

CHAPTER 8
LICENSES AND PERMITS

Contents

8.01	LICENSES AND PERMITS REQUIRED.....	2
8.02	ISSUANCE AND REVOCATION OF LICENSES.	3
8.03	SODA WATER BEVERAGES.....	4
8.04	INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES.....	4
8.05	LICENSING AND REGULATION OF PETS	13
8.06	PEDDLERS, CANVASSERS, SOLICITORS AND TRANSIENT MERCHANTS.....	18
8.07	PUBLIC ENTERTAINMENT	21
8.08	JUNK AND SALVAGE DEALERS.....	24
8.09	MOBILE HOMES AND MOBILE HOME PARKS.....	26
8.10	RESERVED.....	29
8.11	RESERVED.....	29
8.12	PENALTY.....	29
8.13	FENCES	29

8.01 LICENSES AND PERMITS REQUIRED.

- (1) Building Permit. See Chapter 7.
- (2) Cigarette License. \$5.00 per year.
- (3) Picnic Permit. \$10.00 Temporary Class B License required.
- (4) Dogs. \$8.00 per year for each male or spayed female. \$18.00 per year for each unspayed female.
- (5) Fermented Malt Beverages. Licenses issued for terms beginning July 1 thru June 30.
 - (a) Class A Fermented Malt Beverage Retailer License – \$75.00 per year.
 - (b) Class B Fermented Malt Beverage Retailer's License – \$100.00 per year. Picnic – \$10.00 per day.
 - (c) Wholesaler's License – \$25.00 per year or fraction thereof.
 - (d) Operator's License – \$15.00 per year from July 1 thru June 30.
- (6) Intoxicating Liquors.
 - (a) Class A Retailer's License – \$100.00 per year.
 - (b) Class B Retailer's License – \$300.00 per year.
 - (c) Wholesaler's License – \$25.00 per year.
 - (d) Pharmacist's License – \$10.00 per year.
 - (e) Manager's License – \$25.00 per year.
- (7) Junk and Salvage Dealers. Permit required – no fee.
- (8) Mobile Homes. Assessed according to Wis. Stat. § 66.0435.
- (9) Mobile Home Parks.
 - (a) Per Space – \$2.00, but no less than \$25.00 nor more than \$100.00.
 - (b) Transfer Fee – \$10.00.
- (10) Peddlers, Canvassers, Solicitors and Transient Merchants. \$10.00 investigation fee.

- (11) Soda Water Beverages. \$5.00 per year.

8.02 ISSUANCE AND REVOCATION OF LICENSES. (Am 3-10-20)

(1) License Required. No person shall engage in any business or activity enumerated in this chapter without a license or permit therefor as provided by this section. The words "license" and "permit" as used throughout this chapter shall be considered interchangeable.

(2) Application. Application for a license under this chapter shall be made to the Village Clerk on a form furnished by the Village. Such application shall contain such information as may be required by the provisions of this chapter or as may be otherwise required by the Village Board.

(3) Payment of License Fee. License fees imposed under Sec. 8.01 shall accompany the license application. If a license is granted, the Village Clerk shall issue the applicant a receipt for his/her license fee.

(4) Refund of License Fee. No fee paid shall be refunded unless the license is denied.

(5) Granting of Licenses. The Village Clerk may issue the following licenses subject to the standards established by this chapter without prior approval of the Board:

- (a) Dog licenses.
- (b) Chicken licenses.
- (c) Operator licenses.
- (d) All other licenses shall be issued by the Village Board unless otherwise designated.

(6) Terms of Licenses. All licenses issued hereunder shall expire on June 30th in the year of issuance unless issued for a shorter term. Then they shall expire on midnight of the last effective day of the license, or unless otherwise provided by these ordinances or State laws.

(7) Form of License. All licenses issued hereunder shall show the day of issue, the activity licenses, and the term of the license, and shall be signed by the Village President and Village Clerk and be impressed with the Village Seal.

(8) Record of Licenses. The Village Clerk shall keep a record of all licenses issued.

(9) Display of Licenses. All licenses hereunder shall be displayed upon the premises or vehicle for which issued, or if carried on the person shall be displayed to any officer of the Village upon request.

(10) Compliance with Ordinances Required. It shall be a condition of holding a license under this chapter that the licensee comply with all ordinances of the Village. Failure to do so shall be cause for revocation of the license.

(11) Transfer of License. All licenses issued hereunder shall be personal to whom issued and shall not be transferred except with the consent of the Board.

(12) Exemptions. No license other than a liquor or beer license shall be required under this section for any non-profit, education, charitable, civic, military or religious organization where the activity which would otherwise be licensed if conducted for the benefit of the members or for the benefit of the public generally.

(13) Renewal of Licenses. All applications for renewal of licenses hereunder shall be made to the Village Clerk by April 15th.

(14) Consent to Inspection. An applicant for a license under this chapter thereby consents to the entry of police or authorized representatives of the Village upon licensed premises at all reasonable hours for the purposes of inspection and search, and consents to removal from the premises and introduction into evidence in prosecutions for violations of this chapter all things found therein in violation of this chapter or State law.

(15) Revocation of Licenses. Except as otherwise provided within this chapter, any license issued under this chapter may be revoked for cause by the Village President or Board. Any licensee who license is so revoked may apply within 10 days of the revocation for a public hearing before the Village Board. At such hearing the licensee shall be entitled to be represented by counsel. After hearing the evidence, the Board may confirm or reverse the revocation or modify the revocation by imposing a limited period of suspension. The determination of the Board shall be final. The police department shall repossess any license revoked hereunder.

8.03 SODA WATER BEVERAGES.

Licenses shall be regulated pursuant to Wis. Stat. § 66.0433(2).

8.04 INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES. (Cr. Oct. 4, 1954) (Am. Dec. 6, 1954).

(1) State Statutes Adopted. The provisions of Wis. Stat. ch. 125, defining and regulating the sale, procurement, dispensing and transfer of beverages, including provisions relating to the penalty to be imposed or the punishment for violation of such

statutes, are adopted and made a part of this section by reference. A violation of any of such provisions shall constitute a violation of this section.

(2) Licenses, Permits, Authorization Required

(a) When Required. No person, firm, partnership, corporation or association, except as provided by Wis. Stat. § 125.06, shall, within the Village, serve, sell, manufacture, rectify, brew, barter, or engage in any other activity for which this chapter or Wis. Stat. ch. 125, required a license, permit or other authorization without holding the appropriate license, permit or other authorization as provided in this chapter. See Wis. Stat. § 125.04.

(b) No license shall be issued for the purpose of selling, offering for sale, or trafficking in any such beverages in any dwelling house, flat or apartment.

(c) Exceptions. Except for licensed public warehouses, a license shall be required for each location or premises which is in direct connection or communication to each other where alcohol beverages are stored, sold or offered for sale. See Wis. Stat. § 125.04(9).

(3) Classes of Licenses and Fees. The following classes and denominations of licenses may be issued by the Village Clerk, under the authority of the Village Board after payment of the fee herein specified, which when so issued shall permit the holder to sell, deal or traffic in alcohol beverages as provided in Wis. Stat. §§ 125.17, 125.25, 125.26, 125.28, 125.51 and 125.57. Except as otherwise provided in this section, the full license fee shall be charged for the whole or fraction of any year.

(a) Class A Fermented Malt Beverages Wholesaler's License. See Wis. Stat. § 125.28. The fee for a wholesaler's license shall be \$25.00 per year or fraction thereof.

