

**TOWN OF GLENWOOD  
ST. CROIX COUNTY, WISCONSIN**

**ORDINANCE NO. 2024 - 01**

**AN ORDINANCE TO ESTABLISH CONTINUATION OF BUSINESS REQUIREMENTS  
FOR LIQUOR LICENSES**

The Town Board of the Town of Glenwood, St. Croix County, Wisconsin, hereby ordains Ordinance # 2024-01, Continuation of Business Ordinance, as follows:

- I. **PURPOSE.** Wis. Stat. § 125.51(4) limits the number of retail “Class B” alcohol licenses that a municipality may issue. In light of this statutory quota, the Town of Glenwood, St. Croix County, Wisconsin (the “Town”), desires to grant and issue “Class B” alcohol retail licenses to licensees who demonstrate the continuation of a business satisfactory to the Town. Retention of a “Class B” alcohol retail license by a party not conducting business is hereby declared to be against public policy and lacks value to the Town.
- II. **AUTHORITY.** The Town Board has authority under Wis. Stat. § 125.10 to adopt this Ordinance.
- III. **DEFINITIONS.**
  - a. “Business Continuation” is hereby defined as being Open for business and demonstrating a continuation of business in accordance with the terms set forth in Section 4 of this Ordinance.
  - b. “Open” means conducting business publicly at least 10 hours per week.
- IV. **STANDARDS.** It shall be a condition of maintaining and keeping a “Class B” alcohol retail license in the Town that the licensee continue in business. A licensee of a “Class B” alcohol retail license is not demonstrating Business Continuation if any of the following is demonstrated:
  - a. The licensed premises has not been Open for business and business has not been conducted on the premises for activities for which the license was granted for at least 150 days in a 12 MONTH period;
  - b. The licensee has voluntarily vacated the premises more than 30 days before the hearing held under this Ordinance; or
  - c. The licensee was ordered by a court of competent jurisdiction to vacate the premises at least 30 days before the hearing held under this Ordinance.
- V. **SUSPENSION, REVOCATION, and NON-RENEWAL OF LICENSE.**
  - a. In the event any licensee violates this Ordinance, disciplinary action may be taken by the Town Board, which may include, but is not limited to, suspension, revocation, or non-renewal of the license. Any license that has been revoked shall not be reinstated within 12 months of the date of revocation.

- b. In the event a disciplinary action is taken against a licensee, the Town Board shall comply with the procedure set forth in Wis. Stat. § 125.12(2). Upon the filing of a complaint with the Town Clerk, the Town Board shall issue a summons to the licensee, signed by the Town Clerk, and set a hearing, not less than 3 days and not more than 10 days from the date of issuance of the summons, to determine whether the license shall be suspended or revoked. The summons is to be personally served on the licensee at least 3 days prior to the hearing date. In the event the licensee cannot be found, the summons shall be served as set forth in Wis. Stat. Ch. 801.
- c. Evidence and testimony to be considered at the hearing shall be provided in open session. Pursuant to Wis. Stat. § 19.85(1)(a), the Town Board may go into closed session to deliberate its decision provided proper notice has been given.
- d. There is no refund of a fee to the licensee for a license that is revoked or suspended.
- e. In lieu of a hearing, the Town Board may accept the surrender of a license from the licensee. The Town Board may also determine the time period for when the licensee may apply for the same type of alcohol retail license in the future.

VI. EXEMPTIONS AND APPLICABILITY.

- a. "Class B" alcohol retail licenses granted by the Town Board but not yet issued are exempt from the requirements of this Ordinance.
- b. This Ordinance shall not apply to licensees which have been granted a 6 month or temporary license from the Town for special or limited-term events.
- c. This Ordinance shall not apply to temporary closures resulting from fire, wind storm, or other casualty loss provided the licensee is making reasonable efforts to reconstruct the licensed premises.

VII. SEVERABILITY. In the event any portion of this Ordinance is or becomes invalid or illegal, the remaining portions shall remain in full force and effect.

VIII. EFFECTIVE DATE. This Ordinance shall take effect on publication or posting in accordance with Wis. Stat. § 60.80.

Adopted by the Town Board on January 8<sup>th</sup>, 2024.

TOWN OF GLENWOOD

By: Dale Berends  
Dale Berends, Chairman

Attest: Lori Obermueller  
Lori Obermueller, Town Clerk

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