

ORDINANCE FOR PROVISIONAL OPERATORS LICENSE

We have received numerous calls asking for a sample ordinance for issuing a provisional operator's license. The following sample gives a basis ordinance for issuing such a provisional license with a couple of options.

ORDINANCE NO. 2

The Town of Colfax, Dunn County, does ordain as follows:

1. PURPOSE. This ordinance allows for issuance on a provisional basis of a license to those applying for an operators (bartenders) license for service or sale of alcoholic beverages. A provisional license may only be issued to those persons that have not completed a responsible beverage service course and exhibited proof of compliance with that training standard set forth in current Wisconsin Statute 125.17(6). A provisional license allows time to obtain training required for working without supervision of another licensed person in a Class A or B business or organization.

2. ELIGIBILITY. Each applicant must be at least 18 years of age, and have completed an application form supplied by the clerk in order for the board to consider approval. All arrests and convictions of the applicant shall be disclosed on the application or an attached sheet. The applicant for a provisional license must present, with the application, proof that the applicant is enrolled in a training course under Section 125.17(6)(a) of Wisconsin Statutes.

3. TERM. The provisional license shall be effective until a certificate or other proof of compliance with training requirements is presented to the clerk. In no case will the provisional license be effective more than 60 days after issuance. The issuance date, final date of validity, or both, shall be placed on the license form when issued.

4. ISSUANCE:

OPTION #1

Only those persons initially approved by the board shall receive a provisional license. The clerk is authorized to issue such a license. In the event a person requests issuance of a provisional license extension, and has had no arrests or convictions since prior board approval, the clerk is authorized to issue a further license, under the standards contained herein, and payment of the fee.

5. FEES. The sum of \$ 10.00 is required to be paid by or for the applicant prior to license issuance. This fee amount will not exceed \$15.00 unless state law and this ordinance are amended.

6. REVOCATION. In the event, following issuance, it is discovered a part of the license application was false that, in the clerk's judgement, might have affected the board's decision on whether to license, including but not limited to past crimes or arrests, then the clerk may revoke said license. Upon making such a decision, the clerk shall mail or have a written notice delivered to the license holder, notifying the person of the action taken, the reason(s) for such action, and the right to have a license review hearing before the town board, upon the applicant's written request. When a request for hearing is made, the board shall follow general procedures as set forth in Section 125.12, although no complaint is required. The clerk shall notify the licensee of the board time scheduled for hearing the matter, by mail or delivery. Any mail notice in this ordinance is sufficient if mailed by first class to the last known address of the licensee, in an envelope containing the return address of the town or clerk. No request for a license review hearing is valid when received past the final day the provisional license would have been effective.

Dean Topf (supervisor)
Ray Knutson Chairman

