

**LEGISLATIVE/LICENSING COMMITTEE MEETING**

**Tuesday, May 24, 2022, at 9:30 a.m.  
Caledonia Village Hall – 5043 Chester Lane**

1. Call to Order
2. Approval of Minutes
3. Ordinance 2022-XX - An Ordinance To Repeal And Recreate Chapter 12 Of Title 7 Licensing And Regulation Of Festivals, Amusement Parks, And Carnivals Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin
4. Adjournment

Dated May 20, 2022

Joslyn Hoeffert  
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a “meeting” within the meaning of Wisconsin’s open meeting law. Nevertheless, only the committee’s agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

**LEGISLATIVE/LICENSING COMMITTEE MEETING  
CALEDONIA VILLAGE HALL  
5043 CHESTER LANE, RACINE, WI 53402  
Monday, May 9, 2022**

**1. Call to Order**

Trustee Stillman called the meeting to order at 8:30 a.m. In attendance were:

**Committee Members:** Trustee Martin and Trustee Stillman. Trustee Weatherston was also present.

**Absent:** None.

**Staff/Others Present:** HR Manager Michelle Tucker, Village Clerk Joslyn Hoeffert, Development Director Peter Wagner, Village Attorney Elaine Ekes, and Village Administrator Kathy Kasper.

**2. Approval of minutes**

Trustee Weatherston motioned to approve the minutes as printed from March 14, 2022. Seconded by Trustee Stillman. Motion carried unanimously.

Motion by Trustee Weatherston to take the agenda out of order starting with item number 5 and then to continue with the rest of the remaining agenda items. Seconded by Trustee Stillman. Motion carried unanimously.

**5. Approval of New Class A Combination Liquor License/4 Mile Petro LLC/Trade Name Hometown/600 4 Mile Road/ Mohammad Akntar, Agent**

Clerk Hoeffert explained that the applicant passed all inspections, and she recommends approval to the Committee.

Motion by Trustee Weatherston to approve the New Class A Combination Liquor License for 4 Mile Petro LLC/Hometown. Seconded by Trustee Martin. Motion carried unanimously.

**3. Bartender License Appeal – Ciara Judd**

Clerk Hoeffert explained to the Committee as to why she denied the license. The background check was forwarded to the Police Department, and they recommended to deny the license.

Motion by Trustee Martin to deny the operator's license for Ciara Judd. Seconded by Trustee Weatherston. Motion carried unanimously.

**4. Bartender License Appeal – Brett Greene**

Clerk Hoeffert explained to the Committee why she denied the license. The background check was forwarded to the Police Department, and they recommended to deny the license.

**LEGISLATIVE/LICENSING COMMITTEE MEETING  
CALEDONIA VILLAGE HALL  
5043 CHESTER LANE, RACINE, WI 53402  
Monday, May 9, 2022**

Mr. Greene was present and stated that he has a court hearing tomorrow regarding the reason as to why his license was denied. He asked the committee if they can meet at a late date or move forward without the rulings determined by the court.

Motion by Trustee Martin to lay over this agenda item until the next Legislative and Licensing Committee Meeting. Seconded by Trustee Weatherston. Motion carried unanimously.

**6. Ordinance 2022-07 – An Ordinance To Create A New Section 7-1-26, Renumber And Amend The Penalties Section 7-1-27 And Reserve Additional Sections For Future Use Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Keeping Of Chickens In Single-Family Residential Districts**

This was forwarded back to the Committee from the Village Board. Clerk Hoeffert is asking the Committee to adopt the original Ordinance as presented.

The Committee discussed changes that they would like added or removed to the current draft Ordinance.

Motion by Trustee Martin to approve Ordinance 2022-07 with the recommended changes from the Committee. Seconded by Trustee Weatherston. Motion carried unanimously.

**7. Ordinance 2022-09 – An Ordinance To Amend Section 7-1-13(E)(1); Section 7-1- 13(E)(2)(A); And Section 7-1-13(E)(2)(B)(2) Of The Code Of Ordinances For The Village Of Caledonia Relating To Keeping Of Livestock Restricted**

Motion by Trustee Martin to approve Ordinance 2022-09 with the reflected changes in Ordinance 2022-07. Seconded by Trustee Weatherston. Motion carried unanimously.

