

CHAPTER 12
LICENSES AND PERMITS

12.01	License Fees	12-2
12.02	General Provisions as to Licenses	12-2
12.03	Alcohol Beverages	12-3
12.04	Direct Sellers	12-8
12.05	Dogs	12-12
12.06	Bicycles	12-13
12.07	Tattoo Establishments	12-13
12.08	Salvage Yards	12-16
12.09	Mobile Homes	12-18
12.10	Penalty	12-23

12.01 LICENSE FEES. Unless otherwise indicated, fees for licenses issued under this chapter shall be as listed on the schedule of fees in the office of the Village Clerk.

12.02 GENERAL PROVISIONS AS TO LICENSES. (Amended 04/24/02) (1) LICENSES OR PERMITS REQUIRED. No person shall engage in any trade, profession, business or privilege in the Village for which a license or permit is required by any provision of this Code without first obtaining such license or permit from the Village.

(2) APPLICATION. Application for a license or permit shall be made in writing to the Village Clerk upon forms provided by the Village, and applicant shall state the location of the proposed activity and such other facts as may be required for or be applicable to the granting of such a license or permit.

(3) PAYMENT OF FEE. The fees required for any license or permit shall be paid at the office of the Village Clerk before the granting of the license or permit. No fee paid shall be refunded unless the license or permit is denied. Processing fees are not refundable.

(4) BOND AND INSURANCE. All required bonds shall be executed by two (2) sureties or a surety company and be subject to the approval of the Village Board. Where policies of insurance are required, such policies shall be approved as to substance and form by the Village Attorney. Satisfactory evidence of coverage by bond or insurance shall be filed with the Village before the license or permit is issued.

(5) APPROVAL OR DENIAL OF LICENSES (Amended 07/10/02). Where approval of any Village or State officer is required prior to issuance of any license or permit, such approval shall be presented to the Village before any license or permit is issued.

(a) The Village may withhold approval of any license or permit which may be issued under Chapters 9.11, 12.03, 12.07, and 12.08 of this Code if the applicant or proposed licensee has delinquent real estate taxes, personal property taxes, special assessments, fines, forfeitures or other fees.

(6) CERTIFICATE. License or permit certificates shall show the name of the licensee or permittee, date of issue, activity licensed and term of the license or permit and shall be signed in the name of the Village by the President and Village Clerk and be impressed with the Village Seal. The Clerk shall keep a record of all licenses and permits issued.

(7) TERMS. (a) Unless otherwise provided, the license year shall end on June 30 of each year.

(b) Where the issuance of licenses for a period of less than one (1) year is permitted, the effective date of such license shall commence with the date of issuance.

(c) Permits shall be issued for the term set forth in the permit.

(8) EXHIBITION OF CERTIFICATE. Every licensee or permittee shall carry his license or permit certificate upon his person at all times when engaged in the activity for which the license or permit was granted, except that where such activity is conducted at a fixed place or establishment, the license or permit certificate shall be exhibited at all times in some conspicuous place in his place of business. The licensee or permittee shall exhibit the license certificate when applying for a renewal and upon demand of any police officer or person representing the issuing authority.

(9) TRANSFER. Unless otherwise provided, no license or permit shall be transferable or assignable.

(10) DETERMINATIONS OF THE VILLAGE BOARD. All determinations made by the Village Board shall be subject to the provisions of Ch. 68, Wis. Stats.

(11) INSPECTION. Village officials may enter upon the premises where any licensed or permitted activity is being conducted for the purpose of inspection at any reasonable time.

(12) REVOCATION AND SUSPENSION OF LICENSES (Repealed and Recreated 04/08/98). Except as otherwise provided, any license issued under this chapter may be revoked or suspended for cause by the Village Board utilizing the following procedure:

(a) No license shall be revoked or suspended except after receipt of a written complaint which alleges that the licensee has violated, or has permitted others to violate, one or more conditions of said license. Such complaint may be filed with the Village Clerk by any member of the Village Board, any officer of the Village, or any party aggrieved by the alleged actions of the licensee.

(b) Upon receipt of such complaint, the Village Board shall cause an appropriate officer of the Village to conduct an investigation to determine the validity of the complaint. The investigating officer shall file a report of his findings with the Village Clerk within 30 days from being assigned the investigation, unless the Village Board specifically provides for a longer investigation period.

(c) Upon review of the investigating officer's report, the Village Board shall determine if the complaint constitutes sufficient grounds for revocation or suspension of the license. If so, the Village Board shall prepare a list of charges. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the Village Board. The licensee shall be given notice of such hearing, which shall be held not more than twenty (20) nor less than five (5) days after notice, unless otherwise agreed between the parties.

(d) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the President or presiding officer of the Board to compel the attendance of witnesses. The licensee shall be responsible for his or her own legal expenses, expenses of witnesses called to testify by licensee, and any other expenses as may be incurred by licensee in preparation for or appearance at the hearing.

(e) After hearing the evidence, the Board may act to dismiss the charges, revoke the license or impose a limited period of suspension. The determination of the Board shall be final, subject to review under Ch. 68, Wis. Stats.

(f) The holder of any license suspended or revoked shall immediately surrender said license to the Clerk.

12.03 ALCOHOL BEVERAGES. (1) STATE STATUTES ADOPTED. The provisions of Ch. 125, Wis. Stats., defining and regulating the sale, procurement, dispensing and transfer of alcohol beverages, including provisions relating to persons under the legal drinking age, 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. Except as provided by §125.06, Wis. Stats., no person shall, within the Village, serve, sell, manufacture, rectify, brew or engage in any other activity for which this chapter or Ch. 125, Wis. Stats., requires a license, permit or other authorization without holding the appropriate license, permit or other authorization as provided in this chapter. See §125.04(1), Wis. Stats.

(b) Separate License Required for Each Place of Sale. Except for licensed public warehouses, a license shall be required for each location or premises where alcohol beverages are stored, sold or offered for sale. See §125.04(9), Wis. Stats.

(3) CLASSES OF LICENSES AND FEES (Amended 04/08/98). The following classes and denominations of licenses may be issued by the Village Clerk under the authority of the Village Board upon compliance with law and payment of the fee specified by resolution of the Village Board, which when so issued shall permit the holder to sell, deal or traffic in alcohol beverages as provided in the referenced State Statute. 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 Beverage Retailer's License. See §125.25, Wis. Stats.

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

(b) Class “B” Fermented Malt Beverage Retailer's License. See §125.26, Wis. Stats.