(b) Class A Fermented Malt Beverage Retailer's License. See Wis. Stat. § 125.25. The fee for such Class "A" license shall be \$10.00 per year or fraction thereof.

(c) Class B Fermented Malt Beverage Retailer's License. See Wis. Stat. § 125.26. The license fee for a retail Class "B" license shall be \$75.00 per year or a fraction thereof. A license may be issued at any time for six (6) months in any calendar year, for which 3/4 of the applicable license fee shall be paid, but such license shall not be renewable during the calendar year in which issued.

(d) Retail Class A Liquor License. See Wis. Stat. § 125.51 (2). The fee for such retail Class "A" license shall be \$75.00 per year.

(e) Retail Class B Liquor License. Wine may be sold in original packages or otherwise in any quantity to be consumed off the premises. See Wis. Stat. § 125.51 (3). The fee for such retail Class "B" liquor license shall be \$275.00.

1. A license may be issued after July 1, in any license year which shall expire on the following June 30th. The fee for the license shall be prorated according to the number of months or fractions thereof remaining until the following June 30th.

2. Licenses valid for 6 months may be issued at any time. The fee for such license shall be 50% of the annual license fee. The license may not be renewed during the calendar year in which issued.

(f) Pharmacist's License.

1. See Wis. Stat. § 125.57.

2. A permit for the sale of intoxicating liquors, pursuant to Wis. Stat. § 125.57, may be granted to a registered pharmacist upon action by the Village Board. A separate application for each premises shall be made to the Village Clerk upon forms provided by him/her.

3. Fee. The fee for such license shall be \$10.00 per year or fraction thereof. Upon the approval of the application by the Village Board, the Village Clerk shall, upon filing by the applicant a receipt showing the payment to the Village Treasurer of a permit fee of \$10.00, issue to the applicant a permit which shall remain in force until the first day of July next after the granting thereof. Each permit shall be numbered in the order in which issued and shall specifically state the premises for which issued, the fee paid, and the name of the licensee.

(g) Operator's License. See Wis. Stat. § 125.17. (Am 03-10-2020)

1. Operator's licenses may be granted to individuals by the Village Board designated staff member for the purposes of complying with Wis. Stat. §§ 125.32 (2) and 125.68 (2).

2. Operator's licenses may be issued only on written application on forms provided by the Village Clerk.

3. Operator's licenses shall be valid for one year and shall expire on June 30th of each year.

4. The fee for such license shall be \$15.00 per year.

(h) Special Class "B" Fermented Malt Liquor Retailer's License for Picnics and Meetings. See Wis. Stat. § 125.26 (6). The fee for such license shall not exceed \$10.00. No license shall be granted for longer than one (1) week.

(4) License Application.

(a) See Wis. Stat. § 125.04.

(b) Form. Application for a license to sell or deal in intoxicating liquor or fermented malt beverages shall be made in writing on forms prescribed by Wisconsin Department of Revenue, or governing body for operators' licenses, and filed with the Village Clerk. The premises shall be physically described, including every room and storage space to be covered by the license and including all rooms joined by connecting entrances or not separated by a solid wall.

(c) Application shall be filed with the Village Clerk not less than 15 days prior to the granting of such license.

(d) Application to be Notarized: The application shall be signed and sworn to by the applicant as provided by Wis. Stat. § 887.01.

(e) The Village Board shall meet and act upon applications as provided by Wis. Stat. § 125.51 (1)(c).

(f) Duplicate: Upon approval, a duplicate copy of each application shall be forwarded by the Village Clerk to the State Department of Revenue.

(5) License Restrictions.

(a) Statutory Requirements. Licenses shall be issued only to persons eligible therefor under Wis. Stat. §§ 125.04 and 125.32 (3)(b).

(b) Location.

1. No retail "Class A" or "Class B" license shall be issued for premises the main entrance of which is less than 300 feet from the main entrance of any established public school, parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the main entrance to the premises covered by the license.

2. The above paragraph shall not apply to premises licensed as such on June 30, 1947, nor shall it apply to any premises licensed as such prior to the occupation of real property within 300 feet thereof by any school, hospital or church building.

3. No retail "Class A" or "Class B" license shall be issued within a residence district. Any premises shall be deemed to be included within a residence district if 2/3 of the buildings with a radius of 300 feet are used exclusively for residence purposes or the uses incidental thereto. Restrictions on Class B retail licenses shall not apply to those establishments exempted from restriction under Wis. Stat. § 125.32(4).

(c) Violators of Liquor or Beer Laws or Ordinances. No retail Class A or B license shall be issued to any person who has been convicted of a violation of any Federal or State liquor or fermented malt beverage law or the provisions of this section during one year prior to such application. A conviction of a member of a partnership or the partnership itself shall make the partnership or any member thereof ineligible for such license for one year.

(d) Applicants for licenses and permits must follow requirements pursuant to Wis. Stat. § 125.04 (5).

(e) Health and Sanitation Requirements. No retail Class B license shall be issued for any premises which does not conform to the sanitary, safety and health requirements of the State Department of Industry, Labor and Human Relations pertaining to buildings and plumbing, to the rules and regulations of the State Department of Health and Social Services applicable to restaurants and to all such ordinances and regulations adopted by the Village Board.

(f) License Quota. The number of persons and places that may be granted a retail Class B liquor license under this section is limited as provided in Wis. Stat. § 125.51 (4).

(g) Corporations. No license shall be granted to any corporation when more than 50% of the voting stock interest, legal interest or beneficial interest is held by a person or persons not eligible for a license under this section.

(h) Age Requirements. No license hereunder shall be granted to any person under the legal drinking age.

(i) Effect of Revocation of License. Whenever any license shall be revoked, at least six (6) months from the time of such revocation shall elapse before another license shall be granted for the same premises, and twelve (12) months shall elapse before any other license shall be granted to the person whose license was revoked.

(j) Delinquent Taxes, Assessments and Claims. No license shall be granted for any premises for which taxes, assessments or other claims of the Village are delinquent and unpaid, or to any person delinquent in payment of such claims to the Village.

(k) Issuance for Sales in Dwellings Prohibited. No license shall be issued to any person for the purpose of possessing, selling or offering for sale any alcohol beverages in any dwelling house, flat or residential apartment.

(6) Granting of License.

(a) Opportunity to be Heard. Opportunity shall be governed by the governing body to any person to be heard for or against the granting of any license. Upon

the approval of the Village Board and payment of the required license fee to the Village Treasurer, the Village Clerk shall attest and issue to the applicant the proper license.

(b) Form and Expiration of Licenses. All licenses shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee and, unless sooner revoked, shall expire on June 30th thereafter except as otherwise provided. The Village Clerk shall affix his/her affidavit as required by Wis. Stat. § 125.04 (4). If license is revoked sooner than June 30th, it will be pursuant to Wis. Stat. § 125.12 (1) and (2).

(7) Transfer of Licenses.

(a) As to Person. No license shall be transferrable as to licensee except as provided by Wis. Stat. § 125.04 (12).

(b) As to Place. Licenses issued pursuant to this section may be transferred as provided in Wis. Stat. § 125.04 (12). Application for such transfer shall be made on blanks furnished by the State Department of Revenue. Proceedings for transfer shall be had in the same manner and form as the original application.

