

AN ORDINANCE AMENDING ORDINANCE 2020-03,  
OPERATOR'S (BARTENDER'S) LICENSE

WHEREAS, Wisconsin Statute 125.17 (1) indicates the municipal governing body may by ordinance authorize a designated official to issue an operator's license

WHEREAS, The Town of Wescott Town Board feels it is advantageous to designate the Town Clerk as the Municipal Official to issue an operator's license prior to Town Board approval when certain criminal history criteria is met.

NOW THEREFORE, the Town Board of the Town of Wescott ordains as follows:

- 1) Amend section 170-03 **Record Check** to read:  
**170-3 Record Check, Administrative Approval and Conditional Approval.**
  - a. A record check shall be performed on each Operator's License applicant by the Town Clerk or his or her designee prior to Town Board approval. Information may be requested from law enforcement agencies and/or other municipalities in which the applicant resides, has resided or has been licensed, and any other source the Clerk or his or her designee deems appropriate in his or her sole discretion. An applicant may be denied a license based on his or her arrest or conviction record subject to the Fair Employment Act §§ 111.321, 111.322 and 111.335 and § 125.04(5)(a)1, Wis. Stats. It is not employment discrimination to deny a license because of a conviction record if the circumstances of the charge substantially relate to the alcohol beverage licensing activity. An applicant may not be issued a license if he or she is a "habitual law offender," § 125.04(5)(b), Wis. Stats. or if he or she has been convicted of a felony which substantially relates to the alcohol beverage licensing activity. Arrests or non-felony convictions five years or older will not be considered in the operator's license review. All other provisions of Ordinance 2020-03 remain the same.
  - b. Administrative Approval. When a record check produces 0-1 non-felony convictions, or non-felony convictions that are five years or older, the Town Clerk or his or her designated official may issue the Operator's License for use until Town Board consideration and approval.
  - c. Conditional Approval. The Town Board may place additional conditions upon a license consistent with the provisions of this chapter and the laws of the State of Wisconsin. Violation of any such condition shall be considered a violation of this section and grounds for suspension or revocation of license.

Adopted this 2<sup>nd</sup> day of February 2022

This ordinance is effective upon publication in the Shawano Leader being 2/11/22, 2022

This ordinance is effective upon proper posting at: The Town of Wescott, Town Hall (N5794 Old Keshena Rd, Shawano, WI 54166) The Town of Wescott Fire Station, W5844 Lake Dr, Shawano, WI 54166 on February 3<sup>rd</sup>, 2022

Brian Moesch  
Brian Moesch, Chairman  Yes/No

Terry Meede  
Terry Meede, Supervisor  Yes/No

Michael Stupecky  
Michael Stupecky, Supervisor    Yes  No

Bruce "Duffy" Schultz  
Bruce "Duffy" Schultz, Supervisor    Yes  No

Marlene Brown  
Marlene Brown, Supervisor    Yes  No

Angela Vreeke  
Attest: Angela Vreeke, Clerk