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

2. Six Months. A Class "B" license may be issued at any time for six (6) months in any calendar year, for 50% of the applicable license fee. Such license shall not be renewable during the calendar year in which issued. See §125.26(5), Wis. Stats.

3. Temporary Class “B” License. See §125.26(6), Wis. Stats.

(c) Wholesaler's Fermented Malt Beverage License. See §125.28, Wis. Stats.

(d) Retail “Class A” Liquor License. See §125.51(2), Wis. Stats.

1. A license may be issued after July 1 in any license year which shall expire on the following June 30. The fee for the license shall be prorated according to the number of months or fractions of months remaining until the following June 30. See §125.51(9)(a), Wis. Stats.

2. Licenses valid for six (6) months may be issued 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. See §125.51(9)(b), Wis. Stats.

(e) Retail “Class B” Liquor License. A retail “Class B” liquor license shall permit its holder to sell liquor in original packages or containers in multiples not to exceed four (4) liters at any one time to be consumed off the licensed premises. See §125.51(3)(b), Wis. Stats.

1. A license may be issued after July 1 in any license year which shall expire on the following June 30. The fee for the license shall be prorated according to the number of months or fractions of months remaining until the following June 30. See §125.51(9)(a), Wis. Stats.

2. Licenses valid for six (6) months may be issued 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. See §125.51(9)(b), Wis. Stats.

(f) Operator's License. See §125.17, Wis. Stats.

(g) Provisional Operator's License. See § 125.17(5), Wis. Stats. (Created 12-14-11)

1. Any person who has applied for an operator's license, is otherwise qualified to hold a license under this chapter, and who is enrolled in a training course required under Wis. Stats § 125.17(6). Enrolled, for the purposes of this subsection shall mean having paid all fees for a course which is in progress or is to commence within 60 days of the issuance of such license. Such license shall be valid for 60 days from date of issue. The license shall be void if, during such 60-day period, the licensee receives a failing grade for the required training course.

2. Any person who has applied for an operator's license, including payment of the required fee, who files a certified copy of a valid operator's license issued by another municipality. Such provisional license expires 60 days after issuance, when the operator's license applied for is issued, or upon expiration of the operator's license issued by another municipality, whichever occurs first.

3. The Village Clerk may revoke the provisional operator's license if they discover that the holder of the provisional license made a false statement on the application, or if the Clerk determines that the operator's license issued by another municipality and filed under (b) above is not valid, or upon denial of the person's application for an operator's license.

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

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

3. All Operators' licenses issued shall expire on June 30 of each even numbered year.

(4) LICENSE APPLICATION. (a) 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 the Wisconsin Department of Revenue and filed with the Village Clerk at least 15 days prior to issuance. 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.

(b) Application to be Notarized. The application shall be signed and sworn to by the applicant as provided by §887.01, Wis. Stats.

(c) Publication. Prior to issuance of a license under this section, the Village Clerk shall publish notice of the application in the official Village newspaper.

(d) List of Licensees. By July 15 of each year, the Clerk shall forward to the State Department of Revenue a list containing the name, address and trade name of each person holding a license issued under this section, except a Temporary Class "B" or operator's license.

(5) LICENSE RESTRICTIONS. (a) Statutory Requirements. Licenses shall be issued only to persons eligible therefor under §125.04, Wis. Stats.

(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' 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 of such school, church or hospital to the main entrance to the premises covered by the license.

2. This 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' thereof by any school, hospital or church building.

(c) Violators of Liquor or Beer Laws or Ordinances. No retail "Class A" or "Class 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 or whose license has been revoked under §125.12, Wis. Stats., during one (1) 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 (1) year.

(d) 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.

(e) 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 §125.51(4), Wis. Stats.

(f) Corporations. No corporation organized under the laws of this State, any other state or foreign country may be issued any alcohol beverage license or permit unless such corporation meets the requirements of §125.04(6), Wis. Stats.

(g) Age Requirement. No license hereunder, except an operator's license, shall be granted to any person who has not attained the legal drinking age. Operator's licenses may be issued only to applicants who have attained the age of 18.

(h) Effect of Revocation of License. Twelve months shall elapse before another license shall be granted to the person whose license was revoked.

(i) 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, including unpaid forfeiture judgments, to the Village.

(j) 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.

(k) Minimum Period of Operation. No "Class B" alcohol beverage license shall be issued or renewed for a business, which does not operate at least 104 days during the license year.

(l) Area for liquor sales on "Class A" (liquor) licensed premises. (Revised 3-28-07)
(Revised 4-25-12)

1. In the interest of limiting juvenile access to alcohol beverages at retail establishments, and in the interest of promoting effective, unhampered and efficient enforcement of such provisions as they relate to juveniles, no "Class A" (liquor) license shall be granted for any premises where the principal business conducted thereon is other than the sale of alcohol beverages, unless the establishment has: a separate area with the ability to lock that portion of the premises during the non-sale hours; 24 hour surveillance camera, with the recordings available to law enforcement at their request; and signage

informing minors that they “must be 21” to purchase alcohol. Wine and fermented malt beverages, as defined in Wis. Stats. 125.02, may be sold in unsecured areas of the licensed premises.

2. Complementary Goods. Those items such as ice mixes and snack foods generally used in or associated with the consumption of alcohol beverages. Such items shall not be considered complementary goods if the sale of goods other than alcohol beverages constitutes more than 30% of the gross income of the licensed premises.

3. Burden of Proof. If a question arises as to the business being conducted on a premises or the sale of complementary goods the burden of proof shall be on the applicant. A violation of this provision is grounds for revocation or non-renewal of a liquor license privilege under this chapter.

4. Inspection. 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 peace officer or other authorized officer of the Village without any warrant and the application for a license hereunder shall be deemed a consent to this provision. Any refusal to permit such inspection shall be deemed a violation of this section and shall subject the applicant to possible revocation pursuant to Chapter 125.12 Wisconsin Statutes. Any time a person is on the premises shall be considered a reasonable hour.

5. Provision. The provision of this section shall not apply to any “Class A” Intoxicating Liquor license issued prior to the enactment of this ordinance, provided that the holder of such license continues to renew said license annually.

(6) 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 30 thereafter except as otherwise provided by law. The Village Clerk shall affix his affidavit as required by §125.04(4), Wis. Stats.

(7) TRANSFER OF LICENSES. (a) As to Person. No license shall be transferable as to licensee except as provided by §125.04(12), Wis. Stats.

