

Title 7 – Chapter 9

Licensees to Pay Local Claims; Appellate Procedures

- 7-9-1 Licensees Required to Pay Local Taxes, Assessments and Claims; Appellate Procedures
- 7-9-2 Duty of Clerk with Regard to Licenses

Sec. 7-9-1 Licensees Required to Pay Local Taxes, Assessments and Claims.

- (a) **Payment of Claims.** The Town shall not issue or renew any license to transact any business within the Town of Oshkosh:
 - (1) For any purposes for which taxes, assessments or other claims of the Town are delinquent and unpaid.
 - (2) For any person who is delinquent in payment:
 - (a) Of any taxes, assessments or other claims owed the Town; or
 - (b) Of any forfeiture resulting from a violation of any Town Ordinance.
- (b) **Exemption.** This Section shall apply to licenses issued pursuant to the provisions of Title 7 of this Code of Ordinances, except Chapters 1 and 5.
- (c) **Applicability.** An application for renewal of a license subject to this Chapter shall be denied pursuant to the provisions of Subsection (a) only following notice and opportunity for hearing as provided by Subsection (d) below.
- (d) **Hearings.** Prior to any denial of an application for renewal of a license, including denials pursuant to Subsection (a), the applicant shall be given notice and opportunity for a hearing as hereinafter provided:
 - (1) With respect to licenses renewable under Chapter 2 of Title 7 of this Code of Ordinances, notice and opportunity for hearing shall be as provided by §125.12, Wis. Stats., as amended from time to time, and Town ordinances.
 - (2) With respect to licenses other than those described in Subsection (a) herein, the Town Board or its assignee shall notify the applicant with an opportunity for hearing. The notice shall state the reasons for the intended action and shall establish a date, not less than three (3) days nor more than ten (10) days after the date of the notice on which the applicant shall appear before the Town Board. If the applicant shall fail to appear before the Board on the date indicated on the notice, the Board shall deny the application for renewal. If the applicant appears before the Board on the date indicated in the notice and denies that the reasons for nonrenewal exist, the Town Board shall conduct a hearing with respect to

the matter. At the hearing, both the Town and the applicant may produce witnesses, cross examine witnesses and be represented by counsel. The applicant shall, upon request, be provided a written transcript of the hearing at the applicant's expense. If the Town Board determines the applicant shall not be entitled to renewal pursuant to Subsection (a), the application for renewal shall be denied.

- (e) **Appeals.** Where an individual, business or corporation wishes to appeal the Town Clerk's decision not to issue a license or permit under this Title on grounds other than those specified in Subsections (a) through (d) above, the applicant may file a request in writing with the Town Clerk that the matter be referred to the Town Board. A public hearing shall be scheduled within fourteen (14) calendar days by the Town Board. All parties may be represented by counsel. The Board shall consider all relevant information and shall render a decision, which shall be binding.

Sec. 7-9-2 Duty of Clerk with Regard to Licenses.

The Town Clerk shall be charged with the administration of all ordinances relating to licenses unless otherwise provided by the Town Board.