(8) Posting and Care of Licenses. Every license or permit required under this section shall be framed and posted and at all times displayed as provided in Wis. Stat. § 125.04 (10). No person shall post such license or permit any other person to post it upon premises other than those mentioned in the application, or knowingly deface or destroy such license. Whenever a license shall be lost or destroyed without fault on the part of the holder or his/her agent or employee, a duplicate license in lieu thereof under the original application shall be issued by the Village Clerk on satisfying himself/herself as to the facts.

(9) Inspection and Investigation.

(a) Prior to issuance of license. The Village Clerk shall notify the Chief of Police and the Village Board of such application for license, and these officials may inspect or cause to be inspected each application and the premises covered thereby to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto. These officials shall furnish to the Village Board in writing the information derived from such investigation accompanied by a recommendation as to whether a license should be granted or refused.

(b) Search of Licenses Premises. It shall be a condition of any license issued hereunder that the licensed premises may be entered and inspected at any reasonable hour by any police officer, his/her deputies or assistants and any Trustee and the President of the Village of Ridgeway, without a search warrant, and application for a license hereunder shall be deemed a consent to this provision. Any refusal to permit such inspection and search shall automatically operate as revocation of any license issued hereunder and shall be deemed a violation of this Section.

(10) Regulation of Licensed Premises and Licensees.

(a) There shall be upon premises operated under a retail Class A or Class B beverage license, at all times, the licensee or some person who shall have an operator's license under Wis. Stat. § 125.04., and who shall be responsible for the acts of all persons serving as waiters, or in any other manner to customers. No other person other than the licensee shall serve alcohol beverages in any place operated under a retail Class A or Class B liquor license unless he shall possess such operator's license, or unless he shall be under the immediate supervision of the licensee or a person holding an operator's license who shall be at the time of such service upon said premises.

(b) **Gambling and Disorderly Conduct Prohibited.** Each licensed and permitted premises shall at all times be conducted in an orderly manner; and no disorderly, riotous or indecent conduct or gambling shall be allowed at any time on any such premises.

(c) **Employment of Underage Person.** No licensee shall employ any underage person to serve, sell, dispense or give away any alcohol beverage.

(d) **Sales by Clubs.** No club shall sell intoxicating liquors or fermented malt beverages except to members and guests invited by members.

(e) **Safety and Sanitation Requirements.** Each licensed premises shall be maintained and conducted in a sanitary manner and shall be a safe and proper place for the purpose for which used.

(f) **Windows Not to be Obstructed.** All windows in the front of any licensed premises shall be of clear glass, and the premises shall be so arranged as to furnish a clear view of the entire premises from the sidewalk. There shall be no partition, box, stall, screen, curtain, blinds, or other device which shall obstruct the view of said room from the general observation of persons. During the hours in which the sale of alcohol beverages is permitted, the premises shall be properly and adequately lighted. However, retail Class B licenses shall entitle the holder thereof to serve such beverages in a separate room on the licensed premises at banquets or dinners.

(g) **Intoxicated Persons.** No alcohol beverages shall be served or sold to any person who shall be intoxicated, pursuant to Wis. Stat. § 125.07 (2).

(h) **Underage Persons.** Concerning alcoholic beverages, restrictions relating to underage persons shall be governed under Wis. Stat. § 125.07.

(i) **Evidence of Alcohol Sales.** The existence of any license, permit or special tax stamp from the United States Government, or from the State of Wisconsin, to any licensee or any person in the employ of the licensee authorizing or permitting such licensee or any person in his employ to engage in the occupation of selling alcohol beverages at the time and place of any alleged violation of the provisions of this Chapter,

shall be accepted as prima facie evidence that such licensee is vending, selling, dealing or trafficking in alcohol beverages in violation of the provisions of this Chapter.

(j) **Evidence of Revocation.** The existence of the issue of any license, permit, or special tax stamp from the United States Government, or from the State of Wisconsin, to any licensee or any person in the employ of the licensee, authorizing or permitting such licensee or any person in his/her employ to engage in the occupation of selling intoxicating alcohol shall automatically work a revocation of any license issued to the licensee under the provisions of this Chapter and he/she shall thereupon forfeit his/her license fees.

(11) **Closing Hours.** (Am. Jan. 3, 1955). This section shall be pursuant to Wis. Stat. §§ 125.32 (3), and 125.68 (4). No premises for which an alcohol beverage license has been issued shall remain open for the sale of alcohol beverages:

(a) If a wholesale license, between 5:00 p.m. and 8:00 a.m., except on Saturday when the closing hour shall be 9:00 p.m.

(b) If a retail Class A license, for fermented malt beverages, between midnight and 8:00 a.m.

(c) If a retail Class A license for intoxicating liquors, between 9:00 p.m. and 8:00 a.m.

(d) If a retail Class B license, between 2:00 a.m. and 6:00 a.m. except on January 1st, when the premises is not required to close. No package, container or bottle sales may be made after midnight.

(e) A licensed premise whose principal business is the furnishing of food or lodging to patrons, bowling alleys, and golf courses, may remain open for the conduct of their regular business, but no intoxicating liquors or fermented malt beverages shall be sold during prohibited hours.

(12) **Revocation and Suspension of Licenses.**

(a) **Procedure.** Whenever the holder of any license under this section violates any portion of this section, proceedings for the revocation or suspension of such license may be instituted in the manner and under the procedure established by Wis. Stat. § 125.12, and the provisions therein relating to granting a new license shall likewise be applicable.

(b) **Suspension of Licenses.** The Village President or Police Department, by direction of the Village President, upon obtaining reasonable information that any licensee has violated any provision of this section or any State or Federal liquor or fermented beverage law, or committed any felony, may suspend the license or permit of such person not to exceed ten (10) days pending hearing by the Board, pursuant to par. (a).

(c) **Repossession of License or Permit.** Whenever any license or permit under this section shall be revoked or suspended by the Board, Village President, Police Department or action of any court, the Village Clerk shall notify the licensee or permittee of such suspension or revocation and shall notify the Police Department, who shall take physical possession of the license or permit where ever it may be found and file it in the Village Clerk's office.

(d) **Effect of Revocation.** See sub. (5)(i) of this section.

(13) **Non-renewal of License.** Before renewal of any license issued under this section is refused, the licensee shall be given written notice of any charges or violations or the reasons proposed for non-renewal and a copy of any proposed motion for non-renewal and shall have an opportunity to be heard before the Village Board.

(14) **Violations by Agents and Employees.** A violation of this section by an authorized agent or employee of a licensee shall constitute a violation by the licensee.

(15) **Prohibition of Sale or Consumption of Fermented Malt Beverages and Intoxicating Liquor.**

(a) No person shall sell or serve, or offer to sell or serve, any fermented malt beverages or intoxicating liquor upon any public street within the Village.

(b) No person shall consume any fermented malt beverages or intoxicating liquor upon any public street within the Village except when such street or portion thereof is included within an area for which the Village Board has granted, under Wis. Stat. § 125.32 (4)(b), a temporary malt beverage license.

(c) No owner, operator or any person employed in any place, other than a public park, where food or soft drinks are sold or any place or entertainment or amusement, shall permit any person to drink alcohol beverages therein or consume therein any alcohol beverages.

(d) No person shall drink or have in his possession any alcohol beverages in any Village Park after the hours set by the Park Committee.

(e) Each holder of an intoxicating liquor or fermented malt beverage license granted by the Village shall:

1. Keep prominently displayed in the licensed premises, at all times, a notice to customers that no consumption of fermented malt beverages or intoxicating liquors is allowed upon public street within the Village.

2. Be held personally responsible to insure that no customer exits the licensed establishment consuming any fermented malt beverages or intoxicating liquor upon entry to the street within the Village.