(b) As to Place. Licenses issued pursuant to this section may be transferred to another premises once during any license year as provided in §125.04(12), Wis. Stats. 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. The fee for such transfer shall be \$10.

(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 §125.04(10), Wis. Stats. 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.

(9) REGULATION OF LICENSED PREMISES AND LICENSEES. (a) 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 (except as provided by State law) shall be allowed at any time on any such premises.

(b) Employment of Underage Person. No licensee shall employ any underage person who does not have a valid operator's license to serve, sell, dispense or give away any alcohol beverage.

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

(d) 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.

(10) CLOSING HOURS. 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 p.m. and 8 a.m., except on Saturday when the closing hour shall be 9 p.m.

(b) If a retail Class "A" license, between midnight and 8 a.m.

(c) If a retail "Class A" license, between 9 p.m. and 8 a.m.

(d) For any Class B license, between 2 a.m. and 6 a.m. on weekdays and between 2:30 a.m. and 6 a.m. on Saturdays and Sundays. No package, container or bottle sales may be made after midnight. On January 1, premises operating under a Class B license are not required to close.

(e) Hotels and restaurants, the principal business of which is the furnishing of food or lodging to patrons, bowling alleys, indoor horseshoe pitching facilities, curling clubs, golf courses and golf clubhouses may remain open for the conduct of their regular business but no intoxicating liquors or fermented malt beverages shall be sold during prohibited hours.

(11) 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 §125.12, Wis. Stats., and the provisions therein relating to granting a new license shall likewise be applicable.

(b) Effect of Revocation. See par. (5)(h) of this section.

(12) NONRENEWAL OF LICENSES. 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.

(13) 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.

12.04 DIRECT SELLERS. (1) REGISTRATION REQUIRED. No direct seller shall engage in direct sales within the Village without being registered for that purpose as provided herein.

(2) DEFINITIONS. For the purposes of this section, the following words and phrases shall be defined as:

Charitable Organization. Includes any benevolent, philanthropic, patriotic or eleemosynary person, partnership, association or corporation, or one purporting to be such.

Clerk. The Village Clerk.

Direct Seller. Any individual who, for himself or for a partnership, association or corporation, sells goods or takes sales orders for the later delivery of goods at any location other than the permanent business place or residence of such individual, partnership, association or corporation and shall include, but not be limited to, peddlers, solicitors and transient merchants. The sale of goods includes donations required by the direct seller for the retention of goods by a donor or prospective customer.

Permanent Merchant. A direct seller who, for at least one (1) year prior to the consideration of the application of this section to such merchant, has continuously operated an established place of business in the Village, or has continuously resided in the Village and now does business from his residence.

Goods. Includes personal property of any kind and shall include goods provided incidental to services offered or sold.

(3) EXEMPTIONS. The following shall be exempt from all provisions of this section:

(a) Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes.

(b) Any person selling goods at wholesale to dealers in such goods.

(c) Any person selling agricultural products which such person has grown.

(d) Any permanent merchant or employee thereof who takes orders away from the established place of business for goods regularly offered for sale by such merchant within this county and who delivers such goods in their regular course of business.

(e) Any person who has an established place of business where the goods being sold are offered for sale on a regular basis, and in which the buyer has initiated contact with and specifically requested a home visit by such person.

(f) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer.

(g) Any person selling or offering for sale a service unconnected with the sale or offering for sale of goods.

(h) Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law.

(i) Any employee, officer or agent of a charitable organization who engages in direct sales for or on behalf of such organization, provided that there is submitted to the Clerk proof that such charitable organization is registered under §440.41, Wis. Stats. Any charitable organization not registered under §440.41, Wis. Stats., or which is exempt from that statute's registration requirements, shall be required to register under this section.

(j) Any person who claims to be a permanent merchant, but against whom the complaint has been made to the Clerk that the person is a transient merchant; provided that there is submitted to the Clerk proof that the person has leased for at least one (1) year, or purchased, the premises from which he is conducting business, or proof that the person has conducted the business in the Village for at least one (1) year prior to the date complaint was made.

(4) REGISTRATION. (a) Applicants for registration shall complete and return to the Clerk a registration form furnished by the Clerk which shall require the following information:

1. Name, permanent address and telephone number and temporary address, if any.
2. Age, height, weight, color of hair and eyes.

3. Name, address and telephone number of the person, firm, association or corporation that the direct seller represents, is employed by or whose merchandise is being sold.

4. Temporary address and telephone number from which business shall be conducted, if any.

5. Nature of business to be conducted and a brief description of the goods offered and any services offered.

6. Proposed method of delivery of goods, if applicable.

7. Make, model and license number of any vehicle to be used by applicant in the conduct of his business.

8. Last cities, villages, Villages, not to exceed three (3), where applicant conducted similar business.

9. Place where applicant can be contacted for at least seven (7) days after leaving the Village.

10. Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's direct seller's business within the last five (5) years; the nature of the offense and the place of conviction.

(b) Applicants shall present to the Clerk for examination:

1. A driver's license or some other proof of identity as may be reasonably required.

2. A State certificate of examination and approval from the sealer of weights and measures where applicant's business requires use of weighing and measuring devices approved by State authorities.

3. A State health officer's certificate where applicant's business involves the handling of food or clothing and is required to be certified under State law. Such certificate shall state that applicant is apparently free from any contagious or infectious disease, dated not more than 90 days prior to the date the application for license is made.

(c) At the time the registration is returned, the fee required by §12.01 shall be paid to the Clerk to cover the cost of processing such registration, and the applicant shall sign a statement appointing the Clerk his agent to accept service of process in any civil action brought against the applicant arising out of any sale or service performed by the applicant in connection with the direct sales activities of the applicant, if the applicant cannot, after reasonable effort, be served personally. Upon payment of the fee and the signing of the statement, the Clerk shall register the applicant as a direct seller and date the entry. Such registration shall be valid for a period of one (1) year from the date of entry, subject to subsequent refusal as provided in sub. (5)(b) below.

(5) INVESTIGATION. (a) Upon receipt of each application, the Clerk shall complete an investigation of the statements made in such registration (Amended 04/08/98).

(b) The Clerk shall refuse to register the applicant if it is determined, pursuant to the investigation above, that the application contains any material omission or materially inaccurate statement; complaints of a material nature have been received against the applicant by authorities in the last cities, villages and Villages, not exceeding three (3), in which the applicant conducted similar

business; the applicant was convicted of a crime, statutory violation or ordinance violation within the last five (5) years, the nature of which is directly related to the applicant's fitness to engage in direct selling; or the applicant failed to comply with any applicable provision of sub. (4)(b) above.

