



211 Walnut Street  
Neenah, WI 54956

AN ORDINANCE: By Public Services & Safety  
Committee  
Re: Amending §4-98 Procedure for granting and  
review of operator's license.

**ORDINANCE NO. 2020-02**

Introduced: July 7, 2020

Committee/Commission Action:

**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

**Section 1.** Section 4-98 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

- (a) *Applications.* Applications for operator's licenses shall be made on a form provided by the City Clerk's office. Upon receipt of such application, the City Clerk shall forward the application to the Police Department, which shall verify the veracity of the application as well as research the qualifications of the applicant in accordance with the requirements of Wis. Stats. § 125.04.
- (b) *Grounds and procedure for denial of operator's licenses.* If the Police Department determines that any portion of the application is in violation of Wis. Stats. § 125.04, the department shall notify the applicant that the application is denied and that the applicant may appeal such determination to the Public Services and Safety Committee. Upon such appeal, the Committee shall determine if the applicant possesses the qualifications of Wis. Stats. § 125.04(5) and (6). Any violation of Wis. Stats. ch. 125 or of this section, or any disorderly conduct or related charge related to a bartending, or liquor sales activity, may be used as grounds for denial of application for an operator's license under this provision.
- (c) *Suspension or revocation of operator's license.* Suspension or revocation of operator's licenses shall be treated in the same manner as suspension, revocation and nonrenewal of retail licenses.
- (d) *Mandatory schooling required.* All new applicants for an operator's license in the City shall be required prior to the issuance of an operator's license to provide the City Clerk with proof of successful completion of a bartender's training course offered by the Fox Valley Technical College or other program approved by the State pursuant to Wis. Stats. § 125.17(6).

(e) *Issuance of operator's license.* The City Clerk shall have the authority to grant or deny operator licenses based on the requirements in this section.

(f) *Provisional license.* The City Clerk or designee may issue a provisional operator's license subject to the following conditions:

(1) A provisional license may be issued only to a person who has applied for an operator's license as provided by this article. A provisional license may not be issued to any person who has been denied a license under this article. A provisional license may be issued to a person who is enrolled in a training course as required by Wis. Stats. ch. 125, as may be amended from time to time, and such license shall be revoked if the applicant fails to successfully complete the course.

(2) A provisional license shall expire 60 days after its date of issuance or when the City Clerk grants a regular operator's license to the holder, whichever is sooner. The official who issued the provisional license may revoke the license if the official discovers that the holder of the license made a false statement on the application.

(3) No person shall be issued more than one provisional license in any two-year period.

(4) The fee for a provisional operator's license shall be \$15.00, which is paid to the City Treasurer at the time application is made.

(g) *Temporary licenses.* The City Clerk or designee may issue a temporary operator's license subject to the conditions outlined in Wis. Stats. § 125.17(4). The fee for the temporary operator's license shall be \$10.00.

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:

Moved by: Stevenson/Lang

Adopted: 8-0; July 15, 2020

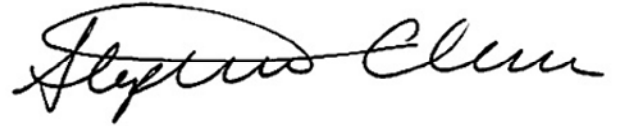
Approved: July 15, 2020

Published: July 20, 2020



Dean R. Kaufert, Mayor

Attest:

A handwritten signature in black ink, appearing to read "Stephanie A. Cheslock". The signature is written in a cursive style with a large, sweeping initial "S".

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Stephanie A. Cheslock, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
Deputy City Attorney Adam James Westbrook  
211 Walnut Street  
Neenah, WI 54956  
State Bar No. 1098561