(16) Manager's License.

(a) No person shall manage a premises operating under a Class B license issued under this Chapter unless such person is the licensee or has a manager's license.

(b) A person manages a premises if he is responsible or has authority for:

1. Personnel management of all employees regardless of whether that person is authorized to sign employment contracts.

2. The terms of contracts for the purchase or sale of goods or services regardless whether the person is authorized to sign contracts for the goods or services.

3. The daily operation of the premises.

(c) Upon the proper application of an individual over the legal drinking age and a resident of the State for a manager's license, the Village Board may, in its discretion, issue such license for a period of one year. A person holding a manager's license shall also be considered to hold an operator's license

(17) Penalty. Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, forfeit not more than \$200.00 and the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution may be imprisoned in the County jail until payment of such forfeiture and the costs of prosecution, but not exceeding thirty (30) days for each violation. Each day of violation shall constitute a separate offense.

8.05 LICENSING AND REGULATION OF PETS. (Cr. Oct. 7, 1981) (Am. Jan. 15, 2003).

(1) Purpose.

(a) The purpose of this ordinance is to control feral or otherwise uncontrolled animals, and the noise, odor, health and other safety problems which could be associated with any pet.

(b) The owning, harboring and keeping by any person(s) of a large number of dogs, cats or combination thereof, or other pets within the city detracts from the quality of life within the entire residential district due to various noise, odor, health and safety problems which constitute a public nuisance.

(2) Licensing and regulation of any animal.

(a) Licenses required. Licenses shall be required as follows:

1. No person residing in the Village shall own, keep, harbor, or have custody or possession of any dog or cat which is more than 5 months of age, unless a license has been obtained for the dog or Cat in accordance with this section. A license shall be obtained for each dog and cat prior to the date on which it becomes 5 months of age, and that license shall remain in effect until December 31, of the year in which it is obtained. All licenses shall be renewed annually, and are effective for the calendar year (January 1-December 31). All - licenses shall be obtained or renewed prior to January 31.

2. A certificate, issued by a licensed veterinarian, indicating that the dog has been currently inoculated for Rabies and Distemper (or the cat inoculated for rabies) shall be supplied to the Village Clerk-Treasurer along with the appropriate license fee.

3. This section shall apply to dogs specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons, provided that no fee shall be charged for a license for such a dog.

4. Every person residing in the Village who owns, keeps, harbors or has custody or possession of any animal required to be licensed in accordance with this section shall insure that the animal, when away from the person's premises, is wearing a collar to which a current license tag and a current Rabies vaccination tag are attached (cats will not receive a license tag from the Village, but should have a rabies, and/or some type of identification tag). The collar tags may be removed from a dog during competition.

(b) Fees. (Am. Dec. 9, 2010). Licenses shall be as follows:

1. Such license tax shall be paid to the Village Clerk, and shall be \$8.00 per year for each neutered male or spayed female dog and \$18.00 per year for each un-neutered male and un-spayed female dog, or half (1/2) of these amounts if the dog becomes five (5) months of age after July 1 of the license year. A late fee of \$10.00 shall be assessed against anyone purchasing a license after April 1 of the license year or against anyone purchasing a license more than thirty (30) days after the dog becomes five (5) months during the license year. The license year begins January 1st of each year and ends on the following December 31st.

2. Cats.

a. Free for a spayed/neutered cat

b. \$2 for an unspayed/unneutered cat

(c) Issuance of License. Upon receipt of the required fee and certificate of inoculation, the Clerk-Treasurer shall issue to the owner a license to keep such dog or cat during the current license year.

(d) State Regulations Adopted. The provisions of Ch. 174, Wisconsin Statutes, and all subsequent amendments and modifications thereof, are incorporated herein by reference.

(e) Animals Not Permitted To Be At Large. Animals are not permitted to be at large within the Village at any time. For the purposes of this section, the phrase "at large" embraces all places within the Village except the owner's premises, and includes all streets, alleys, sidewalks, or other public or private property, and not under the owner or keeper's control by means of a leash, animal transport cage or other similar device, or confined within a vehicle owned or controlled by the owner or keeper. The owner or keeper of any animal, tied outdoors by means of a leash, chain or similar device, shall prevent the animal from being present on the private property of other persons, public property, and the street, alley, sidewalk, or other public right-of-ways.

(f) Harboring Certain Animals Prohibited. No person shall own, keep, have in their possession, or harbor any animal which:

1. Habitually pursues any vehicle upon any public street, alley or highway, or
2. Is Vicious. A showing that an animal has bitten, attacked or injured any person shall constitute a *prima facie* showing that such animal is vicious, or
3. Habitually or frequently Barks, yelps, howls or makes any other noise which would unreasonably disturb or annoy a person of ordinary sensibilities, or
4. Has not been licensed as required by this section, or
5. Which, while away from the owner or keeper's premises, causes property damage or injury to any dog, cat, domestic animal, or other desirable wildlife.

(g) Impoundment and Disposition. Animals are impounded humanely and securely in the following manner:

1. Any Village police officer or maintenance worker may apprehend any animal which is at large within the Village.
2. The Village police officer or maintenance worker will make a reasonable effort to notify the owner of the apprehension of the animal if the identity of the owner can be readily determined from the information shown on the animal's license tag. If the identity of the owner cannot be readily determined, the Village police officer or

maintenance worker may take the stray animal to be impounded at a bona-fide kennel or Humane Society for a maximum of 48 hours. If the rightful owner does not reclaim any animal within 48 hours of notification of the owner (or within 48 hours of impoundment when owner cannot be notified), the animal shall be deemed surrendered to the Village Police Department or its designee, and may be sold for all or a portion of the amount incurred in apprehending, keeping and caring for the animal, or it may be destroyed in a proper and humane manner and any previous owners shall have no further claim to such animal. The Village Clerk-Treasurer, or the keeper of the bona-fide kennel or Humane Society shall collect the amount incurred in apprehending, keeping and caring for the animal if the owner can be ascertained and located. The Clerk-Treasurer shall be authorized to commence a civil action in order to collect such amount.

3. All unlicensed and unidentifiable animals shall be considered feral and may be subject to being destroyed in a proper and humane manner at the discretion of the Village Police Department. For such animals, neither impoundment nor notification of owners shall be required prior to destroying the animal, because unreasonable measures would be required to determine the animals' owner.

4. The owner or keeper of any animal so confined may reclaim the animal at any time before it is disposed of upon payment of ALL costs and charges incurred in apprehending, keeping, caring for, and licensing the animal. Such costs and charges may include expenses for inoculations or other medical treatment of the animal. The owner or keeper's payment of cost and charges incurred in apprehending, keeping, caring for and licensing the animal shall be made directly to the Village Clerk-Treasurer, or to the keeper of the bona-fide kennel or Humane Society indebted. The owner may also be proceeded against, for violation of this chapter, and the license or permit may be revoked by the Village for any or all animals owned by the person(s) in violation.

(h) Removal of Animal Defecation from Public and Private Properties. An owner or keeper of any animal shall not allow the animal to soil, defile, or defecate on nor commit any nuisance on any public or private property within the Village other than the premises of the owner or keeper of the animal unless such defecation is immediately removed. The foregoing provisions of this paragraph shall not apply to any person being assisted by a seeing-eye dog. All pens, yards, structures or areas where animals are kept shall be maintained in a reasonably safe and sanitary condition. Maintenance shall include the regular removal and disposal of defecation, so as not to attract insects or rodents, or to become unsightly or cause objectionable odors, or to result in any other condition recognized as a nuisance by this municipal code or by any other common or statutory law.

