

**ORDINANCE 2023-1, TOWN OF NEW GLARUS, GREEN COUNTY
AN ORDINANCE TO ESTABLISH A TOWN BOARD POLICY
WHEN DENYING OR REVOKING AN OPERATOR LICENSE**

The Town of New Glarus (“Town”) hereby adopts this policy (“Policy”) governing the denial of granting an operator’s license or revocation of an issued license.

WHEREAS the Town of New Glarus, under the authority granted under Chapter 125.12 of Wis. Stats. Can deny or revoke operator license issuance or renewal requests on the following grounds:

- Arrest and conviction record of the applicant, subject to the limitations imposed by Wis. Stats. 111.321, 111.322, and 111.335;
- If a licensee is convicted of an offense substantially related to the licensed activity, the Town Board may act to revoke or suspend an issued license or deny its renewal or issuance;
- An applicant may be denied based upon the applicant providing false or misleading information or failure to disclose information on the application, the applicant’s arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned), and/or the applicant has habitually been a law offender.

For purposes of this licensing procedure, “habitually been a law offender” is generally considered to be an arrest or conviction of at least two offenses which are substantially related to the licensed activity within the five years immediately preceding the license application. Because a license is a privilege, the issuance of which is a right granted solely to the Town Board, the Town Board reserves the right to consider the severity and facts and circumstances of the offense when making the determination to grant, deny or not renew a license;

NOW, THEREFORE, the Town board for the Town of New Glarus, County of Green, Wisconsin do hereby ordain as follows:

If the application is denied by the Town Board, the Town Clerk-Treasurer shall, in writing, inform the applicant of the denial, the reasons therefor, and of the opportunity to request a reconsideration of the application by the Town Board. Such notice must be sent by registered mail to, or served upon, the applicant at least 10 days prior to the Board's reconsideration of the matter. At such reconsideration hearing, the applicant may present evidence and testimony as to why the license should be granted.

If, upon reconsideration, the Board again denies the application, the Town Clerk-Treasurer shall notify the applicant in writing of the reasons therefor. An applicant who is denied any license upon reconsideration of the matter may apply to the Circuit Court pursuant to § 125.12(2)(d), Wis. Stats., for judicial review.

In the event the license application is not approved by the Town Board, the license fee shall be forfeited to the Town.

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

Adopted by the Town Board of New Glarus, Green County, Wisconsin, this 11th day of January, 2023.

TOWN OF NEW GLARUS

By: _____

Chris Narveson, Town Chairman

Attest: _____

John Wright, Clerk-Treasurer