(6) APPEAL. Any person denied registration may appeal the denial through the appeal procedure provided by Ch. 68, Wis. Stats.

(7) REGULATION OF DIRECT SELLERS. (a) Prohibited Practices. 1. A direct seller shall be prohibited from calling at any dwelling or other place between the hours of 9 p.m. and 9 a.m., except by appointment; calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning; calling at the rear door of any dwelling place or remaining on any premises after being asked to leave by the owner, occupant or other person having authority over such premises.

2. A direct seller shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or character of any goods offered for sale, the purpose of his visit, his identity or the identity of the organization he represents. A charitable organization direct seller shall specifically disclose what portion of the sale price of goods being offered shall actually be used for the charitable purpose for which the organization is soliciting. Such portion shall be expressed as a percentage of the sale price of the goods.

3. No direct seller shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.

4. No direct seller shall make any loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a 100' radius of the source.

5. No direct seller shall allow rubbish or litter to accumulate in or around the area in which he is conducting business.

(b) Disclosure Requirements. 1. After the initial greeting, and before any other statement is made to a prospective customer, a direct seller shall expressly disclose his name, the name of the company or organization he is affiliated with, if any, and the identity of goods or services he offers to sell.

2. If any sale of goods is made by a direct seller, or any sales order for the later delivery of goods is taken by the seller, the buyer shall have the right to cancel the transaction if it involves the extension of credit or is a cash transaction of more than \$25, in accordance with the procedure as set forth in §423.203, Wis. Stats., the seller shall give the buyer two (2) copies of a typed or printed notice of that fact. Such notice shall conform to the requirements of §423.203(1)(a), (b) and (c), (2) and (3), Wis. Stats.

3. If the direct seller takes a sales order for the later delivery of goods, he shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance, whether full, partial or no advance payment is made, the name, address and telephone number of the seller, the delivery or performance date and whether a guarantee or warranty is provided and, if so, the terms thereof.

(8) RECORDS. Upon request, the Municipal Court shall report to the Clerk all convictions for violation of this section and the Clerk shall note any such violation on the record of the registrant convicted (Amended 04/08/98).

(9) REVOCATION OF REGISTRATION. Registration may be revoked by the Village Board after notice and hearing, if the registrant made any material omission or materially inaccurate statement in the application of registration, made any fraudulent, false, deceptive or misleading statement or

representation in the course of engaging in direct sales violated any provision of this section or was convicted of any crime or ordinance or statutory violation which is directly related to the registrant's fitness to engage in indirect selling.

12.05 DOGS. (Amended 4/13/11). (1) LICENSE REQUIRED. No person shall own, harbor or keep any dog more than six (6) months of age without complying with the provisions of §174.05, Wis. Stats. relating to the listing, licensing and tagging of same, excepting only dogs owned by persons whose stay is temporary while vacationing.

(2) DEFINITIONS. At Large. To be off the premises of the owner and not under the control of some person, either by leash or otherwise, but a dog within an automobile of any person with the consent of the dog's owner shall be deemed to be on the owner's premises.

Kennel. Means any establishment where dogs are kept for breeding, sales or sporting purposes.

Owner. Any person owning, harboring or keeping a dog and the occupant of any premises on which a dog remains on to which it customarily returns daily for a period of ten (10) days is presumed to be harboring or keeping the dog.

(3) RESTRICTIONS ON KEEPING DOGS. No person shall own, harbor or keep any dog which:

(a) Habitually pursues any vehicle upon a public road or highway in the Village.

(b) Assaults or attacks any person.

(c) Is at large within the limits of the Village.

(d) Habitually barks or howls to the annoyance of any person or persons.

(e) Kills, wounds or worries any animal.

(f) Is known by such person to be infected with rabies or to have been bitten by any animal known to have been infected with rabies.

(4) IMPOUNDING OF ANIMALS. The Village's designated animal control agent, any authorized employee of the Village, or any County or Village law enforcement officer, may apprehend and impound any dog within the classification of sub. (3) (Amended 04/08/98).

(5) REDEEMING IMPOUNDED ANIMAL. The possession of any dog impounded pursuant to the provisions of this section may be obtained by paying to the Village's designated animal control agent all fees charged by same for the capture, transport, impoundment and care of the dog. In the case that additional charges related to the capture, transport, impoundment and care of the dog are incurred by and paid for by the Village, the Village shall bill these charges to the owner of the animal (Amended 04/08/98).

(2) DEFINITIONS. At Large. To be off the premises of the owner and not under the control of some person, either by leash or otherwise, but a dog within an automobile of any person with the consent of the dog's owner shall be deemed to be on the owner's premises.

Owner. Any person owning, harboring or keeping a dog and the occupant of any premises on which a dog remains on to which it customarily returns daily for a period of ten (10) days is presumed to

be harboring or keeping the dog.

(3) RESTRICTIONS ON KEEPING DOGS. No person shall own, harbor or keep any dog which:

(a) Habitually pursues any vehicle upon a public road or highway in the Village.

(b) Assaults or attacks any person.

(c) Is at large within the limits of the Village.

(d) Habitually barks or howls to the annoyance of any person or persons.

(e) Kills, wounds or worries any animal.

(f) Is known by such person to be infected with rabies or to have been bitten by any animal known to have been infected with rabies.

(4) IMPOUNDING OF ANIMALS. The Village's designated animal control agent, any authorized employee of the Village, or any County or Village law enforcement officer, may apprehend and impound any dog within the classification of sub. (3) (Amended 04/08/98).

(5) REDEEMING IMPOUNDED ANIMAL. The possession of any dog impounded pursuant to the provisions of this section may be obtained by paying to the Village's designated animal control agent all fees charged by same for the capture, transport, impoundment and care of the dog. In the case that additional charges related to the capture, transport, impoundment and care of the dog are incurred by and paid for by the Village, the Village shall bill these charges to the owner of the animal (Amended 04/08/98).

12.06 BICYCLES. See §7.05 of this Code of Ordinances.

12.07 TATTOO ESTABLISHMENTS. (Created 11/23/93) (1) LICENSE REQUIRED. (a) License Required. No person shall engage in the business of tattooing in the Village of Bellevue without a license.

(b) Fee. The license fee required is \$250.

(c) Application Investigation. The application for license shall be given to the Zoning Administrator. The Village Clerk shall issue the license on approval of the Health Commissioner, after an investigation and inspection of the premises where tattooing is proposed to be practiced, certifying that the sanitary conditions prevailing upon the premises comply with the provisions of this chapter.