(i) Maximum Number of Dogs and Cats. The maximum number of dogs and cats shall be as follows:

1. Single Family Residential Areas. No person shall, either individually, or in combination with one or more other persons, keep, possess, harbor or routinely allow the presence of more than three (3) dogs over 5 months of age, or three

(3) cats over 5 months of age, or any combination of such dogs and cats exceeding four (4), within the residential unit in which the person resides or upon the lot or portion of a lot upon which such residential unit is located, within a zoning district classified as either R-1 Single Family Residential District or R-2 One and Two Family Residential District.

2. Multi-Family Residential Areas. No person shall, either individually, or in combination with one or more other persons, keep, possess, harbor or routinely allow the presence of more than two (2) dogs over 5 months of age, or two (2) cats over 5 months of age, or any combination of such dogs and cats exceeding three (3), within the residential unit in which the person resides or upon the lot or portion of a lot upon which such residential unit is located, within a zoning district classified as R-3 Multiple Family Residential District.

(j) Providing Proper Food and Drink to Confined Animals. No person owning or responsible for confining or impounding any animal may fail to supply the animal with a sufficient supply of food and potable water. In order to be sufficient, the supply of food and potable water must be adequate to maintain the animal in good health. In order to be sufficient, a supply of potable water shall be provided daily to the animal, fresh and in sufficient quantities for the health of the animal to be maintained.

(k) Providing Proper Shelter to Confined Animals. No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter from sunlight and inclement weather. Proper shelter from sunlight shall require that when sunlight is likely to cause heat stress or exhaustion of an animal tied or caged outdoors, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. Sufficient ventilation shall be provided to prevent any animal confined within a vehicle from suffering heat stress or exhaustion. If a dog or a cat is tied or confined unattended outdoors under weather conditions which are likely to adversely affect the health of the animal, a shelter of suitable size to accommodate the animal shall be provided which is sufficient to protect the animal from such weather conditions.

(l) Kennels. The Village may allow kennels allowing more than 3 dogs for residential pet ownership, and kennel licenses may be granted (but are not guaranteed) only under the following circumstances:

1. The Village shall not issue any kennel licenses in or adjacent to any R-1 and R-2 zoned districts.

2. Any portion of the property harboring the proposed kennel shall be at least 100 feet from schools, parks, and playgrounds.

3. A public hearing and subsequent board approval is required for each individual license application. Application for the kennel license shall in no way guarantee issuance of the license.—not guaranteed to be granted.

(m) Penalties.

1. Any person violating any provision of this section shall forfeit not less than \$25, nor more than \$100, plus court costs, for the first offense, and not less than \$50, nor more than \$200, plus court costs, for each subsequent offense within a calendar year.

2. Destruction or Death of Vicious Animals. If a vicious animal [defined in this Section, in paragraph (f)] is euthanized, the owner thereof shall provide to the Village Police Department within ten (10) days of the date of death of the animal a certificate or other written proof of euthanasia from a licensed veterinarian. If a vicious animal is killed, destroyed or dies from any other cause or means, the owner shall within ten days of the date of death of the animal provide in writing to the Village Police Department verification of the death of the animal.

8.06 PEDDLERS, CANVASSERS, SOLICITORS AND TRANSIENT MERCHANTS. (Cr. Nov. 3, 1981).

(1) Definitions.

(a) Peddler. A peddler is a person who goes from place to place within the Village offering for sale property which he/she carries with him/her. It includes vendors who distribute their products to regular customers on established routes.

(b) Canvasser or Solicitor. A canvasser or solicitor is a person who goes from place to place within the Village soliciting orders for the future delivery of property or for services to be performed in the future. It includes any person who occupies any place within the Village for the purpose of exhibiting samples and taking Orders for future delivery.

(c) Transient Merchant. A transient merchant is a person who engages at a fixed location in the Village in the temporary business of selling property at such location. It does not include a person who does not sell from stock, but exhibits samples for the purpose of securing orders for future delivery only. It includes a person who associates temporarily with any local business or conducts business in the name of a local merchant, dealer or auctioneer.

(2) License Required. No person shall engage in the business of transient merchant, peddler, solicitor or canvasser within the Village of Ridgeway without first obtaining a license from the Village Clerk in compliance with the provisions of this section.

(3) Exemptions. No license shall be required hereunder of the following:

(a) Persons selling personal property at wholesale to dealers in such articles.

- (b) Newsboys or Newsgirls.
- (c) Children under 18 years of age who are residents of the Village.
- (d) Vendors of milk, or other food items, distributing products to regular customers on established routes.
- (e) Merchants or their employees delivering goods in the regular course of business.
- (f) Farmers or truck gardeners offering to sell the products of the farm or garden occupied and cultivated by them.
- (g) A veteran holding a special State license under Wis. Stat. § 440.41 (lm).
- (h) Any person soliciting for charitable, religious, patriotic or philanthropic purposes where the proceeds thereof are devoted solely to the purposes of the organization.
- (i) Sales required by statute or order of the court.
- (j) Bona fide auction sales conducted pursuant to law.
- (k) Any Iowa County School District representative.
- (l) Persons calling on individual Ridgeway residents by appointment or at the request of the resident.

(4) Investigation Fee. At the time of filing their application, the applicant shall pay to the Village Clerk \$5.00 to cover the cost of investigation of the facts stated in the application.

(5) Investigation. The Chief of Police shall cause the applicant and the facts stated in the applicant's application to be investigated and shall within 5 days return the application to the Clerk with their endorsement approving or disapproving the application. Depending on such approval or disapproval, a license shall thereafter be issued or not be issued accordingly, after a vote by the Village Board.

(6) License Fee. The license fee shall be \$50.00 per year, or fraction thereof, with the license year to run from July 1st to June 30th. There shall be an optional daily license available for a fee of \$5.00 per day. No such license shall be assignable or transferrable.

(7) Bond. Every applicant who is not a resident of Iowa County or who represents a firm whose principal place of business is located outside of the State shall file with the Village Clerk a surety bond in the amount of \$500.00, approved by the Village

President, conditioned that the applicant will comply with all provisions of the ordinances of the Village and the State laws regulating peddlers, canvassers, solicitors and transient merchants, and guaranteeing to any person doing business with the licensee that all money paid as a down payment will be accounted for and applied according to the representations of the licensee; and further guaranteeing that property purchased for future delivery will be delivered according to the representations of the licensee. Action on such bond may be brought by any person aggrieved.

(8) Regulations and Restrictions.

(a) Consent Required. No transient merchant, peddler, solicitor or canvasser as herein defined shall go in or upon any private residence, business establishment or office in the Village of Ridgeway for the purpose of soliciting orders for goods, wares or merchandise or peddling or hawking the same or soliciting subscriptions for magazines or other periodicals without having been requested or invited to do so by the owner or owners, occupant or occupants of said place.

(b) Display of License. Persons licensed under this section shall carry their license with them while engaged in licensed activities and shall display such license to any police officer or citizen upon request.

(c) Misrepresentation Prohibited. No licensee shall intentionally misrepresent to any prospective customer the purpose of his/her visit or solicitation, nor the name or business of his/her principal, if any, nor the source of supply of the goods, wares or merchandise which he/she sells or offers for sale nor the disposition of the proceeds or profits of his/her sales.

