

CHAPTER 12

Licensees to Pay Local Claims; Appellate Procedures; Insurance Requirements

SEC. 7-12-1 LICENSEES REQUIRED TO PAY LOCAL TAXES, ASSESSMENTS AND CLAIMS; APPELLATE PROCEDURES.

- (a) The City shall not issue or renew any license to transact any business within the City of Menasha:
 - (1) For any purposes for which taxes, assessments or other claims of the City are delinquent and unpaid.
 - (2) For any person who is delinquent in payment:
 - a. Of any taxes, assessments or other claims owed the City; or
 - b. Of any forfeiture resulting from a violation of any City Ordinance.
- (b) This Section shall apply to licenses issued pursuant to the provisions of Title 7 of this Code of Ordinances, except Chapter 1.
- (c) An application for renewal of a license subject to this Chapter shall be denied pursuant to the provisions of Subsection (a) only following notice and opportunity for hearing as provided by Subsection (d) below.
- (d) Prior to any denial of an application for renewal of a license, including denials pursuant to Subsection (a), the applicant shall be given notice and opportunity for a hearing as hereinafter provided:
 - (1) With respect to licenses renewable under Chapter 2 of Title 7 of this Code of Ordinances, notice and opportunity for hearing shall be as provided by Section 125.12, Wis. Stats., as amended from time to time, and in Title 7, Chapter 2.
 - (2) With respect to licenses other than those described in Subsection (a) herein, the Common Council or its assignee shall notify the applicant in writing of the City's intention not to renew the license and shall provide the applicant with an opportunity for hearing. The notice shall state the reasons for the intended action and shall establish a date, not less than three (3) days nor more than ten (10) days after the date of the notice on which the applicant shall appear before the Common Council. If the applicant shall fail to appear before the Common Council on the date indicated on the notice, the Council shall deny the application for renewal. If the applicant appears before the Council on the date indicated in the notice and denies that the reasons for non renewal exist, the Common Council shall conduct a hearing with respect to the matter. At the hearing, both the City and the applicant may produce witnesses, cross examine witnesses and be represented by counsel. The applicant shall, upon request, be provided a written transcript of the hearing at the applicant's expense. If the Common Council determines the applicant shall not be entitled to renewal pursuant to Subsection (a), the application for renewal shall be denied.
- (e) Where an individual, business or corporation wishes to appeal the City Clerk's decision not to issue a license or permit under this Title on grounds other than those specified in Subsections (a) through (d) above, the applicant may file a request in writing with the Clerk that the matter be referred to the Common Council. A public hearing shall be scheduled within fourteen (14) calendar days by the Common Council. All parties may be represented by counsel. The Council shall consider all relevant information and shall render a decision which shall be binding.

SEC. 7-12-2 INSURANCE REQUIREMENTS.

All organizations with a special Class B fermented malt beverage license, whether they are unincorporated or not, before they can use a municipally owned facility, and before they receive a permit or license, must first file with the City Clerk evidence of insurability covering property damage in the amount of Fifty Thousand Dollars (\$50,000.00), personal liability in the amount of One Hundred Thousand Dollars (\$100,000.00) per person injured, and Three Hundred Thousand Dollars (\$300,000.00) in the aggregate.