**8. Keeping of Chickens Application**

Motion by Trustee Martin to approve the keeping of chicken's application. Seconded by Trustee Weatherston. Motion carried unanimously.

**9. Adjournment**

There being no further business, Motion by Trustee Martin to adjourn the meeting at 9:15 a.m. Trustee Weatherston seconded. Motion carried unanimously.

Respectfully submitted,  
Megan O'Brien  
Deputy Village Clerk

**Ordinance No. 2022-\_\_**

**AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 12 OF TITLE 7  
LICENSING AND REGULATION OF FESTIVALS, AMUSEMENT PARKS, AND  
CARNIVALS OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA,  
RACINE COUNTY, WISCONSIN**

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Chapter 12 of Title 7 of the Code of Ordinances for the Village of Caledonia be, and hereby is, repealed and recreated to read as follows:

**“SEC. 7-12-1 DEFINITIONS.**

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

Festival— Includes any exhibition, parade, museum, amusement park, carnival, circus, or any indoor or outdoor music concert or other entertainment, or any celebration or commemoration of any day or event which is:

- (1) Open to the public.
  - (2) Temporary in nature (i.e., not lasting more than 15 days in one calendar year).
  - (3) Intended or is reasonably anticipated that 1,000 or more people in total will attend.
- (b) Events lasting more than 15 days shall be considered permanent in nature and, while not subject to licensing under this Chapter, shall be subject to all other applicable ordinances, laws and regulations.

**SEC. 7-12-2 INTENT.**

It is the intent of the Village Board to regulate Festivals to provide for the health, safety and welfare of all persons, residents and visitors alike, who attend Festivals in the Village.

**SEC. 7-12-3 LICENSE REQUIRED; APPLICATION; FEES.**

- (a) **Required; Fee; Term.** No person or entity shall promote, operate, conduct or maintain a Festival in the Village without a license for such Festival or in a manner contrary to the terms of this Chapter or any other applicable ordinance, law or regulation. A minimum nonrefundable fee as provided in by Resolution of the Village Board from time-to-time shall be charged for the license and shall be submitted by the applicant to the Village Clerk with a written application. The application shall be submitted not less than 60 days before the proposed Festival.

The application shall be in a form prescribed by the Village Clerk. Any license issued shall be for the date of the Festival indicated in the License application and a separate license is needed for each Festival.

- (b) **Reimbursement Agreement.** If it is determined the Village will incur administrative costs or costs associated with providing fire, police, utility and emergency services as a result of the Festival, which costs exceed the minimum license fee, the Village Board may require a reimbursement agreement and deposit in an amount sufficient to pay all of the expenses which will be incurred by the Village prior to the issuance of any license hereunder.
- (c) **Review Process.** The Village Clerk shall complete a background check on the applicant and any agent thereof. Applications shall be referred to the Fire Chief for an investigation and report of ride safety, tents and other matters within its jurisdiction and to the Building Inspector for review of matters within its jurisdiction. Such reports and information may be considered by the Village Board in acting on the license, subject to Wis. Stats. Sec. 111.321 et Seq. Approval, conditional approval or denial of applications shall be made by the Village Board following review and recommendations by the Chief of Police, Fire Chief, Public Services Director, Building Inspector, Legislative and Licensing Committee of the Village, and the Racine County Health Department.
- (d) **Application Requirements.** The applicant shall include the following information in the application:
  - (1) Name, address and date of birth of the applicant and, if such application is made in a representative capacity, the name, address and place of business of the applicant, and references, if required by the Village. Applications for an entity shall designate an individual as agent who shall be responsible for compliance with the laws and ordinances related to the licensee's activities.
  - (2) Address, telephone number and description of the proposed Festival site.
  - (3) A description of the uses, activities, business or operations to occur on the Festival site as part of the Festival, the Festival events scheduled, the hours and dates of operation of the Festival, projected attendance in total and the projected largest attendance at any one time.
  - (4) Name, address and place of business of any vendor that will sell or distribute any food, drink or other product or who will operate any ride, carnival or other entertainment at the Festival.
  - (5) A description of any proposed construction plans for the site to accommodate the Festival, including descriptions of temporary structures, such as tents and bleachers, if any.
  - (6) A description of the parking facilities and parking supervision, with access roads for vehicular traffic designated, and projected largest

number of vehicles anticipated at any one time.