(d) Termination of Presentation. No presentation required to be licensed under this section shall continue after 8:00 p.m., and such presentation shall terminate immediately upon the request of the local resident and the licensed representative shall immediately leave the premises.

(e) Excessive Noise Prohibited. No person licensed hereunder shall in hawking his/her wares create such noise as is annoying to a person of ordinary sensibilities.

(f) Use of Streets. No licensee shall use the public streets or sidewalks for purposes of sales in such a manner as to impede or inconvenience the public use of the streets or sidewalks.

(9) Suspension or Revocation of License. Licenses issued under the provisions of this section may be revoked or suspended by the Village President, or in his/her absence, by any member of the Village Board, for a period not to exceed 16 days pending hearing by the Village Board, for fraud, misrepresentation or incorrect statements contained in the application or made in the course of carrying on business, or conviction of the licensee of any crime or misdemeanor, or conducting the licensed business in an

unlawful or disorderly manner or in such a manner as to menace the health, safety or general welfare of the public.

8.07 PUBLIC ENTERTAINMENT. (Am. Feb. 7, 2011, Eff. March 7, 2011) (Am. May 13, 2009).

(1) Permit Required. No person, group or organization shall hold public entertainment events within the Village of Ridgeway without obtaining an application from the Village Clerk, and obtaining permit approval from the Village Board.

(2) Temporary Class B License Required. All persons, groups and organizations shall not hold public entertainment events without obtaining a Temporary Class B license issued by the Village Board.

(3) Application. Application for such permit shall be filed with the Village Clerk along with the appropriate permit fee for each day the permit is sought. The application shall be filed thirty days prior to the proposed event. Failure to comply will result in an additional administrative fee of \$30.00.

(4) Public Entertainment Defined. "Public entertainment" means any gathering, event, or entertainment which is held in or located at a public facility or park, which is open to the public, and where alcohol is served. "Open to the public" includes payment of an admission charge or where any collection or other means of raising money is used.

(5) Exemptions. "Public entertainment" does not include gatherings, events, or entertainment:

(a) Conducted by churches, schools, sporting events, or bona fide clubs where no alcohol is served or consumed; or

(b) Held at a personal residences provided alcohol is not being served or transferred in violation of Wis. Stat. Ch. 125; or

(c) Held at a business bearing a class B beer or liquor license, if the special event coordinator is satisfied that such organization provides adequate security measures necessary to protect the health and safety of the public.

(6) Special Event Coordinator. The Ridgeway Police Department shall act as the special events coordinator unless or until changed by resolution of the Village Board.

(7) Powers of the Special Event Coordinator. The special event coordinator shall maintain order and decency at all public entertainment events. The special events coordinator is responsible for providing security during all entertainment events when a license and security is required.

(8) Application for Permit. The Public Entertainment Permit applicant shall provide the following information upon submission of the application:

- (a) Name, address and telephone number of the applicant; and
- (b) The date and duration for the proposed activity or event; and
- (c) A description of the property proposed to be used for the event; and
- (d) An estimated number of persons attending the proposed event.

(e) In addition to the Public Entertainment Permit application, the applicant shall apply for a temporary "Class B" beer and/or wine cooler license, using the state application form AT-315. The required \$10.00 fee shall be paid upon submission of this application.

All applications shall be filed with the Village Clerk thirty days prior to the proposed event, and are subject to approval by the Village Board.

(9) Compliance with Eligibility Standards. The organization applying for the temporary "class B" beer and/or wine cooler license shall meet the eligibility requirements of a bona fide club, association, lodge or society as set forth in Wis. Stat. § 125.26 (6), and shall fully comply with the requirements of Wis. Stat. Ch. 125.

(10) Requirements Upon Approval of the Public Entertainment Permit and Temporary "Class B" License. The organization applying for the Public Entertainment Permit and the temporary "Class B" license, upon approval, will be required to follow the following guidelines:

(a) Fencing. All public entertainment events shall have a double fence installed around the main point of sale to control ingress and egress ("Point of Sale Area"). The double fence shall be a minimum of four (4) feet high. A licensed operator, licensed bartender or person assigned by the special events coordinator must remain at the entrance for the purpose of checking identification prior to entry. The entrance shall be a minimum of six (6) feet wide.

(b) Underage Persons Prohibited. No underage person shall enter, loiter or linger in the Point of Sale Area, unless accompanied by a parent, legal guardian or spouse who has attained the legal drinking age. No underage persons shall consume any intoxicating beverage unless accompanied by a parent, legal guardian or spouse who has attained the legal drinking age, and all such persons under the age of twenty-one must remain next to said parent, legal guardian or spouse at all times when consuming an intoxicating beverage.

(c) Licensed Operators Requirement. A licensed operator shall be stationed at all points of sales at all times. In the event that the licensed permit holder is not present a licensed bartender must be present.

(d) Posting of Signs and Licenses. All organizations that are issued a temporary "Class B" license shall post a sufficient number of signs stating that no alcohol shall be served to any person without proper identification.

(e) Regulations of Types of Containers Allowed on Public Property. It shall be unlawful for any organization to sell, dispense or serve any alcoholic beverages to any person or persons unless the beverage is served in plastic or paper cups or in the original metal can. Bottled beverages or other glass containers are prohibited.

(f) Open Intoxicants. No person shall bring alcohol in any form to any public entertainment function for his/her consumption or the consumption of others. No person shall carry out any alcoholic beverage from any such public entertainment function.

(g) Insurance: The applicant for the Public Entertainment Permit shall indemnify, defend and hold the Village of Ridgeway and its employees, agents and officials harmless against any and all claims arising from injury or death of any person, or any damage to property caused by or resulting from or in any way related to the activities for which the permit is granted. The applicant may also be required to furnish a certificate of comprehensive general liability insurance or a performance bond prior to being granted the permit.

(h) Waiver. The Village of Ridgeway Board may modify the requirements of this section due to the physical characteristics of the site.

(i) Disposal of Alcoholic Beverages. It shall be the permit holder's responsibility to ensure that all alcoholic beverages and containers and trash are cleaned up immediately following the event.

(11) Fees.

(a) Public Entertainment Permit Fee. There shall be no fee for the Public Entertainment Permit, except that all applicants and permit holders will be required to comply with all requirements of this ordinance and pay for all expenses and deposits set forth herein.

(b) Temporary "Class B" Beer and/or Wine Cooler License Fee. \$10.00, or the maximum allowed by statute, whichever is greater.

(c) Security Fee. It shall be the permit holder's responsibility to provide the special event coordinator with the approximate number of attendees for any proposed public entertainment event. The special event coordinator will arrange for the security at the event. The permit holder will be charged for any security needed for the event. The

security charge will be based on the approximate number of attendees at a ratio of one (1) police officer for every fifty anticipated guests present. The special event coordinator will provide a written estimate of the cost to the permit holder prior to the public entertainment event. The permit holder may provide their own security but this may not be substituted for any police officers required to be present. All security fees must be paid prior to the event. Failure to pay such security fees in advance or providing any false or misleading information may result in the Public Entertainment Permit or Temporary "Class B" License being revoked and having the event shut down by the special event coordinator.

(12) Penalties. Failure to comply with any provision of this ordinance will result in the following:

(a) The special event coordinator will revoke the Public Entertainment Permit and/or the Temporary "Class B" License and shut down the event.

(b) The permit holder/licensee will be fined \$500.00 for non-compliance.

(c) Failure to comply with section 9 (l) will result in a clean up fee of \$500.00 charged to the permit holder/licensee.