(d) Display. The license issued shall be posted at all times on the licensed premises in a conspicuous location.

(2) DEFINITIONS. (a) Health Commissioner shall mean any person retained or designated by the Village Board to provide advice or assistance to the Village in implementing the provisions of this ordinance (Amended 04/08/98).

(b) Tattooing shall mean and include any method of placing or removing designs, letters, scrolls, figures, symbols, or any other marks upon or under the skin of a person with ink or color by the aid of needles or instruments.

(c) Approved means acceptable to the Health Department based upon its determination of conformance to good public health practices.

(d) Sterilize means submission to the steam pressure (autoclave) method with at least 15 pounds of pressure per square inch at 250° Fahrenheit for at least 30 minutes.

(3) HEALTH AND SANITARY REQUIREMENTS. (a) Premises. 1. All tattooing establishments shall be maintained in a clean and sanitary condition. Antiseptic procedures shall be followed to insure physical cleanliness and sanitation.

2. The Health Commissioner shall have the right under §§12.02, 12.08(5), Village of Bellevue Municipal Code, to inspect any tattoo shop licensed under the provisions of this article for the purpose of determining whether or not any of the terms of this article are being violated.

3. A handwashing facility supplied with hot and cold water under pressure, soap, and single service towels shall be located in the room in which the tattoo is administered.

4. Approved waste containers with non-absorbent plastic liners shall be used for all tissues, towels, gauze pads, and other similar items used on the customer.

5. No person shall be present in the immediate vicinity of the area in which tattoos are administered unless authorized by the tattoo operator to be there.

(b) Equipment. 1. General. a. All tattoo establishments shall be equipped with an autoclave which is in good working order and which is manufactured with temperature and pressure gauges marked and visible on the outside of the unit.

b. All pigments, dyes, and instruments used in the practice of tattooing shall be sterilized before use.

c. Needles shall be used on only one customer and then discarded after use.

d. Needles may be reused on the same person by rinsing them under running tap water followed by rinsing them in 70% isopropyl alcohol or other method approved by the Health Commissioner.

e. All instruments shall be thoroughly cleaned before being sterilized. This may be done with an ultrasonic cleaner or with a probe, needles, or brush able to enter the smallest opening of the instrument. After cleaning, instruments shall be rinsed under fresh running tap water.

f. After sterilization, all needles and other instruments not individually wrapped shall be stored in a sterilized and covered glass container or in a stainless steel tray and submerged in an approved sterilizing and disinfecting solution. The Health Commissioner shall supply all establishments licensed under this ordinance with a list of approved sterilizing and disinfecting solutions.

g. Equipment or instruments requiring sterilization may be wrapped with an approved paper or plastic or placed in glass or plastic tubes. All such packages or containers shall be marked with temperature recording tape or labels and dated with the date of sterilization.

2. Stencils. a. Plastic stencils shall be thoroughly cleaned after each use and sanitized by immersion for ten (10) minutes in a chlorine disinfectant solution prepared by mixing one (1) tablespoon of household bleach containing 5% chlorine with one (1) pint of water. A fresh solution of chlorine must be prepared for each stencil. After sanitizing, the stencils shall be rinsed in running tap water and air-dried or blotted dry with a clean, single service towel. Prior to use, each pre-cleaned stencil shall be rinsed in a 70% isopropyl alcohol solution.

b. Paper stencils shall only be used once. New paper stencils shall be used for every

individual.

3. Dyes and Inks. a. The licensee shall submit in writing to the Health Commissioner the source of all dyes and inks used in administering tattoos.

b. Dyes or inks shall be taken only from squeeze bottle containers in which the dyes or inks have been sterilized.

c. Immediately before applying a tattoo, the dye to be used for the tattoo shall be squeezed from the sterile dye bottles into sterile disposable cups. Upon the completion of the tattoo, the cups and unused dye shall be discarded. Any dye in which the needles were dipped shall not be used on another person.

(c) Skin Preparation. 1. Aseptic technique must be utilized in the practice of tattooing.

a. Each operator is required to scrub his or her hands thoroughly before commencing tattooing on the customer's skin.

b. If the customer's skin is to be shaved, the skin shall be washed with a cleansing, medicated soap before shaving. A safety razor shall be used. A new blade shall be used for each customer. The blade shall be discarded after each use. Reusable blade holders shall be sterilized after each use. If disposable blade holders are used, they may be used on one (1) customer only and then must be discarded.

c. The skin area to be tattooed shall be prepared by thoroughly washing the area with 70% isopropyl alcohol or other method approved by the Health Commissioner.

d. Single use gauze pads, cloths and towels shall be used in the skin cleaning and preparation process.

e. Petroleum jelly used for applying stencils shall be dispensed from a single use disposable container or with a sterile tongue blade or sterile applicator stick which shall be discarded after each use.

2. After completing work on any person, the tattooed area shall be washed with 70% isopropyl alcohol. A dry, sterile gauze dressing shall be used to cover the tattooed area. Use of medicated ointment on the tattooed area is permitted.

(d) General Supplies. 1. All tattooing establishments shall have clean, laundered towels, washcloths, and disposable paper towels in sufficient quantity for the sanitary operation of the practice of tattooing.

2. A clean towel and washcloth shall be used for each customer.

3. Clean towels and washcloths shall be stored in a closed, dust-proof container.

4. Soiled towels and washcloths shall be stored in an approved covered container.

5. All operators shall wear clean, washable garments.

6. The operating table, chair, and supply tables shall be constructed of a material capable of being easily and thoroughly cleaned.

(e) Operator Requirements. 1. The operator shall be free of communicable diseases that may be transmitted by the practice of tattooing;

2. Operators with open sores or skin infections on the hand or hands shall not be permitted to engage in the practice of tattooing;

3. The operator shall not use tobacco in any form while administering the tattoo;

4. The operator shall wash his/her hands thoroughly with soap and water before any skin preparation or tattooing; the hands shall be dried with individual single service towels;

5. Physical examination of operators:

a. The Health Commissioner shall have the power to require any tattooer to submit to a practicing physician for a physical examination whenever the tattooer is suspected of having any infectious or contagious disease that may be transmitted by the practice of tattooing. The expense of the physical examination shall be paid by the tattooer.

b. Any tattooer notified to appear for a physical examination, as may be required by the preceding subsection, shall immediately cease working as a tattooer and shall not be allowed to work thereafter as a tattooer until he or she shall have first received a certification in writing from a practicing physician that he or she is not inflicted with any infectious or contagious condition or disease that may be transmitted by the practice of tattooing.