- (7) A proposed security plan for maintaining order and preserving the safety of the persons attending the Festival, as well as for the security and safety of property and persons near the proposed Festival site, which shall include a description of any proposed private security guards, police and fire protection, rescue and emergency squad protection and the communication system to be utilized to ensure proper communication in the event of an emergency.
- (8) A description of the utility and sanitary services necessary to operate the Festival, which shall include a description of the electrical and water services to be utilized, as well as toilet facilities.
- (9) A description of proposed disabled facilities, which shall include a description of disabled parking and access.
- (10) If alcohol beverages are to be sold or consumed, a description of the proposed vending site, the hours of operation for selling or serving of alcohol beverages and the proposed means of preventing minors from frequenting or loitering near the areas where alcohol beverages are served or consumed. Note: A separate alcohol beverage license or permit must be applied for and obtained from the Village.
- (11) The applicant's agreement to indemnify and hold harmless the Village, its agents, officers and employees from any and all liability which may arise from occurrences at the Festival, including any claims or damages arising out of conduct or violation of law by vendors.
- (12) A certificate of insurance including an endorsement or an insurance commitment naming the Village, its agents, officers and employees as named insureds on the applicant's policy of general liability insurance for the Festival, with limits of liability not less than \$1,000,000 per occurrence and \$1,000,000 in the aggregate as well as at least \$100,000 for property damage per occurrence. Insurance covering liquor liability shall be required if alcohol beverages are sold or consumed on the site.
- (13) Proof of required state licenses and inspections, if amusement rides are on the site.

#### **SEC. 7-12-4 ADDITIONAL INFORMATION.**

The Police Chief, Fire Chief, Public Services Director, Legislative and Licensing Committee, and Village Board may require the applicant to supplement the application or provide additional information which is necessary to fulfill the intent of this Chapter.

#### **SEC. 7-12-5 LICENSE TRANSFERABILITY AND LIMITATIONS.**

Any license obtained by an applicant for a Festival is not transferable from one person or

entity to another and is limited to events, days and hours specified by the Village Board.

**SEC. 7-12-6 SEPARATE PERMITS; LIABILITY FOR VIOLATIONS; VENDOR CONTRACTS.**

- (a) No separate Village direct seller's permit or amusement license is required of any vendor named in the application and under contract with the Festival license holder, except permits and licenses necessary to sell and serve alcohol beverages. Note: Separate food sales and other health related permits may be required by the Racine County Health Department.
- (b) The Festival license holder shall be directly liable to the Village for violation of any law or any damage arising out of any violation of any law by any vendor under contract with the license holder.
- (c) All contracts pertaining to vendors at the Festival must be on file with the Clerk before the commencement of the Festival. No vendor shall be permitted to operate at the Festival who has not been named by the applicant and who does not have a written contract with the Festival license holder.

**SEC 7-12-7 SECURITY BOND.**

As a condition of the issuance of a license under this Chapter, the Village Board may require the applicant to deposit cash or a surety bond in an amount sufficient to secure the full and complete performance of all obligations of the applicant and all conditions upon which the license was issued.

**SEC. 7-12-8 APPLICABILITY OF OTHER LAWS, REGULATIONS AND ORDINANCES.**

Except as set forth in Sec. 7-12-6, the applicant and any vendor under contract with the applicant shall comply with all other applicable laws and regulations, including the building code and zoning code of the Village.

**SEC. 7-12-9 APPROVAL, DISAPPROVAL, SUSPENSION AND REVOCATION OF LICENSE.**

- (a) The Village Board shall approve, conditionally approve or deny the license application. The Village Board shall have the right to deny any license application which does not comply with this Chapter or when the proposed Festival poses a threat to the health, safety or welfare of any person in the Village. The Village Board may approve the application and grant the license on such conditions it imposes for purposes of protecting the health, safety and welfare of persons in the Village. Conditions may include, but are not limited to the following:
  - (1) Said premises shall be closed to and vacated by the public between the hours of 12:00 midnight and 9:00 a.m. of each day.

