

ORDINANCE NO. 222

AN ORDINANCE TO CREATE SUBSECTIONS 11.02 (5) (n) and (o) OF THE VILLAGE OF OCONOMOWOC LAKE ORDINANCE 99, LICENSING AND PERMITS, REGARDING NON-USE OF LICENSE AND REVOCATION FOR FAILURE TO PAY FEE.

WHEREAS, the Village of Oconomowoc Lake has statutory and village ordinance authority to issue intoxicating liquor and fermented beverages licenses for premises located within the Village of Oconomowoc Lake; and

WHEREAS the Village of Oconomowoc Lake is restricted in its ability to issue such licenses by state quotas which limit the number of licenses that can be issued; and

WHEREAS, the Village Board for the Village of Oconomowoc Lake finds that it is necessary and advisable to insure that premises which receive intoxicating liquor and/or fermented malt beverage licenses from the Village actually make use of those licenses, and pay the fees that apply to such licenses.

NOW, THEREFORE, the Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, DO ORDAIN AS FOLLOWS:

SECTION 1: Village of Oconomowoc Lake Ordinance No. 99 entitled "Licensing and Permits", adopted on or about February 18, 1985, Section 11.02 entitled "Intoxicating Liquor and Fermented Malt Beverages", Subsection (5) entitled "License Restrictions", Subsection (n) entitled "Non-Use of License" is hereby created as follows:

(n) Non-Use of License. If a license or permit issued under this ordinance is not used within sixty (60) days after its issuance, or its usage is discontinued for a period of sixty (60) days or more, such non-use shall be grounds for denial, suspension, revocation or non-renewal of the license or permit in accordance with the provisions of this ordinance and the laws of Wisconsin".

SECTION 2: Village of Oconomowoc Lake Ordinance No. 99 entitled "Licensing and Permits", adopted on or about February 18, 1985, Section 11.02 entitled "Intoxicating

Liquor and Fermented Malt Beverages”, Subsection (5) entitled “License Restrictions”, Subsection (o) entitled “Revocation for Failure to Pay Fee” is hereby created as follows:

“(o) Revocation for Failure to Pay Fee. If the governing body of the municipality or other authorized person or entity approves the issuance of a license or permit under this ordinance and the required fee is not paid within (60) days after the date of approval, such failure to pay shall be grounds for denial, suspension, revocation, or non-renewal of the approval of the license or permit in accordance with the provisions of this ordinance and the laws of Wisconsin.”

SECTION 3: SEVERABILITY.

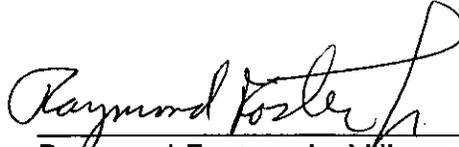
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

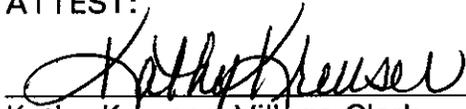
Dated this 18th day of October, 2004

VILLAGE OF OCONOMOWOC LAKE



Raymond Foster, Jr. Village President

ATTEST:



Kathy Kreuser, Village Clerk

Published and/or posted this 27th day of October, 2004.