(f) Customers. 1. It shall be unlawful for any person to tattoo any person under the age of 18 years.

2. Inquiry shall be made and no tattooing shall be performed on any person who is suspected of having jaundice or hepatitis or who has recovered from jaundice or hepatitis within the preceding six (6) months.

3. Tattooing shall not be performed on any person in an area with an evident skin infection or other skin disease or condition, including but not limited to rashes, pimples, boils, or infections.

(4) OTHER PROVISIONS. (a) Record Retention. Records shall be kept of all tattoos administered, including the name of customer, date, time, identification of tattoo, and operator's name. Records shall be kept on the premises of the tattoo shop where tattoos are administered. These records shall be available for inspection for a period of six (6) months after the date the tattoo is applied.

(b) Penalties. Any person found to have violated any provision of this section shall be subject to a fine of not less than \$50 and not more than \$500.

(c) Severability. If any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court, such decision shall not affect the validity of the remaining portions of this section.

12.08 SALVAGE YARDS (Created 12/15/82). (1) PERMIT. No person, firm, partnership, or corporation shall engage in the business of maintaining or operating a junk (salvage) yard within the Village without a permit.

(2) DEFINITION. A junk (salvage) yard means an area, building, structure, yard, or place where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, recycled, disassembled or handled including, but not limited to: scarp iron and other metals, paper, rags, rubber tires, bottles, automobiles and used building materials.

(3) APPLICATION. Every applicant for a permit shall file with the Village Clerk on or before

December 1st of the permit year a written application upon the form prepared and provided by the Village and signed by the applicant. Such applicant shall state:

(a) The name and address of the applicant, type of business organization and names and addressees of partners or principal officers.

(b) The length of time such applicant, firm, partnership or corporation has resided in the Village, previous location of business or employment and whether convicted of a felony or misdemeanor and if so, what offense, when and in what court.

(c) Whether applicant has previously engaged in the business for which a permit is sought.

(d) A detailed description of the business to be conducted.

(e) The premises and legal description where such business is to be located to include site plan.

(4) **APPROVAL OF PERMIT AND FEES.** Permit applications under this ordinance shall be approved by the Village Board and signed by the Village President and the Clerk thereof. Such permit shall be issued only upon the payment of \$50.00 and a review of application, and inspection of the premises so as to comply with all laws, ordinances, rules and regulations of the Village, including specifically, but not by way of limitation, the proper health, fire, building and police authorities.

The permit as issued shall be valid for one (1) year commencing on the 1st day of January, and ending on the 31st day of December. Such permit shall be revocable at any time by the Board after a hearing at which it has been found that the permit holder has failed or refused to comply with the ordinances or restrictions providing regulations for the storage of materials as described in this ordinance, or upon the conviction of a felony or misdemeanor.

A hearing may be had by the Board upon the permit by its own motion or upon a complaint in writing duly signed and verified by a complaint. Such complaint shall state the nature of the alleged failure to comply with the ordinance or regulation or otherwise. A copy of the complaint, together with notice of the hearing, shall be served upon the permit holder not less than ten (10) days prior to the hearing.

(5) **FENCE ENCLOSURE.** No person, firm, partnership or corporation shall engage in the business of a junk (salvage) yard unless the area is completely enclosed by a wall, tightboard fence, or other fence enclosure impervious to sight, not less than eight (8) feet in and of uniform height and constructed of rigid, durable material. Such fence shall be built and maintained in a substantial manner and kept in good state or repair and painted or be of uniform color. Posting of signs, bulletins and posters on the fence shall be prohibited.

No waste or scrap materials may be stored, parked, kept, or otherwise processed outside of the fence enclosure.

(6) **SETBACK AND SIDEYARD.** (a) **Fence.** The fence shall be constructed with a minimum setback line located parallel to and distant 100 feet from the centerline of any U.S., Federal aid, State trunk, County trunk, or any other Highway or street.

(b) **Building.** Any building or structure shall be constructed with a minimum setback line located parallel to and distant 105 feet from the centerline of any U.S., Federal aid, State trunk, County trunk, or any other Highway or street.

(c) **Sideyard.** Any fence as required by this ordinance shall be built on the sideyard and

rearyard lot lines without setback.

(7) BURNING. It shall be unlawful for any person, firm, partnership or corporation to burn any materials in the junk (salvage) yard and specifically rubber tires, from or by any source within the Village of Bellevue.

12.09 MOBILE HOME PARK REGULATIONS (Created 09/19/59, Repealed and Recreated 03/19/69, Amended 04/22/70). (1) DEFINITIONS. The following definitions shall apply in the interpretation and the enforcement of this ordinance:

(a) MOBILE HOME. A mobile home shall mean any vehicle or structure intended for or capable of human habitation or designed primarily for sleeping purposes, mounted upon wheels, blocks or jacks and/or capable of being moved from place to place either by its own power or by power supplied by some vehicle used or to be used, excepting a device used exclusively upon stationary rails or tracks.

(b) UNIT. A unit shall mean one (1) mobile home.

(c) NON-DEPENDENT UNIT. A non-dependent unit shall mean a mobile home that has a bath or shower and toilet facilities.

(d) DEPENDENT UNIT. A dependent unit shall mean a mobile home, which does not have a bath or shower and toilet facilities.

(e) MOBILE HOME PARK. A mobile home park shall mean any park, court, camp, site, lot, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than two (2) mobile homes and shall include all facilities used or intended for use as part of the equipment thereof. "Mobile Home Park" shall not include automobile or mobile home sales lots on which unoccupied mobile homes are parked for purposes of inspection and sale.

(f) SPACE. A space shall mean a plot of ground in a mobile home park of not less than 3200 square feet of space designed for the location of only one (1) mobile home.

(g) PERSON. The word person shall be construed to include an individual, partnership, firm, company, corporation whether tenant, owner, lessee, licensee or other agent, heir or assign.

(h) PAD. A pad shall mean a concrete slab or its equivalent as determined by the Village Plumbing Inspector, constructed on the mobile home space for the purpose of accommodating water and sanitary connections for a mobile home.

(i) ACCESSORY BUILDING. An accessory building shall mean all structures constructed upon a mobile home space and used in conjunction with a mobile home. In no case shall a mobile home and its accessory structures occupy more than 36 percent of a space.