- (2) No disorderly conduct shall be allowed on said premises.
  - (3) No public address or loud speaker system shall be operated on said premises, nor shall any music be used in connection with the operation of said amusement park unless the license issued by the Village Board specifically allows the same.
  - (4) All vehicles leaving said premises shall be required to stop immediately before entering a public street or highway, and the licensee shall enforce such condition by signs at all exists from said premises and by such traffic regulations as may be necessary.
- (b) A license may be suspended or revoked by the Village Board upon a determination that the applicant has failed to comply with this Chapter, any condition imposed under this Chapter or violation of any other applicable law or regulation. The Police Chief or Fire Chief may suspend the operation of any Festival, or any part thereof, upon a determination that it is operating in violation of this Chapter or any other law or regulation and such violation poses a threat to the health, safety or welfare of persons in the Village. Such suspension shall remain in effect until the Village Board can meet and consider the matter.

**SEC. 7-12-10 INSPECTION PRIOR TO OPENING.**

Before any Festival may be opened, inspections shall be conducted to assure the health, safety and welfare of all persons in the Village and adherence to the license issued under this Chapter. Such inspections shall be conducted by the Village Fire Chief, Police Chief, Building Inspector, and/or Public Services Director. Proof of required state inspections shall be required to be provided to the Village as a part of this inspection process.

**SEC. 7-12-11 PENALTY; NUISANCE.**

- (a) Any person violating the provisions of this Chapter shall upon conviction pay a forfeiture of not less than Two Hundred Dollars (\$200.00), but not to exceed Five Hundred Dollars (\$500.00), and the cost of prosecution for each and every offense, and in default of payment thereof, shall be imprisoned in the county jail for a period not to exceed the number of days provided by Wisconsin Statute. Each and every day such violation exists shall be counted as a continuing daily violation.
- (b) The use of any premises in violation of this ordinance is hereby declared a nuisance and the Village may proceed against such nuisance as allowed per ordinance or the Wisconsin Statutes and the Village may institute an action to enjoin such violation or intended violation in the Racine County Circuit Court.

**SEC. 7-12-12 TO 7-12-15. (Reserved).”**



2. That this ordinance shall take effect upon adoption and the day after publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this \_\_\_\_ day of \_\_\_\_\_, 2022.

**VILLAGE OF CALEDONIA**

By: \_\_\_\_\_  
James R. Dobbs, President

Attest: \_\_\_\_\_  
Joslyn Hoeffert, Clerk

770272.001( (Title 7) 5-20-22



# SPECIAL EVENT APPLICATION

Village of Caledonia - Clerk's Office  
5043 Chester Lane, Racine, WI 53402  
Email: jhoeffert@caledonia-wi.gov  
Phone: (262) 835-6414  
FAX: (262) 835-2388

## EVENT ORGANIZER INFORMATION

Organization/Group Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Phone #: \_\_\_\_\_ D.O.B: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_

Vendor Name(s): \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Vendor Address/Place of Business: \_\_\_\_\_ Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_ \*Submit a List for Multiple Vendors\*

## EVENT INFORMATION:

New Special Event  Recurring Special Event

Event Type: *(Check all that apply)*  Festival/Carnival/Amusement

Parade/Run/Walk/Bike Ride  Concert  Community/Park/Athletic Event

March/Public Assembly  Other \_\_\_\_\_

Event/Activity Name: \_\_\_\_\_

Purpose: \_\_\_\_\_

Location of Event and Attach Site Map: \_\_\_\_\_

Event Date(s): \_\_\_\_\_ Start/End time: \_\_\_\_\_

Set-up Date/Time: \_\_\_\_\_ Clean-up Time: \_\_\_\_\_

Assembly Area: \_\_\_\_\_

Proposed Parking and Access including disabled facilities (Attach Plan): \_\_\_\_\_

Proposed Security (Attach Plan): \_\_\_\_\_

Proposed Temporary Construction *if necessary* (Attach Plan): \_\_\_\_\_

Proposed Utility and Sanitary Uses *if necessary* (Attach Plan): \_\_\_\_\_

Proposed Vending Sites for Alcohol Consumption *if necessary* (Attach Plan): \_\_\_\_\_

