administration Committee approves the applicant's regular license application and that applicant meets all licensing requirements set forth in this section, and the premises is in full compliance with city code. A provisional retail license may be issued only upon the Clerk's determination that the applicant qualifies for the type of license applied for and upon payment of the fee for the regular and provisional retail license and the cost of publication for the type of retail license applied for.

(c)   A Class "A" or Class "B" license application must be filed with the municipal clerk 15 days prior to the granting of a provisional retail license.

(d)   Only one provisional retail license may be issued to an applicant per calendar year for each type of license.

(e)   The Clerk may revoke a provisional license at any time if it is discovered that the license holder made a false statement on the application. Otherwise, the provisional license expires sixty (60) days after its issuance or upon issuance or denial by the Common Council of the Class "A" or Class "B" license, whichever occurs sooner. A provisional license may not be renewed.

SECTION III: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION IV: This ordinance shall take effect and be in full force from and after its passage and publication.

___/s/_____
Timothy Kabat, Mayor

___/s/_____
Teri Lehrke, City Clerk

Passed: 9/14/17
Approved: 9/18/17
Published: 9/23/17