8.08 JUNK AND SALVAGE DEALERS. (Cr. May 14, 1968).

(1) Permit Required. No person, firm partnership or corporation shall engage in the business of junk or salvage dealer, including the accumulation or storage of junked automobiles or parts thereof outside of any area of real property located within the Village of Ridgeway, without a permit therefor as required by this section. No fee is required for this permit.

(2) Defined. A junk or salvage dealer is a person who engages in the Village in the business of buying, selling or collecting any article of personalty which, from its worn condition, renders it practically useless for the purpose for which it was made, and which is customarily defined as "junk". This definition shall include persons involved in wrecking or dismantling motor vehicles and those who deal in junked motor vehicles or parts thereof.

(3) Residence Required. No person shall be granted a license hereunder who is not a resident of or been in business in the Village of Ridgeway. If the applicant is an association, partnership or corporation, all officers and directors shall comply with this residence requirement.

(4) Application. Application for a license under this section shall be made upon an application form provided by the Village and it shall provide the following information:

(a) Name and address of all applicants and officers and directors.

(b) Length of residence in the Village.

(c) Whether the applicant or any officer or director of the applicant has been convicted of a felony or misdemeanor and the nature thereof and where the judgment of conviction was entered.

(d) Previous experience as a junk or salvage dealer.

(e) Nature and location of the business to be conducted.

(5) Application to be Verified. The application shall be sworn to by the applicant.

(6) License Investigation. The Village Clerk shall refer any application hereunder to the Officer in Charge, the Fire Chief, or the Building Inspector who shall cause to be inspected the applicant and the proposed premises. No application shall be issued hereunder unless the building or buildings proposed to be used in connection with the business are of fireproof construction. The officers shall report the results of their investigation to the Village Board for review and action upon the application.

(7) Premises Not to be Located in Residence Districts. No license shall be granted hereunder for any premises if located within 2,000 feet of 3 or more residential dwellings.

(8) Issuance of Permit. The permit issued by the Village Board shall be signed by the Village President upon the vote of three-fourths of the members of the Village Board, after application has been made and inspected in compliance with this section. Such permit shall be revocable at any time by a majority vote of said Village Board after a hearing at which it has been found that the permit holder has failed or refused to comply with the State and/or local statutes or ordinances. Junked automobiles shall be regulated pursuant to Wis. Stat. § 175.25.

(9) Hearing on Complaint. A hearing may be held by the Village Board upon its own motion or upon the complaint in writing duly signed and verified by a complainant. Such complaint shall state the nature of the alleged failure to comply with such regulations. A copy of the complaint together with a notice of the hearing shall be served upon the permit holder not less than 10 days prior to the date of the hearing either by personal service or by certified mail, return receipt requested, sent to his/her last known address.

(10) Renewal of Application. If an application for a license hereunder is rejected, no further application shall be entertained for 6 months unless the applicant can show that the reasons for rejection have been corrected.

(11) Posting Permit Required. Any person to whom a license has been issued hereunder shall post the license in a conspicuous place of the license premise.

8.09 MOBILE HOMES AMD MOBILE HOME PARKS. (Cr. Aug. 2, 1983).

(1) State Statutes Adopted by Reference. The provisions of Wis. Stat. § 66.0435, including its definitions, are adopted by reference.

(2) Mobile Homes Outside Licensed Parks.

(a) It shall be unlawful, except as provided in this section, for any person to park any mobile home on any street, alley, highway or other public place, or on any tract of land or residential lot owned by any person within the Village of Ridgeway.

(b) The Village Board may issue special written permits allowing the location of a mobile home outside a mobile home park.

(c) The person to whom such permit is granted shall be subject to the parking permit fee as provided in Sub. (4) of this section. The permit shall be granted only upon the written consent of the owner, legal agent of the owner or the lessee of the location for which the permit is issued. The Village Board may limit the number of permits granted to locate a mobile home outside of a licensed park.

(d) Application for the permit shall be made to the Village Clerk and shall be accompanied by an inspection fee of \$2.00, and shall state the name and permanent addresses of the occupants of the mobile home, the license number of their mobile home and towing vehicle, place of last stay, intended purpose of stay at requested location, whether the occupants are non-resident tourists, whether any occupant is employed in this state; the exact location of the premises, the name of the owner and the occupant of any dwelling on the premises, and the owner's and/or occupant's permission to locate; a statement of the nature and location of sanitary facilities and the permission of the occupant of the dwelling house for their use; and a statement that all wastes from mobile home occupancy will be disposed of in a sanitary manner. Application for location on a vacant lot or parcel of land shall be accompanied by a statement of the nature and location of sanitary facilities, which must include a safe water supply and toilet within 200 feet of the proposed location of the mobile home; and a statement of permission from the owner for their use.

(e) Mobile homes presently located within the Village of Ridgeway other than in mobile home parks may remain as presently located. It shall be unlawful to replace existing mobile homes in the Village of Ridgeway unless a permit for replacement is received from the Village Board. The Board will grant such a permit only upon proof that the replacement mobile home will be an improvement over the existing mobile home, and that Mobile Home Parks such replacement is in the best interest of the neighborhood.

(3) Mobile Home Parks.

(a) Mobile home parks hereafter created within the Village of Ridgeway shall consist of a minimum of 5 mobile home spaces. No mobile homes shall hereafter be

permitted or placed in the Village of Ridgeway except in a licensed and qualified mobile home park, except as provided in Sub. (2). No mobile home park shall hereafter be licensed within a single family residence district zoned area in the Village of Ridgeway.

(b) Park License Required. It shall be unlawful for any person, firm, corporation or other organization to maintain or operate a mobile home park within the limits of the Village of Ridgeway without obtaining a license therefor. The annual fee for such a license shall be the sum of \$2.00 per year or fraction thereof for each space or fraction thereof within each mobile home park. See Sec. 8.01 (9). Such license shall expire on the 30th day of June following its issuance and shall be subject to the provisions of Wis. Stat. § 66. 0435. Such parks shall comply with Wis. Admin. Code ch. ATCP 125 which is hereby adopted by reference. The Village may collect a fee of \$10.00 for each transfer of a license, as provided in Sec. 8.01 (9) of this code. Every application for a mobile home park license shall contain the legal description of the property to be licensed and such other information as may hereafter by determined to be necessary.

(c) Mobile Home Park Plan. The mobile home park shall conform to the following requirements:

1. Mobile home spaces shall be provided consisting of a minimum of 2,100 square feet for each space which shall be at least 35 feet wide and clearly defined.

2. Each mobile home space shall be adjacent to its own driveway parking space of at least 10 feet in width, and each driveway parking space shall have unobstructed access to a public street.

3. Mobile homes shall be so placed on each space that there shall be at least a 20 foot clearance between mobile homes and at least a 15 foot setback from a street or from any property line bounding on the park.

4. Not more than 5 mobile home spaces shall be served by sewerage hookups per lateral connection to a main. All lateral connections to a main shall be at least 4 inch pipe. Not more than 3 mobile home spaces shall be served by water hookups per lateral connection to a main. All water connections throughout the park shall be at least 3/4 inch pipe and each mobile home space shall be separately metered.

(d) Additions to Parks. Licensees of mobile home parks shall furnish information to the Village Clerk and Assessor on such homes added to their park within 5 days after their arrival.

