NOTICE OF INTENT TO NOT RENEW LICENSE

Zachary Jon Switzer Member/Agent for LAX Food Hall LLC dba LAX Food Hall:

Basis for Intent to Not Renew

This letter is to notify you that the City of La Crosse intends not to renew your Combination "Class B" Beer and Liquor License for license year July 1, 2023, through June 30, 2024.

Pursuant to Wis. Stats. sec. 125.12(3), a municipality may refuse to renew a license for certain enumerated violations listed in sec. 125.12(2)(ag), which includes certain violations of municipal code. The City alleges that you have violated La Crosse Municipal Code secs. 4-43 and 4-108 Commencing operations.

Both provisions require that upon granting of an alcohol beverage license, the licensee "shall be open for business with stock and equipment" within 90 days of the license being granted.

You were granted your license on December 8, 2022, for the remainder of license year expiring June 30, 2023. As of today's date, you have not opened for business, well beyond the 90-day requirement. The City bases this assertion on the fact that you have not had your final inspection and have not been issued your alcohol license.

Your Rights as a License Holder

You do have the right to request a hearing to contest the nonrenewal of your license. Additionally, you have the right to be represented by an attorney at your own expense, the right to present evidence and testimony, and cross examine any witnesses produced by the City.

If you would like to request a hearing, you must do <u>so in writing by 12:00 noon on Tuesday.</u>

<u>May 30, 2023</u>. Please submit any request to the La Crosser City Clerk's Office, 400 La Crosse Street, La Crosse WI 54601. Please include your name, contact information, and explanation why you believe the City should renew your license.

As an alternative, you may also voluntarily surrender your licensee and reapply in the future. Please contact the City Clerk's Office on how to do this.

Thank you for your time and cooperation.

Regards,

Mackenzie Mindel

Judiciary & Administration Chair

Cc: Nikki Elsen, City Clerk

City Attorney Stephen F. Matty

Erik Coaty, Wisconsin Department of Revenue

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