

ORDINANCE NO. 09-002

AN ORDINANCE TO REPEAL AND RECREATE
SECTION 11.07(B) OF THE CODE OF ORDINANCES OF
THE TOWN OF SOMERS RELATING TO LICENSE TRANSFERS

The Town Board of Supervisors of the Town of Somers, Kenosha County, Wisconsin, hereby repeals and recreates Section 11.07(B) of the Code of Ordinances of the Town of Somers relating to liquor license transfers to read as follows:

(B) **Transfer of Licenses.**

- (1) No license shall be transferred from place to place or from person to person except as provided by §125.04(12), Wis. Stats.
- (2) If the licensee shall die, his administrator may continue or sell the business. If there is a sale, however, the purchaser must obtain a new license and must qualify as any other applicant.
- (3) If any applicant should die during the pendency of his application, his administrator may nominate a successor who must, however, qualify and be subject to all the requirements imposed by law for such license.
- (4) No license shall be transferred to any applicant who has procured the surrender and conditional cancellation of another such license from a holder where such license which has been conditionally surrendered is in jeopardy due to any pending legal proceeding which has been commenced for the purpose of revoking or suspending such license, and further providing that the licensee who is surrendering the license to be transferred is not indebted to any licensed wholesaler in violation of the credit restrictions set forth in §125.33(7) and §125.69(4), Wis. Stats. Any person desiring to transfer a license shall be required to show full proof of payment of any personal property tax for personal property utilized at the premises to which the conditionally surrendered license is issued, based on a current tax bill, if available, if not, applicant shall be required to show

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proof of payment into an escrow account with the Town, in an amount equal to the prior years mill rate times the current year's assessed valuation. Furthermore, no such conditionally surrendered license shall be transferred unless and until any other fines, fees, or charges owed to the Town have been paid in full.

Dated at Somers, Wisconsin, this 13 day of JAN., 2009.

TOWN OF SOMERS

By: James M. Smith
James M. Smith, Chairperson

Attest: Timothy Kitzman
Timothy Kitzman, Clerk/Treasurer

