

## CHAPTER 3

### Cigarette License; Soda Water Beverage License

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
7-3-1	Cigarette License	2001-16	12/4/01
7-3-2	Licensing Sale of Nonintoxicating Beverages	2008-07	08/05/08
7-3-3	Licensing Sale of Soda Water Beverages	2008-07	08/05/08

#### SEC. 7-3-1 CIGARETTE LICENSE.

- (a) **License Required.** No person shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, give away, or keep for sale, any cigarette, cigarette paper, cigarette wrappers, or any substitute, without first obtaining a license.
- (b) **Application for License; Fee.** Every person applying for a license under this section shall file a written application with the Town Clerk stating the name of the applicant and the name and address of the premise for which the license is requested. The applicant shall pay a license fee of one hundred dollars (\$100.00) to the Town Treasurer.
- (c) **Issuance and Term of License.** Licenses for the sale, exchange, barter, disposition of, or giving away, or keeping for sale of cigarette paper or cigarette wrappers or any substitute shall be issued by the Town Clerk. Each license shall be issued on the first day of July in each year, or from the date approved, if after July 1, and shall continue in force from the date of issuance until the succeeding June 30th unless revoked for any violation of this section.
- (d) **Statutory Provisions.** The provisions of § 48.983, 134.65 and 134.66 and chapter 139, Wis. Stats., regulating the use of tobacco products shall be adopted in this section.

#### SEC. 7-3-2 LICENSING SALE OF NONINTOXICATING BEVERAGES.

- (a) No person or corporation shall maintain, operate or conduct within the limits of the Town of Caledonia the business of selling non-intoxicating beverages as defined in Sec. 66.053, Wis. Stats., either in retail or at wholesale, without first procuring a license so to do as provided in this Section.
- (b)
  - (1) Application for such license shall be filed with the Town Clerk for the presentation to the Town Board at any regular or special meeting thereof. All such applications shall be accompanied by the fee fixed by Subsection (c) for such license.
  - (2) Such application shall contain questions as to what premises are to be licensed and whether the applicant is a person or corporation and, if it is a corporation, whether it is a domestic corporation, whether the applicant is a resident of the Town of

Caledonia, whether the applicant has been convicted of a felony and, if so, whether he has been restored to civil rights.

- (3) In the event applicant is a person not a resident of the Town of Caledonia, or if the applicant is not domestic corporation, or if the applicant has been convicted of a felony and has not been restored to civil rights, the license shall be denied.
  - (4) If the applicant meets the qualifications established in Sec. 66.053(1)(b), Wis. Stats., the Town Board shall further consider the character of the applicant, the proposed nature of conduct of the business, and the location of the premises to be licensed and, if satisfied that the granting of the license is not contrary to public interest, shall grant the license.
- (c) Such license, when issued by the Village Clerk under the authority of the Village Board, shall entitle the holder thereof to engage in the business of selling nonintoxicating beverages at the premises mentioned in said license such to the limitations imposed by this section. The fee for such license shall be set by the Village Board by resolution from time-to-time. The full license fee shall be charged for the whole or fractional part of the year. No such license shall be transferable from one (1) person to another nor shall such license be transferable to any other location without the consent of the Village Board.
  - (d) All licenses issued pursuant to the provisions of this Section shall expire on the 30th day of June next succeeding the date of issue.
  - (e) All persons granted licenses under this Section shall cause their license to be prominently displayed in their place of business.

### **SEC. 7-3-3 LICENSING SALE OF SODA WATER BEVERAGES.**

- (a) No person, firm or corporation in the Town of Caledonia shall maintain or conduct the business of selling soda water beverages, as defined in Sec. 97.34, Wis. Stats., either at retail or wholesale, to be consumed on or off the premises without first procuring a license so to do, as provided in this Section.
- (b) Application or such license shall be filed with the Town Clerk for presentation to the Town Board at any regular or special meeting. All applications shall be accompanied by the license fee and shall contain the following information:
  - (1) Name and address of applicant.
  - (2) Address of place of business.
  - (3) A brief description of the mode and manner of conducting the business, including information as to whether intoxicating liquor or fermented malt beverages will be sold, given away or otherwise served or permitted on the same premises.
  - (4) A description of the sanitary facilities available to the premises.
  - (5) Whether applicant has ever been convicted of a criminal offense.
- (c) If the Town Board is satisfied that the public interest will not be adversely affected by the character of the applicant or the mode and manner of conducting the business, as described in the application, the license shall be granted; otherwise it shall be denied.
- (d) Such license, when issued by the Village Clerk under the authority of the Village Board, shall entitle the holder thereof to engage in the business of selling soda water beverages at the premises mentioned in said license subject to the limitations imposed by this Section. The fee for such license shall be set by resolution by the Village Board from time-to-time.

- The full license fee shall be charged for the whole or the fractional part of the year.
- (e) All licenses issued pursuant to the provisions of this Section shall expire on the 30th day of June next succeeding the date of issue.
  - (f) All persons granted licenses under this Section shall cause their license to be prominently displayed in their place of business.
  - (g) In the event any of the information contained in the application is untrue or in the event the mode and manner of conducting the business, or the location thereof is changed from the manner described in the application, or in the event liquor or fermented malt beverages are sold, given away or permitted upon the premises contrary to the information contained in the application, such license may, in the discretion of the Town Board, be revoked.