(2) LOCATION OUTSIDE PARK. (a) It shall be unlawful, except as provided in this ordinance, for any person to park any mobile home on any street, alley or highway or other public place or on any tract of land owned by any person, within the Village of Bellevue.

(b) Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than one (1) hour subject to any other and further prohibitions imposed by the traffic and parking regulations or ordinances for that street, alley or highway.

(c) No person shall park or occupy any trailer on any premises, which is situated outside an approved mobile home park except under special permit as provided in Section (3). Parking of only one

(1) unoccupied mobile home or travel trailer is permitted provided no living quarters shall be maintained or business practiced in said trailer while such trailer is so parked or stored. Said unit can be parked or stored:

1. within an accessory private garage building or in a rear yard during the entire year and/or
2. within the side yard setback area during the period between the dates of May 1 and the second Tuesday in September. A unit so parked may have the drawbar protrude into the front yard setback area.
3. within the front yard setback area for a maximum period of two (2) weeks during the period indicated in 2. above to permit preparation and cleaning of the unit.

(3) PERMIT FOR LOCATION OUTSIDE OF MOBILE HOME PARK. (a) Upon a showing of hardship and/or immediate necessity for use, the Village Building Inspector or Zoning Administrator may issue special written permits allowing the location of a mobile home outside of a mobile home park for a period not to exceed 60 days for any one (1) premises in any 12-month period. 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. Not more than one (1) trailer shall be granted a permit to locate on any one (1) premises outside a mobile home park.

(b) Application for the permit shall be made to the Village Board, Building Inspector or Zoning Administrator 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 the mobile home and towing vehicle, place of last stay, intended purpose of stay at requested location, whether the occupants are non-resident or tourists, whether any occupant is unemployed 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 owners and/or occupants 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 mobile home, and a statement of permission from the owner for their use.

(c) All occupied mobile homes not located in a mobile home park shall be subject to the monthly parking fee established in Section (5). Said fee shall be payable directly to the Village Treasurer.

(4) LICENSE FOR MOBILE HOME PARK: APPLICATION AND ISSUANCE. (a) No person shall establish, operate or maintain or permit to be established, operated or maintained upon any property owned, leased or controlled by him, a mobile home park within the limits of the Village of Bellevue without having first secured a license for each park from the Village Board pursuant to this chapter. Such license shall expire at the close of the calendar year issued, but may be renewed under the provisions of this chapter for additional periods of one (1) year.

(b) The application of such license or renewal thereof shall be approved by the Village Board. Before a license is issued, applicant shall pay an annual fee of \$100.00 for each 50 spaces or fraction thereof within each mobile home park within its limits.

(c) The application for a license or a renewal thereof shall be made on forms furnished by the Village Clerk and shall include the name and address of the owner in fee of the tract (if the fee is vested in some person other than the applicant, a duly verified statement by that person that the applicant is authorized by them to construct or maintain the mobile home park and make the application), and such

legal description of the premises upon which the mobile home park is or will be located as will readily identify and definitely locate the premises. All initial and renewal applications shall specify the total number of spaces provided in such mobile home park. The initial application for any existing, new or revised mobile home park shall be accompanied by five (5) copies of the park plan showing the following, either existing or as proposed:

1. The extent and area for park purposes.
2. Roadway and driveways.
3. Location and designation of dependent and independent mobile home spaces.
4. Location of service building indicating the number of sanitary conveniences including toilets, washrooms, laundries and utility rooms to be used by occupants of the mobile home park.
5. Complete layout of storm, sanitary, and water systems for service building and spaces.
6. Method and plan of garbage removal.
7. Plan for electrical lighting of spaces.
8. In no case shall a license be issued for a mobile home park where municipal sanitary facilities are not available.

(5) MONTHLY PARKING FEE. (a) There is hereby imposed on each occupied mobile home, occupying space or a lot in a mobile home park in the Village of Bellevue, a monthly parking permit fee, computed as follows: Beginning January 1, 1970, the Village Assessor shall determine the total fair market value of each occupied mobile home in the Village subject to the monthly parking permit fee. The fair market value, minus the tax-exempt household furnishings thus established, shall be equalized to the general level of assessment on other real and personal property in the district. The value of each occupied mobile home thus determined shall be multiplied by the tax rate established on the preceding May 1 assessment of general property. The parking permit fee shall first be reduced by the sales tax credit allowed under Sec. 77.63 of the Wisconsin Statutes. The total annual parking permit fee thus computed shall be divided by twelve and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to occupied mobile homes moving into the Village any time during the year. The park operator shall furnish information to the Village Clerk and the Village Assessor on occupied mobile homes added to the park within five (5) days after their arrival, on forms prescribed by the State Department of Revenue. As soon as the Assessor receives the notice of an addition of an occupied home to a park, he shall determine its fair market value and notify the Clerk of his determination. The Clerk shall equalize the fair market value established by the Assessor and shall apply the tax rate for that year, divide the annual parking permit fee thus determined by twelve, and notify the mobile home owner and the park operator of the monthly fee to be collected from the mobile home owner.

(b) Occupied mobile home monthly parking permit fees shall be subject to prorated amount for each 24-hour period if less than 15 days.

(c) A new fee rate and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under Chapter 70 of the Wisconsin Statutes. If the Board of Review reduces the valuation on which previous monthly payments have been made, the Village shall refund past excess fee payments.

(d) No monthly parking permit fee shall be imposed for any space occupied by a mobile home accompanied by an automobile, if the mobile home and the automobile bear license plates issued by any other than the State of Wisconsin, for an accumulating period not to exceed 60 days in any twelve

months, or if the occupants of the mobile home are non-resident tourists or vacationists. Exemption certificates in duplicate shall be accepted by the Treasurer of the Village from qualified non-resident tourists or vacationists in lieu of monthly mobile home permit fees. When one (1) or more persons occupying a mobile home are employed in this State, there shall be no exemption from the monthly parking permit fee.

(e) It shall be the full and complete responsibility of the park operator or licensee hereunder to collect the proper amount from each mobile home owner or occupant, and to account and pay to the Village Treasurer such parking permit fees on or before the 10th of the month following the month for which such fees are due.

(f) Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home and the park operator or licensee only for such month as the occupied mobile home remains in the Village.

(g) The park operator or licensee failing to pay the Village Treasurer such parking permit fees on or before the 10th of the month following the month on which such fees are due, shall be assessed a penalty of 5% of the amount of fees due.