(e) Inspections of Parks. No park license shall be issued under this section until the Village Clerk shall notify the Chief of Police, Health Officer, Fire Chief and Building Inspector, or their authorized agents of such application, and these officials shall inspect each application on the premises described therein to determine whether the applicant and the premises on which the mobile homes will be located comply with

the provisions of this section. These officials shall furnish to the Village Board in writing the information derived from such investigation and a statement as to whether the applicant and the premises meet all department requirements. No license shall be renewed without a re-inspection of the premises. For the purpose of making inspections, such officials or their authorized agents shall enter on any premises on which a mobile home is located or about to be located and to inspect the same and all accommodations connected therewith at any reasonable time.

(f) Management.

1. In every mobile home park, there shall be located an office of the attendant or person in charge of such park. A copy of the park license and of this section shall be posted therein and the park register shall at all times be kept in such office.

2. The attendant or person in charge together with the licensee shall:

a. Keep a register of all residents to be open at all times to inspection by local, State and Federal officials and shall show for all residents:

- 1) Names and addresses.
- 2) Number of children of school age.
- 3) State of legal residence.
- 4) Dates of entrance and departure.
- 5) License numbers of all mobile homes and towing or other vehicles.
- 6) States issuing such licenses.
- 7) Purpose of stay in park.
- 8) Place of last location and length of stay.
- 9) Place of employment of each occupant.

b. Maintain the park in a clean, orderly and sanitary condition at times.

c. Insure that the provisions of this section are complied with and enforced and report promptly to the proper authorities any violations of this section or any other violation of law which may come to the attendant's attention.

d. Report to the Health Officer all cases of persons or animals affected or suspected of being affected with any communicable diseases.

e. Maintain in convenient places, approved by the Fire Chief, hand fire extinguishers in the ratio of one extinguisher to each 8 units.

f. Prohibit the lighting of open fires on the park premises.

(4) Parking Permit Fees. There is hereby imposed on each non-exempt mobile home located in the Village of Ridgeway a monthly parking fee, such amount as determined in accordance with Wis. Stat. § 66.0435. Such fee shall be paid to the Village Clerk on or before the 10th day of the month following the month for which such fees are due, except that the fee for the first month or any portion thereof shall be paid at the time and before any permit is issued. The licensee of a mobile home park shall collect such fees from each occupied non-exempt mobile home therein and to remit such fees to the Village Clerk. Failure to do so is to be treated like a default in payment of personal property taxes and subject to all procedures and penalties applicable under Wis. Stat. chapters 70 and 74. Occupants of non-exempt mobile homes outside of a mobile home park shall remit monthly parking permit fees directly to the Village Clerk.

8.10 RESERVED

8.11 RESERVED

8.12 PENALTY.

In addition to the penalty provision in section 8.04, the penalty for violation of any provision of this chapter shall be as provided by this code, under Chapter 12.

8.13 FENCES. (Cr. Oct. 1, 2002).

(1) Building Inspector Approval. Plans and site design for the construction of fences, or planting of shrubs, hedges, trees, or landscaping being used as a fence or screen shall be reviewed by the Building Inspector prior to the issuance of a building permit. The Building Inspector may require that moneys be placed in escrow for a period not to exceed one (1) year to insure replacement of any landscaping should it perish with one (1) year.

(2) Maintenance. Any fencing or landscaping erected or planted under this Chapter shall be maintained in good order to achieve the objective of this Chapter. Failure to maintain fencing or permitting shrubs or landscaping to die without replacing it shall be considered a violation of this division.

(3) Definitions. For the purposes of this Section, the following definitions shall apply:

(a) Fences. A barrier greater than 1 foot tall made of wood, iron, stone or other material

(b) Hedge. A barrier greater than 18 inches tall consisting of natural or artificial vegetation.

(4) Fence Permit. No person shall erect a fence or plant a boundary hedge in the Village unless the owner or his agent first obtains a permit from the building Inspector. Upon application for the permit, a fee will be charged at a rate of Ten Dollars (\$10.00) per first one hundred (100) feet of fence or hedge and an additional Five Dollars (\$5.00) for every one hundred (100) feet. The Building Inspector has the right to waive the enforcement of this Ordinance at his or her discretion in case of decorative fencing, hedges, or barriers.

(5) Property Boundary Determinations. Fences and hedges shall be erected on owner's property and responsibility for establishing the property line shall rest with the property owner erecting the fence or planting the hedge or upon mutual agreement with the adjoining property owner.

(6) Construction and Maintenance. Every fence shall be constructed and shall be maintained and repaired. No fence or hedge shall be allowed to deteriorate into an unsightly or hazardous condition. The finished side of the fence shall be faced to the outside of the property lines.

(7) Prohibited Construction Materials. The use of barbed wire, electric wire, or double or triple strand wire shall not be used in the construction of a fence, except as specifically allowed under the appropriate provisions of this Section. Wooden and plastic snow fence may not be used except as a temporary fence between November 1 and April 1.

(8) Nonconforming Fences and Hedges. All fences and hedges which exist on the enacted date of this ordinance November 4, 2002 and do not conform to this division may be maintained; however, no alteration, modification or improvement of such nonconforming fence or hedge shall be permitted unless said conforming fence has been destroyed by an act of God or by the criminal acts of another person.

(9) Residential Fences and Hedges. Fences and hedges in a residential district shall conform to the following conditions:

- (a) All side yard fences shall not exceed six (6) feet in height;
- (b) All rear yard fences shall not exceed eight (8) feet in height;
- (c) No front yard fences will be permitted;

(d) For a property at the intersection of multiple streets, the front yard shall be defined as the side of the house that the address corresponds to. On these properties, ALL FENCES must be at least three (3) feet from any and all sidewalks, curbs, or other features marking the edge of the roadway or public right of way.

(10) Business and Thoroughfare Commercial Fences and Hedges. In a business of thoroughfare commercial zone, a fence consisting of chain links without barbed wire shall be allowed in the rear of the yard, front yard and side yards; however, the fence shall not exceed eight (8) feet in height. Any fence constructed of other materials shall abide by the regulations of residential fences and hedges.

(11) Industrial Fences. In an industrial zone, a chain link fence not exceeding eight (8) feet in height with two (2) barbed wires tilting into the inside of the property will be permitted in the rear yard, front yard and side yards. The fencing material requirements and fencing/Hedge requirements of the other zoned areas shall also be permitted in the industrial zone.

(12) Public Zone Fences. In a public zone, a chain link fence not exceeding eight (8) feet will be permitted. Any fence or hedge constructed of other materials shall comply with site plan approval of the Plan Commission or Zoning Committee (whichever is in effect at the time).

(13) Rural Development Zone Fences. In a rural development zone barbed wire, electric wire of double, or triple strand wire shall be allowed for agricultural and farming purposes. Residential, business, thoroughfare commercial and industrial uses shall meet the requirements of the respective zoning, district when built in a rural development zone.

(14) Appeals. Upon appeal to the Zoning Board of Appeals, an aggrieved property owner can receive a variance to the terms of this Section in order to avoid unreasonable or impractical application of the strict interpretation of the law due to unique characteristics of the site.

(15) Special Exception; Property Owner Agreement. Upon written agreement between the property owner who erects the fence or hedge and the property owner who immediately abuts the fence or hedge a special exception to the terms of this Section is granted provided that such exception does not allow the dimensional requirements of this Section be exceeded by more than twenty (20%). The property owner erecting the fence or hedge shall file the agreement with the Building Inspector and shall record the agreement with the Iowa County Register of Deeds in order to provide constructive notice to future owners of the properties. The special agreement between property owners shall not supersede any existing or future requirements or prohibitions mandated by the Village due to the concern for public health, safety, and morals.