Estimated Attendance: \_\_\_\_\_ or Number of Parade Units: \_\_\_\_\_

## Check Yes or No for each item:

Yes	No		Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Certificate of Insurance	<input type="checkbox"/>	<input type="checkbox"/>	Medical/Evacuation Plan <i>(requires Fire/Police approval)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Hold Harmless Agreement	<input type="checkbox"/>	<input type="checkbox"/>	Fireworks <i>(requires special permit)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Beer/Wine Sales <i>(requires special permit and license)</i>	<input type="checkbox"/>	<input type="checkbox"/>	Bon Fire <i>(requires Fire approval and protection)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Portable Toilets (not provided by Village)	<input type="checkbox"/>	<input type="checkbox"/>	Carnival/Amusement Rides <i>(requires state license)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Tents <i>(requires special permit)</i>	<input type="checkbox"/>	<input type="checkbox"/>	Amplification Equipment/Musical Bands <i>(requires special permit)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Street Closure (Requires permit; Quantity of barricades: _____)	<input type="checkbox"/>	<input type="checkbox"/>	Animals (Description _____ Quantity _____)
<input type="checkbox"/>	<input type="checkbox"/>	Electricity Needed	<input type="checkbox"/>	<input type="checkbox"/>	Surety Bond
<input type="checkbox"/>	<input type="checkbox"/>	Security/Police Escort/Add'l Police Svcs <i>(requires Police approval)</i>			
<input type="checkbox"/>	<input type="checkbox"/>	Concessions/Mobile/Food Prepared or Served <i>(please see Racine County Health for the proper permits)</i>			

The person/group named on this application will be responsible for the conduct of the special event and for facility condition. We will not deny anyone the benefits of, or otherwise subject anyone to discrimination because of race, color, creed, national origin, handicap or religion.

The applicant for her/himself and for other persons, organizations, firms and corporations, if any listed in this application, being of sound mind and body, do hereby freely, voluntarily and knowingly, now and for all times, fully save and hold harmless the VILLAGE OF CALEDONIA, a Wisconsin Municipal corporation located in Racine County, and each and every of its elected and appointed officials, employees, representatives, agents, heirs, and assigns, jointly and severally from and against any and all claims, causes of action, actions, liabilities, demands, losses, damages, and/or expenses of whatsoever kind and nature including counsel and attorney fees, which I have or may, at any time incur or sustain arising from, resulting from, incurred in consequence of, or pertaining to, any and all intentional and negligent acts, omissions, incidents, activities and transactions, of whatever kind and nature, direct or indirect, of mine own and those of or by the VILLAGE OF CALEDONIA, and each and every of its elected and appointed officials, employees, and agents, regardless of when or where, occurring or arising from this event.

***The undersigned acknowledges receipt of the Special Events Guidelines. It is the applicant's responsibility to read and determine the sections that apply to their event and comply with Chapter 12 Of Title 7 Licensing And Regulation Of Festivals, Amusement Parks, And Carnivals Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin***

Date \_\_\_\_\_ Applicant's signature \_\_\_\_\_

## SPECIAL EVENT FEES

### **SPECIAL EVENT APPLICATION FEES:**

Event sponsors are required to pay the following fee for the use of Village facilities:

- Small Event (less than 75 in attendance) **\$25\* (non-refundable application fee)**
- Medium Event (75-200 in attendance) **\$50\* (non-refundable application fee)**
- Large Event (200-1000 in attendance) **\$75\* (non-refundable application fee)**
- Larger Event (over 1000 in attendance) **\$100\* (non-refundable application fee)**

*\*Application fee will double if applications are not submitted within the required review time established in the Special Event Application. The Village reserves the right to deny a Special Event application if the application is submitted too close to the event.*

### **ADDITIONAL FEES/COSTS:**

Events requiring police services exceeding the availability of on-duty personnel may be billed the actual costs incurred.

Events requiring fire services exceeding the availability of on-duty personnel may be billed the actual costs incurred.

### **FOR OFFICE USE ONLY:**

Date Received: \_\_\_\_\_ Recommended Department Due Date: \_\_\_\_\_

Application Fee: \_\_\_\_\_ Shelter Rental: \_\_\_\_\_ Total amount paid: \_\_\_\_\_

Date Inspected By Police Department \_\_\_\_\_ Pass/Fail

Date Inspected By Fire Department \_\_\_\_\_ Pass/Fail

Date Inspected By Building Inspector and/or Public Services Director \_\_\_\_\_ Pass/Fail

Proof of Required State Inspections? Yes/No