(6) **COLLECTION OF DELINQUENT MONTHLY PARKING FEE.** (a) Failure to timely pay the fees hereunder shall be treated in all respects like a default in payment of personal property tax and shall be subject to all procedures and penalties applicable thereto under Chapters 70 and 74 of the Wisconsin Statutes.

(b) Any failure to comply with the reporting requirements of Section (5) of this Ordinance shall require a forfeiture of \$25 by the licensee or park operator. Each failure to report shall be regarded as a separate offense.

(7) **REVOCAION AND SUSPENSION.** The Village Board may suspend or revoke a license after a hearing is held pursuant to Section 66.058 (2)(d), Wisconsin Statutes 1961.

(8) **LOCATION OF MOBILE HOME PARKS.** An application for the construction of a mobile home park shall be considered only when its proposed location is within a district zoned to permit this type of use.

(9) **MOBILE HOME PARK PLAN.** (a) Mobile home spaces shall be clearly defined and shall consist of a minimum of 3200 square feet and a width of not less than 40 feet measured at right angles from the side lot line of each space. The park shall be arranged that all spaces shall face or abut on a roadway of not less than 30 feet in width, giving easy access from all spaces to a public street. Such roadways shall be paved with asphalt or concrete and maintained in good condition, provide for adequate storm water drainage, said drainage to be determined by the Village Engineer. The roadways shall be well lighted and shall not be obstructed.

(b) The park shall be so laid out that no dependent unit shall be further than 200 feet from the toilets and service building provided for herein and walkways to such buildings shall be paved and well lighted.

(c) Electrical service to mobile home spaces shall conform to the regulations set forth in Chapter E 391 of the Wisconsin State Electrical Code incorporated herein by reference as though in full set forth.

(d) All mobile homes within a mobile home park shall be parked within the designated spaces.

(e) For the protection of abutting property owners as well as mobile home owners, a 15 foot buffer strip shall be provided within all property lines of the site. Said buffer strip to be used for the planting of shrubbery and trees and shall be exclusive of the mobile home spaces. A decorative fence in accordance with the off-street parking ordinance may, if so desired, be substituted for the rear and interior 15-foot buffer strip.

(f) Each mobile home space shall provide a front and rear yard setback of ten (10) feet and a side yard setback of five (5) feet. The above setbacks shall be seeded and landscaped and in no case shall they be used for off-street parking or be occupied by a mobile home and/or its accessory buildings except for the following:

1. Structures for utility outlets and areas serving more than one (1) space may be located within the side or rear setback of the common lot line.

2. The hitch used for pulling the mobile home may protrude into the front yard setback.

(g) One (1) off-street parking stall shall be provided within each mobile home space, said stall to be in accordance with Section (9) (f) above.

(h) There shall be constructed on each mobile home space a concrete pad, or its equivalent, as determined by the Village Plumbing Inspector to be used for the accommodation of necessary water and sanitary connections as stipulated within the Village Plumbing Code.

(i) A minimum of 200 square feet per mobile home space, exclusive of the minimum herein provided for individual mobile home spaces and buffer strip as indicated in (5) and (6) above, shall be required for the express purpose of providing open space and recreational area for the residents of the mobile home park.

(j) In no case shall a mobile home and its accessory building occupy more than 36 percent of a space.

(10) SANITATION REGULATIONS. All mobile home parks shall conform to the sanitation and health regulations as set forth in Chapter H 77, State Board of Health Regulations published December 1961, together with revisions thereto incorporated herein by reference as though fully set forth.

(11) MANAGEMENT. (a) In every mobile home park there shall be located the office of the attendant or person in charge of said park. A copy of the park license and this ordinance shall be posted therein, and the park register shall at all times be kept in said office.

(b) It is hereby made the duty of the attendant or person in charge, together with the licenses to:

1. Keep a register of all occupants. to be open at all times to inspection by state, federal and local officers, which shall show for all occupants of the mobile home park:

a. Names and addresses.

b. Number and ages of all children.

c. Number of public elementary school children.

d. Number of public secondary school children.

e. State of legal residence.

- f. Dates of entrance and departure.
 - g. License numbers of all mobile homes and towing or other vehicles.
 - h. States issuing such licenses.
 - i. Purpose of stay in camp.
 - j. Place of last location and length of stay.
 - k. Place of employment of each occupant.
2. Maintain the park in a clean, orderly and sanitary condition at all times.
 3. Insure that the provisions of this ordinance are complied with and enforced and report promptly to the proper authorities any violations of this ordinance or any other violations of law which may come to his attention.
 4. Report to the health officer all cases of persons or animals affected or suspected of being affected with any communicable disease.
 5. Maintain in convenient places, adequate hand fire extinguishers.
 6. Collect the monthly parking permit fee provided for in Section (5) of this ordinance. A book shall be kept showing the names of persons paying said service charges and the amount paid.
 7. Submit with the total monthly parking permit fees payment to the Village Treasurer, a monthly report showing the names of persons paying said fees, and the amount paid if less than for a full month. The report to also indicate departure time for current tenants, and arrival time for new tenants - including departure time if occurring the same month.

(12) **APPLICABILITY OF PLUMBING, ELECTRICAL AND BUILDING ORDINANCES.** All plumbing, electrical, building and other work on or at any park licensed under this ordinance shall be in accordance with the ordinances of the Village of Bellevue, and the requirements of the state plumbing, electrical and building codes, and the regulations of the State Board of Health.

(13) **PENALTY.** Any person who shall violate any provision of this ordinance shall upon conviction thereof forfeit no less than \$10 nor more than \$100 together with the costs of prosecution and in default of payment thereof shall be imprisoned in the county jail if such forfeiture and costs are not paid but not to exceed 90 days. Each violation and each day of violations shall constitute a separate offense. This section shall not preclude the Village from maintaining any appropriate action to prevent or remove a violation of this ordinance.

(14) **VARIANCE.** (a) The requirements of Section (9), (a), (e), (f), (g), (h), (i), and (j) shall not apply to mobile home parks existing prior to the adoption of this ordinance. All provisions of this ordinance however, shall apply to additions of new mobile home parks.

(b) When in the judgment of the Plan Commission or Village Board a provision of this ordinance may not literally be applied due to an unusual hardship, such provision may be altered as long as the basic intent of control herein stated is retained.

(15) **EFFECTIVE DATE.** This ordinance shall take effect April 1, 1969.

12.10 PENALTY. Except as otherwise provided, in addition to the revocation, suspension or non-renewal of any license issued under this chapter, any person found to be in violation of any provision of this chapter shall be subject to a penalty as provided in §25.04 of this Code of Ordinances.