

ORDINANCE 101-94

The Town of Nashville, Forest County, does ordain as follows:

1. LICENSING. This ordinance is enacted pursuant to licensing powers granted this town, and is intended to be used in disciplinary proceedings.

2. OBSCENITY. The following shall constitute grounds for suspension or revocation of a license issued by this town, to a degree determined by the town board following notice to the license holder, and hearing:

A. Conviction of an offense, contrary to Wisconsin Statute 944.21, or a county ordinance adopted pursuant to said statute or 59.07(64m), or any successor statute or later amended version.

B. Arrest or bringing of charges, whether by complaint or citation, of a license holder, pursuant to Wisconsin Statutes 944.21, 59.07(64m), or an ordinance pursuant thereto.

C. A finding by the town board, whether or not court charges are filed, that the operation of the licensed facility or activity is in conflict with Wisconsin Statute 944.21.

D. Regardless of the basis for the hearing, the standard for disciplinary action shall be whether the board finds, by a preponderance of the evidence, that a violation occurred.

3. ALCOHOL licensees are to be disciplined according to the guidelines of present Wisconsin Statute 125.12, or any later amended or successor statute.

4. SEVERABILITY. In the event any portion of this ordinance, which is intended to incorporate Wisconsin obscenity provisions, is found unconstitutional or invalid, the remaining portions shall remain in full force and effect.

5. PENALTY. The penalty for each violation shall be determined by said town board, taking into account the number of past and present violations proven, and the severity of the current offense(s). Multiple offenses may be considered at any hearing involving the same licensee, and the board may suspend or revoke any type of issued license, following prior notice to the license holder. In the future, the board may establish a specific penalty guideline taking these factors into account.

6. EFFECT. This ordinance shall take effect following passage and posting in at least 3 public places in this town.

Adopted on April 14, 1994

Richard Pitt
Chairperson

by vote of: 3 ayes and 0 nays

Posted on: April 15, 1994

William J. Maynard
Supervisor

at Nashville Town Hall Meeting Room Door

Edward Bala
Supervisor

Pickeral Firehouse Meeting Room Door

South Solid Waste Collection Site

Town Clerk: