

**Public Safety Committee  
Regular Meeting  
Wednesday, March 3, 2021 at 6:00 p.m.**

Due to County, State and Federal social distancing recommendations in response to COVID-19, this meeting is being held virtually. Committee members, applicants, and members of the public will be required to participate via the virtual format. To participate via video, go to this website: <https://meet.google.com/xtf-ayun-xwn>. To participate via phone, call this number: 475-222-5110 and enter PIN: 808 226 480# when prompted.

**AGENDA**

1. Call to Order.
2. Roll Call.
3. Approval of Agenda.
4. Motion to approve the February 3, 2021 Public Safety regular meeting minutes.
5. Citizen appearances other than agenda items listed.
6. Old Business.
  - A. Discussion and possible motion to recommend Ordinance 2021-03 Amending Chapter 6 Alcohol beverage.
    - 1) If approved, discussion on possible motion to recommend that the Council suspend its current rule and/or past practice of voting on proposed ordinances only after a first and second reading so that proposed ordinance 2021-03 can be voted on after the first reading.
    - 2) Resolution 2021-02 Amending Fee Schedule for Operator License.
    - 3) New Operator's License Application.
  - B. Discussion and possible motion to recommend Ordinance 2021-04 for updates to Animal Ordinance.
7. New Business.
  - A. Motion to approve the Original Operators License application(s) for: (approved by Police Chief Reese unless otherwise noted).
    - 1) Trinity L. Rosa
    - 2) Tracie L. Held
    - 3) Colin J. Reese
    - 4) Dorry A. Weigel
    - 5) Austin L. Marlowe
  - B. Discussion on EMS and Police Wants & Needs Assessment.
  - C. Discussion on electric car charging station.
  - D. Discussion on City COVID-19 response.

- E. Discussion with possible motion for road closure & traffic control for a High School 5k on March 23, 2021.
8. Evansville Emergency Medical Services Report.
9. Evansville Police Department Report.
10. Meeting Reminder: Next regular meeting scheduled for Wednesday, April 7, 2021 6:00 p.m.
11. Motion to adjourn.

**Dianne Duggan, Chairperson**

*Requests for persons with disabilities who need assistance to participate in this meeting should be made to the City Clerk's office by calling 608-882-2266 with as much advance notice as possible.*

***Please turn off all cell phones while the meeting is in session. Thank you.***

**City of Evansville Public Safety Committee**  
**Regular Meeting**  
**Wednesday, February 3, 2021 at 6:00 p.m.**  
 Meeting held virtually due to COVID-19 Guidelines  
**MINUTES**

1. **Call to Order at 6:00 pm**, by Dianne Duggan, Public Safety Chair.
2. **Roll Call.**

<u>Members</u>	<u>Present/Absent</u>	<u>Others Present</u>
Aldersperson Dianne Duggan, Chair	P	Patrick Reese, Police Chief
Aldersperson Bill Lathrop	P	Jamie Kessenich, EMS Chief
Aldersperson Erika Stuart	P	Chris Jones, Lieutenant
		Jeremy Schmidt, Officer
		Trevor Tway, Officer
		Darnisha Haley, City Clerk
		Leah Hurtley, Deputy Clerk

3. **Motion to approve the agenda**, by Duggan, seconded by Stuart. Approved unanimously.
4. **Motion to waive the reading of the minutes from the January 6, 2021 regularly scheduled Public Safety Meeting minutes and approve them as printed** by Lathrop, seconded by Stuart. Lathrop and Duggan requested grammatical revisions to the paragraph 8(2) and 9. Approved unanimously.
5. **Citizen appearances other than agenda items listed.** None
6. **Old Business.**

**A. Discussion on a 4-way stop at the intersection of E Main and Water St.** Chief Reese reported topic discussion at a department head meeting. Municipal Services Director Chad Renly looked into the 4-way stop with Lieutenant Jones and Chief Reese. Staff determined that the state would not allow the stop without a considerable amount of money invested into redoing the intersection. Chief Reese’s recommendation would be to table the discussion unless directed otherwise. Lathrop questioned accident quantity in relation to other areas in town. Chief disclaimed there has been no formal study and Evansville does not have a large number of accidents in general, however there does seem to be more accidents at that intersection, guessing maybe five accidents in last 7 years. Lieutenant Jones concurred with maybe a few more. Jones also added his main concern is more less the truck routes with the long wait times trying to take a right towards Janesville. Jones reported the state’s concern with potential backups and importance with the timing of the stoplight on Hwy 14 and County M. Duggan proposed to consider a special study should there be another incident, until then, this topic is tabled.

7. **New Business.**
  - A. Motion to approve the Original Operators License application(s) for: (approved by Police Chief Reese unless otherwise noted).**
    - 1) Motion was made to approve the Original Operators License application for Sawyer M Sendelbach, by Stuart, seconded by Duggan, Motion carried.

- 2) Motion was made to approve the Original Operators License application for Kari A Fehrenbacher, by Stuart, seconded by Duggan, Motion carried.
- 3) Motion was made to discuss the approval of the Original Operators License application for Amber L Dienberg (not recommended), made by Duggan, seconded by Lathrop. Amber Dienberg attended. Duggan asked why she left off several felonies and misdemeanors off her application. Dienberg claimed that she did not intentionally leave them off rather she misread the question as the question stated “have you been convicted” which she says she has not as they have all been dismissed and she has had a license issued to her by the city since her convictions. Duggan asked for details of the items not disclosed. Dienberg stated Endangerment and Battery charges in 2007. The only conviction she received was a non-criminal ordinance violation for a disorderly conduct in 2008. Duggan said she was ok with approving the license with her explanation. Stuart had additional questions on the previously issued license she received from the city. Dienberg stated eight or 9 years ago, she received a license to serve at Good Speed Gas & Go. Lathrop asked Chief Reese for comments on his nonrecommendation. Chief explained information left off the application on the conviction of the rock county ordinance disorderly conduct, likely due to a plea bargain from the following charges: delinquency of a child, battery, disorderly conduct, and intentional cause to bodily harm to a child (felony). No further questions by the committee. *Duggan voted for the approval of the Original Operators License, Lathrop and Stuart opposed, motion denied.* After the vote of opposition, applicant then asked if there was anything that could be done to change the committee’s minds. Duggan proposed a 90-day provisional. Lathrop and Stuart were ok with a provisional Duggan instructed Dienberg to resubmit another application for an Original License with the \$25.00 fees for another background check and she must disclose all information that she should have originally reported, Dienberg will need to return to the May Public Safety Meeting.

**B. Discussion for updates to Animal Ordinance.** Lieutenant Jones pointed out two separate conflicting ordinances and both ordinances were created to accomplish the same goal however, one has more strict guidelines on it with the 2+ persons. 14 - 8 says “Disturbing the peace prohibited. No person may keep a Pet which disturbs the peace by loud or unusual noises at any time of the day or night.” 14-33(3) says, “Harboring certain dogs or cats prohibited. 3. Habitually makes noise to the annoyance of any two or more other persons.” 14-8 seems to cover any animal and 14-33 is more specific to dogs and cats. Leah read Attorney Mark Kopp’s response. Duggan supported Lathrop’s feedback, that the ordinance as it stands is unnecessarily complex. Chairperson Duggan expressed, Sec 14.33 is specific to the dogs and cats area but even a sentence within 14.8 referring to Sec 14.33, and wants Sec 14.8 clarified while separate to have consistent standards. Lathrop proposed Sec 14.8 to cover details everywhere in the ordinance with respect to noise and disturbing the peace. The language on disturbing the peace in Sec 14.8 and then refer elsewhere to Sec 14.8 silencing other areas where it references to noise. Lieutenant Jones will work on updating the language with his recommendations for next meeting.

**C. Discussion on K9 Officers and fundraising by Officer Schmidt and Officer Tway. (Officer Tway left the meeting to respond to a service call.)** Chief Reese summarized staff’s interest to get a K9 Officer and wanted to gage interest of the committee. Schmidt reported higher volumes of drug related calls pertaining to drugs and the obstacles they face without having probable cause, which a K9 officer would allow. In reply, the Lathrop summarized that with the change to laws, the K9 would allow for additional legal options currently not available. Lathrop asked about the overall costs as well as annually thereafter. Officer Schmidt estimated the annual costs could be around \$60,000, depends on

donations and type of K9 and the level of training of the officers and perhaps \$500.00/year thereafter. Duggan questioned insurance. Officer Schmidt will investigate this further. Lathrop asked about service life. Schmidt estimated perhaps 8-9 years. Chief Reese acknowledged the biggest expense to the city would be the training time and wages as training and certification would need to be done monthly. Chief Reese will research insurance, wages, training, union and its members in addition to how it may affect the City's insurance. Chief Reese will create a presentation for council input at either a regular Common Council meeting, or the Special Common Council meeting in May.

- D. Discussion on resolution/ordinance guidelines for issuance of Alcohol Beverage Licensees in the City of Evansville.** Chief Reese explained his goal, along with City Clerk Darnisha Haley was to provide guidance on whether or not to approval nonrecommendations and have a streamlined process in place. Question on whether it should be Resolution vs Ordinance. Darnisha's suggestion was to issue recommended applicants right away as well as a fee increase of \$10.00 to cover the cost of the background check. The committee agreed unanimously to move forward with implementation of proposed recommendations. Darnisha and Chief Reese will work together and present it back to the committee for approval to send to Council.
- E. Discussion on Boy Scout event at Lake Leota.** Chief Kessnich informed the committee that she was approached with a volunteer request for a private event to demonstrate lifesaving skills. After much discussion and in light of COVID-19 guidelines, the committee agreed unanimously to not support city endorsement of said event.

- 8. Evansville Emergency Medical Services Report.** Chief Kessnich gave a verbal report as her computer was down. 48 calls for service. 3 weeks post second dose of Covid shots. Discussed the desire for a larger garage and the inability to maintain proper vehicle maintenance in the winter due to the less than a foot clearance. Chief Kessnich proposed a possible solution could be to remove the center of the garage. Committee granted Jamie permission to seek quotes on the potential removal of the center garage door.
- 9. Evansville Police Department Report.** Chief Reese gave the written monthly report covering the training for officers, community outreach, updates in the department, staffing matters, and accreditation. Bill Lathrop asked what he could do for Police Department and EMS in terms of space and working conditions. Chief asked for consideration of a joint building in the long term. Stuart shared the concern over other high priority items within the city. Duggan asked the Chief Reese to perform a needs assessment, especially with references with fire code violations. Chief Reese will work on this over the next few months.
- 10. Meeting Reminder: Next regular meeting scheduled for Wednesday, March 3, 2021 at 6:00 p.m.**
- 11. Motion to adjourn at 7:47 p.m.**, made by Duggan, seconded by Lathrop.

Respectfully submitted, Leah Hurtley, Deputy Clerk City of Evansville



## Chapter 6

**ALCOHOL BEVERAGES<sup>1</sup>****Article I. In General**

## Division 1. Generally

- Sec. 6-1. Adoption of state law.  
 Sec. 6-2. Regulations pertaining to licensed premises.  
 Sec. 6-3. Consumption in public place.

Division 2. Hosting Gatherings Involving Underage Possession  
and Consumption of Alcohol

- Sec. 6-4. Purpose and Findings.  
 Sec. 6-5. Definitions.  
 Sec. 6-6. Prohibited Acts.  
 Sec. 6-7. Exceptions.  
 Sec. 6-8. Penalties.

- Secs. 6-9--6-30. Reserved.

**Article II. Licenses and Permits**

## Division 1. Generally

- Sec. 6-31--6-32. Reserved  
 Sec. 6-33. Filing of list of licensees with state department of revenue.  
 Sec. 6-34. Consent of applicant to future regulations and amendments.  
 Sec. 6-35. Restrictions on issuance of "Class A" licenses.  
 Sec. 6-36. Standards for issuance; license quota for "Class B" licenses.  
 Sec. 6-37. Investigation and inspection.  
 Sec. 6-38. Procedure for issuance.  
 Sec. 6-39. Contents.  
 Sec. 6-40. Loss of rights on abandonment of business.  
 Sec. 6-41. Unlawful use of license; defacing, destroying or removing license.  
 Sec. 6-42. Duplicate license.  
 Sec. 6-43. Temporary Class "B" (picnic) beer license or temporary "Class B" (picnic) wine license.  
 Sec. 6-44. Operator's license.  
 Secs. 6-45--6-60. Reserved.

## Division 2. Permit for Consumption in Public Parks

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<sup>1</sup> **Cross references:** Businesses, Ch. 22; alcohol beverage or refreshments at cemeteries, § 26-12.

Secs. 6-61--6-62. Reserved.  
Sec. 6-63. Eligibility; application; issuance.  
Sec. 6-64. Reserved

## ARTICLE I. IN GENERAL

### Division 1 – Generally

#### Sec. 6-1. Adoption of state law.

The provisions of Wis. Stats. Ch. 125 defining, describing and regulating the sale, procurement, dispensing, consumption and transfer of alcohol beverages, including provisions relating to underage persons, are adopted and made a part of this section by reference. Violation of any such provisions shall constitute a violation of this section. Penalties for violations by or relating to sale, procurement, dispensing or transfer to underage persons shall strictly conform to the penalties imposed for violations of identical offenses defined and described in Wis. Stats. Ch. 125, adopted in this section.

(Code 1986, § 12.04(1))

#### Sec. 6-2. Regulations pertaining to licensed premises.

(a) ~~Unlawful or disorderly conduct prohibited.~~ Premises licensed under this chapter shall, at all times, be conducted in an orderly manner, and no unlawful conduct, either under municipal ordinance or state law, shall be allowed at any time on any licensed premises.

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(b) ~~Sales by clubs.~~ No club shall sell intoxicating liquors or fermented malt beverages except to members and guests invited by members.

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(c) ~~Payment of state liquor taxes.~~ No licensee shall possess or sell or offer for sale any intoxicating liquor upon which the state tax established by Wis. Stats. Ch. 139 has not been paid.

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(d) ~~Dancing.~~ No dancing by patrons or entertainers shall be permitted on premises for which a class "A" license has been granted.

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(e) ~~Sale of commodities other than alcohol beverages.~~

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(1) ~~No holder of a class "B" liquor license shall sell any commodity other than such commodities as such "class B" liquor and class "B" fermented malt beverages license permits; provided the holder of such license may also sell tobacco for retail use and smoking accessories. No holder of a "class B" liquor license shall conduct any other business except pool, billiards or a bowling alley in the premises for which such license is granted.~~

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(2) ~~This subsection shall not apply to restaurants or hotels, which may sell or dispose of food under their restaurant or hotel licenses.~~

(f) ~~**Closing hours.** No premises for which a retail liquor or fermented malt beverage license has been issued shall remain open nor shall any intoxicating liquor or fermented malt beverages be sold or dispensed:~~

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(1) ~~**Class A license.** If a class A license, between 9:00 p.m. Saturday evening and 6:00 a.m. on Sunday, and on weekdays between 9:00 p.m. and 6:00 a.m. the next day, provided this subsection shall not prohibit drugstores holding such class A license from remaining open on Sundays and beyond the hours set forth in this subsection for the conduct of business other than that provided for by such class A license.~~

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(2) ~~**Class B license.**~~

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a. ~~If a class B license, on Saturdays and Sundays between 2:30 a.m. and 6:00 a.m., and on weekdays between 2:00 a.m. and 6:00 a.m. On January 1, premises operating under a class B license are not required to close. No package, container or bottle sales may be made after midnight.~~

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b. ~~This subsection shall not prohibit restaurants, bowling alleys or similar establishments holding class B licenses from remaining open beyond the hours set forth for the conduct of business other than that provided for by such class B license.~~

(3) ~~**Christmas Eve.** No person having a class A license shall sell or dispense liquor or fermented malt beverages after 6:00 p.m. on Christmas Eve.~~

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(g) ~~**Violations by agents or employees.** A violation of this section, section 6-1, or article II, division 1 of this chapter by an authorized agent or employee of a licensee shall constitute a violation by the licensee.~~

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(Code 1986, § 12.04(12)(a), (c), (e)--(g), (13), (18), Ord 2012-23)

### **Sec. 6-3. Consumption in public place.**

No person shall drink or carry for the purpose of immediate consumption in any container an alcohol beverage upon the streets, sidewalks, parks, public parking lots, public buildings or public school property within the city.

(Code 1986, § 9.17(1), (2)(a))

### **Division 2 – Hosting Gatherings Involving Underage Possession and Consumption of Alcohol**

### Sec 6-4 Purpose and Finding.

The City Council of the City of Evansville, Wisconsin intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons civilly responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The City Council of Evansville finds:

Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty-one are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.

Prohibiting hosting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.

Alcohol is an addictive drug which, when used irresponsibly, does have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.

Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and condone the activity, and in some circumstances, provide the alcohol.

A deterrent effect is created by holding a person responsible for hosting an event or gathering where underage possession or consumption occurs.

[Ord. 2012-17]

### Sec 6-5 Definitions.

For purposes of this division, the following terms have the following meanings:

~~(a) — Alcohol.~~ "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.

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~~(b) — Alcoholic Beverage.~~ "Alcoholic Beverage" means alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.

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~~(c) — Event or Gathering.~~ "Event or Gathering" means any group of two or more persons who have assembled or gathered together for a social occasion or other activity.

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~~(d) — Host or Allow. "Host" or "Allow" means to aid, conduct, entertain, organize, supervise, control or permit a gathering or event.~~

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~~(e) — Parent. "Parent" means any person having legal custody of a juvenile:~~

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~~As natural, adoptive parent or step-parent  
As a legal guardian; or  
As a person to whom legal custody has been given by order of the Court~~

~~(f) — Residence, Premises or Public or Private Property. "Residence", "Premises", or "Public or Private Property" means any home, yard, farm, field, land, apartment, condominium, hotel or motel room or other dwelling unit, or a hall or meeting room, park or any other place of assembly, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented or used with or without permission or compensation.~~

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~~(g) — Underage Person. "Underage Person" means a person who has not attained the legal drinking age.~~

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~~(h) — Present. "Present" means being at hand or in attendance.~~

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~~(i) — In Control. "In control" means the power to direct, manage, oversee and/or restrict the affairs, business or assets of a person or entity.~~

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[Ord. 2012-17]

#### Sec 6-6 Prohibited Acts.

It is unlawful for any person(s) to: host or allow an event or gathering at any residence, premises or on any other private or public property where alcohol or alcoholic beverages are present when the person knows that an underage person will or does (i) consume any alcohol or alcoholic beverage; or (ii) possess any alcohol or alcoholic beverage with the intent to consume it; and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).

~~(a) — A person is in violation of this section if the person intentionally aids, advises, hires, counsels or conspires with or otherwise procures another to commit the prohibited act.~~

~~(b) — A person who hosts an event or gathering does not have to be present at the event or gathering to be responsible.~~

[Ord. 2012-17]

#### Sec 6-7 Exceptions.

~~(a) — This division does not apply in cases where a person procures for, sells, dispenses of or gives away alcohol beverage to an underage person in the direct company of his or~~

her parent, guardian or spouse who has attained the legal drinking age, who has consented to the underage person acquiring or consuming the alcohol beverages and is in a position to observe and control the underage person.

(b) — This division does not apply to legally protected religious observances.

(c) — This division does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

[Ord. 2012-17]

#### **Sec 6-8 Penalties.**

An adult who violates any provision of this section must appear in municipal court and is subject to the following penalties:

(a) A forfeiture of not more than \$500 if the adult has not committed a previous violation within 30 months of the violation.

(b) Fined not more than \$500 if the adult has committed a previous violation within 30 months of the violation.

(c) Fined not more than \$1,000 if the adult has committed two previous violations within 30 months of the violation.

(d) Fined not more than \$10,000 if the adult has committed three or more previous violations within 30 months of the violation.

(Ord. 2012-17, Ord. 2018-01)

**Secs. 6-9--6-30. Reserved.**

## **ARTICLE II. LICENSES AND PERMITS**

### **DIVISION 1. GENERALLY**

**Secs. 6-31--6-32. Reserved**

**Sec. 6-33. Filing of list of licensees with state department of revenue.**

By July 15 of each year, the Clerk-Treasurer shall forward to the State Department of Revenue a list containing the name, address and trade name of each person holding a license issued under this division, except a picnic, manager's or operator's license.

(Code 1986, § 12.04(5)(d), Ord. 2020-04)

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**Sec. 6-34. Consent of applicant to future regulations and amendments.**

By filing the application for a class A, B or C license under this division, the applicant consents that the council may make any rule or regulation or alteration or amendment to this chapter at any time during the period for which such license is granted.

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(Code 1986, § 12.04(5)(e)(1))

**Sec. 6-35. Restrictions on issuance of class A licenses.**

(a) –The number of "Class A" intoxicating liquor licenses which may be issued to persons or premises in the city is limited to one (1) for each seven-hundred (700) population in the city as defined by Wis. Stats. § 125.51(4). An application for a "Class A" liquor license shall not be favored or disfavored because the applicant already has been granted a Class "A" fermented malt beverage license.

(b) –A Class "A" fermented malt beverage license may be granted separately from or in conjunction with a granting of a "Class A" intoxicating liquor license. The number of Class "A" fermented malt beverage licenses the city may issue is subject only to the applicable limit under state law, if any.

(Code 1986, § 12.04(5)(e)2, 3, Ord. 2006-7, Ord. 2012-11, Ord. 2020-04)

**Sec. 6-36. Standards for issuance; license quota for class B licenses.**

**(a) Location of premises.**

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(1) –No retail Class A or B license shall be issued for premises the main entrance of which is less than three hundred (300) feet from the main entrance of any established public school, parochial school, hospital or church, except that this prohibition may be waived by a majority vote of the Common Council. Such distance shall be measured by the shortest route along the ~~highway~~ roadway from the closest point of the main entrance of such school, church or hospital to the main entrance of such premises.

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(2) –This subsection shall not apply to premises licensed as such on June 30, 1947, nor shall it apply to any premises licensed as such prior to the occupation of real property within three hundred (300) feet thereof by any school, hospital or church building.

(3) –This subsection shall not apply to a restaurant located within three hundred (300) feet of a church or school. This paragraph applies only to restaurants in which the sale of alcohol beverages accounts for less than fifty (50%) percent of their gross receipts.

**(b) Issuance to violators of liquor, beer or wine laws or ordinances.** No retail class A, B or C license shall be issued to any person who has been convicted of a violation of any federal or state liquor or fermented malt beverage law or wine law or the provisions

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of this division, section 6-1 or section 6-2 during one year prior to such application. A conviction of a member of a partnership or the partnership itself shall make the partnership or any member thereof ineligible for such license for one year.

(c) ~~Health, safety and sanitation requirements.~~ No retail Class A, B or C license shall be issued for any premises which do not conform to the sanitary, safety and health requirements of the state department of industry, labor and human relations pertaining to buildings and plumbing, to the rules and regulations of the State Department of Health and Family Services applicable to restaurants, and all such ordinances and regulations adopted by the city.

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(d) ~~License quota.~~

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(1) ~~Class "B" fermented malt beverages license.~~

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a. ~~The number of persons and places that may be granted a Class "B" fermented malt beverage license under this division is limited to one (1) for each four hundred (400) population in the city, as defined by Wis. Stats. § 125.51(4).~~

b. ~~The City Council may grant a Class "B" fermented malt beverage license, as defined in Wis. Stats. Ch. 125, to any restaurant that will agree in writing to the following conditions:~~

1. ~~Fermented malt beverages will only be served for consumption on the premises (no carryouts).~~

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2. ~~Fermented malt beverages will not be served in the original containers.~~

3. ~~Fermented malt beverages will only be served in open containers.~~

4. ~~Fermented malt beverages will only be served with food.~~

The Council may at any time add conditions to this agreement as it deems necessary for the health, welfare or safety of the community. The council may waive any of these requirements.

(2) ~~"Class B" liquor license.- Only one (1) "Class B" liquor license shall be granted for each 500 population in the city as defined by Wis. Stats. § 125.51(4).~~

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(3) ~~Exceptions.- Nothing contained in this subsection shall prevent a license being granted to any person or the assignee of any person holding a "Class B" liquor license on May 10, 1977; nor shall anything contained in this subsection prevent the council, in its discretion, from granting a license to any person who otherwise qualifies therefor according to Wis. Stats. § 125.51(4)(g), or from granting a Class "B" fermented malt beverage license to a bona fide club, as~~

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defined in Wis. Stats. § 125.02(4), which has existed in the city for not less than six (6) years and has been incorporated in the state for not less than 30 years, if sale or service of fermented malt beverages is restricted to club members, members of affiliated clubs and guests of either in a separate room which is locked during closing hours and no carryout sales are made.

(4) ~~**"Class C" wine license.**~~ ~~The City Council may grant a "Class C" wine license, as defined in Wis. Stats. § 125.51(3m), without quota, to any restaurant that will agree in writing to the following conditions:~~

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a. ~~Sale of wine shall only be by the glass or in an open original container for consumption on the premises where sold.~~

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b. ~~The person shall be qualified under Wis. Stats. § 125.04(5) for a restaurant in which the sale of alcohol beverages accounts for less than fifty (50%) percent of gross receipts and which does not have a barroom if the city's quota under subsection (d)(2) of this section and Wis. Stats. § 125.51(4) prohibits the city from issuing a "Class B" liquor license to that person.~~

c. ~~The license may not be issued to a foreign corporation, a foreign limited liability company or a person acting as an agent for or in the employ of another.~~

d. ~~The license shall particularly describe the premises for which it is issued.~~

The council may not waive at any time any of these requirements as they are by state statute, and the requirements may be amended by state statute from time to time.

(e) ~~**Payment of delinquent taxes, assessments and claims.**~~ ~~No license shall be initially granted or renewed to any person or applicant who, or premises for which, municipal taxes, assessments, or overdue ordinance violation forfeitures due the City are delinquent and unpaid. When this section applies to an initial application for a license, the person or applicant shall be given notice of the intent to not issue the license and an opportunity to rebut the assertion of unpaid obligations. If this section is invoked upon a person or applicant request for renewal, the notice and opportunity for hearing provisions of Section 125.12(3) of the Wisconsin Statutes shall apply.~~

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(f) ~~**Residences not to be licensed.**~~ ~~No license shall be issued for the purpose of possessing, selling or offering for sale any intoxicating liquor or fermented malt beverage in any dwelling house, flat or residential apartment.~~

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(Code 1986, § 12.04(6); Ord. No. 2003-13, § 1, 11-11-2003, Ord. 2006-39)

### Sec. 6-37. Investigation and inspection.

(a) ~~The City Clerk-Treasurer~~ shall notify the Chief of Police, Fire Chief and Building Inspector of each application for a license under this division, and those officials shall inspect or cause to be inspected each application and the premises, together with any other investigations, accompanied by a recommendation as to whether a license should be granted or refused.

(b) ~~In~~ determining the suitability of any applicant, consideration shall be given to the financial responsibility of the applicant, the appropriateness of the location and the premises proposed and, generally, the applicant's fitness for the trust to be reposed.

(c) ~~No~~ license shall be renewed without a reinspection of the premises and reports as originally required.

(Code 1986, § 12.04(7))

**Sec. 6-38. Procedure for issuance.**

(a) **Generally.** Opportunity shall be given by the Council to any person to be heard for or against the granting of any license under this division. Upon approval of the application by the Council, the City Clerk-Treasurer shall file a receipt showing the payment of the required license fee and issue a license to the applicant.

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(b) **Operator's license.** For provisions pertaining to operator's licenses, see section 6-454.

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(c) **Picnic license.** For provisions pertaining to picnic licenses, see section 6-443.

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(Code 1986, § 12.04(8))

**Sec. 6-39. Contents.**

All licenses issued under this division shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee.

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(Code 1986, § 12.04(9)(a))

**Sec. 6-40. Loss of rights on abandonment of business.**

Any person holding a Class B license under this division who abandons such business shall forfeit any right or preference he may have had to the holding and renewal of such license. The closing of such premises for fifteen (15) days or more shall be prima facie an abandonment.

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(Code 1986, § 12.04(9)(b), Ord. 2020-04)

**Sec. 6-41. Unlawful use of license; defacing, destroying or removing license.**



No person shall post a license issued under this division or permit any other person to post it upon premises other than those mentioned in the application, or knowingly deface or destroy such license, or remove such license without the consent of the holder thereof.

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(Code 1986, § 12.04(11)(a))

#### Sec. 6-42. Duplicate license.

Whenever a license issued under this division is lost or destroyed without fault on the part of the holder or his agent or employee, a duplicate in lieu thereof under the original application shall be issued by the City Clerk ~~Treasurer~~ on satisfaction given as to the facts and upon payment of a fee as established by the council from time to time by resolution and as set forth in appendix A.

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(Code 1986, § 12.04(11)(b))

#### Sec. 6-43. Temporary Class "B" (picnic) beer license or temporary "Class B" (picnic) wine license.

Picnic licenses may be issued by the Council or the Public Safety Committee under Wis. Stats. § 125.26(6). Application therefor shall be filed at least thirty (30) days prior to the date such license is intended to be used, but applications may be accepted within such thirty (30) day period if the applicant agrees in writing to pay the cost of any special meeting of the Council or the Committee called for the purpose of acting upon such application.

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(Code 1986, § 12.04(14))

#### Sec. 6-44. Operator's license.

(a) ~~Regular.~~ Application for an operator's license under § 125.17, Wis. Stats., shall state the name, residence, age, birthdate, and sex of the applicant, together with such other pertinent information as the City Clerk requires, and shall be issued by the Clerk for a period of no longer than two years to the renewal date of June 30, upon approval ~~by the public safety committee.~~

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(1) Submitted applications shall be referred by the City Clerk to the Police Department for review and recommendation. The Police Chief shall review each submitted application, perform a background check and recommend issuance or denial of the license.

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(2) The City Clerk shall issue a regular operator license to an applicant if the Police Chief recommends issuance and the applicant is in compliance with all other requirements. The City Clerk shall deny issuance of a regular operator license to an applicant when the Police Chief notes non-recommendation and the reason. If an applicant is a not recommended, the City Clerk will contact the applicant by phone and/or written letter to notify them of the non-recommendation and they must appear before the Public Safety Committee. If the

applicant does not appear or make arrangements to appear within 30 days of the notification date the application will automatically be denied.

(3) The Public Safety Committee will review the application and any recommendations from the Police Chief. The Public Safety Committee shall decide by majority of those voting whether to grant or deny a license to the applicant. The Public Safety Committee may attach any conditions and/or limitations to a granted operator license as they deem necessary.

(4) If an application is denied the applicant must wait at least six (6) months before they can apply for another operator license.

(b) **Provisional license.**

(1) –Application for a provisional operator's license under Wis. Stats. § 125.17(5) shall be made to the City Clerk ~~Treasurer~~ and shall state the name, residence, age, birthdate and sex of the applicant, together with such other pertinent information as the City Clerk ~~Treasurer~~ requires. The provisional license shall be issued by the City Clerk ~~Treasurer~~ following a background check and an approval recommendation by the Chief of Police, ~~or the chairperson of the Public Safety Committee.~~

(2) –A provisional license may be issued only to a person who has applied for an operator's license under this section. The provisional license shall expire sixty (60) days after its issuance or when the operator's license is issued, whichever is sooner.

(3) –The City Clerk or the Public Safety Committee may revoke the provisional license if it discovers that the holder of the provisional license made a false statement on the application for a provisional license or a regular operator's license.

(4) –The provisions of Wis. Stats. § 125.17(5) are hereby adopted in their entirety, and any conflict between this section and that statute as it may exist from time to time shall be resolved in favor of the statutory provision.

(c) **Violations-** The City has generally found convictions for the following offenses are substantially related to the duties and responsibilities associated with and operator's licenses. For purposes of these guidelines, any pending prosecution may be treated as a conviction.

(1) OWI (all collectively referred to herein as "OWI"): Operating Under the Influence of an Intoxicant or Other Drugs, under Wis. Stat. § 346.63, local ordinances in conformity therewith, or other similar laws from other states, (commonly referred to as OWI, OWPBAC, PBAC, DWI, or DUI); or driving any vehicle while under the influence of alcohol or drugs; or injuring any person or damaging any property while driving under the influence or alcohol or other drugs.

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i. The City has generally found OWI convictions within one (1) year of application for a License are grounds for denial of a License.

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ii. The City has also generally found two or more OWI convictions within five (5) years of application for a license can be grounds for denial of a License.

(2) Underage Drinking: Any underage drinking conviction which is the same as or similar to Wis. Stat. § 125.07(3) or (4) is substantially related to the duties and responsibilities associated with alcohol beverage licenses.

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i. Any such underage drinking conviction within one (1) year of application for a license is typically grounds for denial.

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ii. Two or more such underage drinking convictions within five (5) year of application for a license are typically grounds for denial.

(3) Service to Underage Persons. Any service to underage persons conviction which is the same as or similar to Wis. Stat. § 125.07(1)(a) is substantially related to the duties and responsibilities associated with alcohol beverage licenses.

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i. Two (2) or more service to underage persons within one (1) year of application for a License is typically grounds for denial.

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(4) Drug Offense. The City has generally found that the following convictions are substantially related to the duties and responsibilities associated with alcohol beverage licenses: manufacturing, distributing or delivering a controlled substance or controlled substance analog under Wis. Stat. § 961.41(1); possessing with intent to manufacture, distribute or deliver, a controlled substance or controlled substance analog under Wis. Stat. § 961.41(1m); possessing, with intent to manufacture, distribute or deliver, or manufacturing, distributing or delivering a controlled substance or controlled substance analog under a federal law or law of another state that is substantially similar to Wis. Stat. § 961.41(1) or (1m); possessing any of the materials listed in Wis. Stat. § 961.65 with intent to manufacture methamphetamine under that section or under federal law or a law of another state that is substantially similar to Wis. Stat. § 961.65; or possessing controlled substances as regulated by Chapter 961, Wis. Stats.

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i. The City has generally found such convictions within one (1) year of application for a License are grounds for denial.

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ii. The City has generally found two or more such convictions within five (5) years of application for License can be grounds for denial of a License.

(5) Overall Conviction Record, Felons, or Other Offenses. No operator's license may be issued under this guideline to any person who has:

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i. Been convicted of a felony that substantially relates to the circumstances of the licensed activity unless the person has been duly pardoned;

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ii. Been deemed a habitual law offender;

iii. Convictions not specifically listed above may also be grounds for denial of a License, as reasonably determined in the sound discretion of the City; or

Intentionally or accidentally omitted any violation it will be considered a false application, resulting in the delay and or possible denial of the application.

(Code 1986, § 12.04(15); Ord. No. 1999-10, § 1, 7-13-1999; Ord. No. 2000-21, § 2, 1-9-2001)

**Secs. 6-45--6-60. Reserved.**

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## DIVISION 2. PERMIT FOR CONSUMPTION IN PUBLIC PARKS<sup>2</sup>

### Sec. 6-63. Eligibility; application; issuance.

(a) **Eligibility.** Eligible permit holders under this division are limited to residents of the city or the Evansville School District; persons who own real estate in the city or school district; recognized organizations, including sport leagues, the majority of whose members are residents of the city or school district; or companies having the city or school district as the company's principal place of business.

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(b) **Form of application.** Applications shall be in a form determined and provided by the City Clerk ~~Treasurer~~, to include the name, address, telephone number and date of birth of the applicant, the date for which the permit is desired, and the approximate number of persons in the party. The Clerk ~~Treasurer~~ may require such additional information about the applicant as the Clerk ~~Treasurer~~ deems necessary. The permit form shall be as provided by the Clerk ~~Treasurer~~.

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(c) **Filing of application; scope of permit.** Applications shall be made in person by the applicant at least forty-eight (48) hours in advance of the date for which the permit is requested. Organizations may in one application obtain a permit for each event date or league play date, paying the permit fee required for each date. The permit shall extend to all members of the applicant's immediate party of legal drinking age. The permit shall be valid for only one calendar date, which date will be specified thereon.

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(d) **Fee.** -The fee for each permit shall be as established by the council from time to time by resolution and as set forth in appendix A. The fee shall be payable at the time of application, and is not refundable.

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(e) **Issuance.** -The Clerk ~~Treasurer~~ or the Deputy shall issue permits according to the requirements of this division, and may refuse to grant a permit if the applicant

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<sup>2</sup> **Cross references:** Parks and recreation, Ch. 86.

incompletely or falsely prepares the application or the applicant has violated terms of a permit or alcohol law at any prior time. An organization may have permits for remaining unused dates revoked if there is violation of a prior permit date or any federal, state, county or city alcohol law.

(Ord. No. 1999-5, § 3, 5-11-1999, Ord. 2014-02, Ord. 2020-04)

This Ordinance shall be in full force and effect upon passage and publication.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
William C. Hurtley, Mayor

ATTEST:

\_\_\_\_\_  
Darnisha Haley, City Clerk

Introduced: 00/00/2021  
Adoption: 00/00/2021  
Publication: 00/00/2021

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**CITY OF EVANSVILLE  
RESOLUTION #2021-02**

*Amending the City of Evansville’s Fee Schedule – Operator’s License*

**WHEREAS**, Wisconsin Statutes section 66.0628(2) holds, “Any fee that is imposed by a political subdivision shall bear a reasonable relationship to the service for which the fee is imposed;”

**WHEREAS**, the recommended charges will cover the cost for the background check performed by the police department as required in Sec 6-44(a)(1) for an operator’s license.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Common Council of the City of Evansville that the City of Evansville’s Fee Schedule is amended, effective upon adoption, as follows:

Municipal Code	Description	Old Fee	New Fee
6	Fees – Operator’s License		
	Operator’s License	\$25.00	\$35.00

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
William C. Hurtley, Mayor

ATTEST: \_\_\_\_\_  
Darnisha Haley, City Clerk

Introduced: 00/00/2021  
Adopted: 00/00/2021  
Published: 00/00/2021







# APPLICATION FOR OPERATOR'S LICENSE

6A3

CITY OF EVANSVILLE CITY CLERK'S OFFICE  
31 S. Madison St, PO Box 529, Evansville, WI 53536

New/Renewal Operator's License: \$35.00

Provisional Fee: \$15.00

**NOTE: APPLICATION FEE WILL NOT BE REFUNDED IF DENIED OR WITHDRAWN.**

A Police check will be completed. Please read carefully and answer honestly. Falsification and/or misrepresentation may be grounds for denial of license/permit. Applicant cannot reapply for a 6 month period from date of denial. If you have any doubt as to whether to include the facts of a specific incident it is recommended that you disclose the information. If you are unsure about how to respond to any questions on this form, check with the City Clerk for clarification. You can obtain information regarding your arrest and conviction record from the police department and/or the court with which you interacted, or the Wisconsin Circuit Court Access website at: <https://www.wicourts.gov/casesearch.htm> (CCAP may not provide comprehensive list of all arrests/convictions).

<b>1. LEGAL NAME:</b>			<b>DATE OF BIRTH:</b>		
First	Middle	Last			
<b>ADDRESS:</b>			<b>PHONE:</b>		
<b>CITY:</b>	<b>STATE:</b>	<b>ZIP:</b>	<b>Gender:</b> Male Female		
<b>HOW LONG HAVE YOU LIVED AT ABOVE ADDRESS?</b>			<b>Former Name(s):</b>		
Prior Street Address if Above Address is Less Than 5 Years	State	Zip	From	To	
<b>Driver's License No.:</b>			<b>Issuing State:</b>		

### ARREST AND CONVICTION RECORD

<b>2. Have you ever been convicted of a felony?</b>	Yes	No
<b>3. Within the past ten (10) years, have you been arrested for, received a summons to appear in court for, or forfeited a bond for any of the following in the City of Evansville or the State of Wisconsin?</b>		
a) Any underage alcohol violation?	Yes	No
b) Operating a motor vehicle while intoxicated?	Yes	No
c) Selling or furnishing alcoholic beverages to underage person?	Yes	No
d) Permitting underage person on licensed premises?	Yes	No
e) Allowing persons on licensed premises after closing?	Yes	No
f) Any alcohol related violation other than a, b, c, d, and e?	Yes	No
g) Sale of legal or illegal drugs to include prescription medications or possession of any illegal drugs to include prescription medications not prescribed to you?	Yes	No
h) Fighting, disorderly conduct, assault, or battery?	Yes	No
i) Resisting arrest, interfering with a police officer or obstructing an officer?	Yes	No
j) Any crime or ordinance violation not listed above other than traffic or parking tickets?	Yes	No

<b>5. For each YES response in #3, you must identify all violations below. Attach additional sheets if necessary or continue on the back of this application.</b>			
<b>TYPE OF ARREST, SUMMONS, VIOLATION OR CHARGE</b>	<b>MONTH/YEAR</b>	<b>CITY</b>	<b>STATE</b>

<b>Within the last two (2) years, did you have and/or complete one of the following:</b>	<b>Attach certificate of completion for Responsible Alcohol Servers Course</b>
<input type="checkbox"/> Successfully completed a Responsible Alcohol Servers Course	<input type="checkbox"/> An alcohol agent for a retail alcohol license
<input type="checkbox"/> Held an Operator's License issued in Wisconsin	<input type="checkbox"/> The sole proprietor of retail alcohol license

**6. CERTIFICATION:** I do hereby swear, under penalty of perjury, that I am the person who made and signed the foregoing application for an operator's license, and that all statements herein are complete, true and correct. I further understand a full background investigation may be conducted by the Evansville Police Department prior to consideration of this application. Additionally, I understand that this application may be denied if it contains any falsification-and that I will not be able to reapply for a 6 month period. I do further agree to comply with all laws, resolutions, ordinances, and regulations, federal, state or local affecting the sale of fermented malt beverages and intoxicating liquors.

<b>Signature:</b> _____	<b>Email:</b> _____
<b>Printed Name:</b> _____	<b>Date:</b> _____

### FOR MUNICIPALITY USE ONLY BELOW THIS LINE

<b>Police Department Recommendation and Comments:</b>		<b>Approved</b> _____	<b>Denied</b> _____
		<b>City Clerk's Signature</b> _____	<b>Date</b> _____
		<b>Receipt #</b> _____	
<b>Police Chief's Signature</b> _____	<b>Date</b> _____		



## Chapter 14

**ANIMALS<sup>1</sup>****ARTICLE I. IN GENERAL**

**Sec. 14-1. Definitions.**

**Sec. 14-2. Excessive Animal Hoarding, Sheltering and Ownership.**

**Sec. 14-3. Running at large.**

**Sec. 14-4. Animals not permitted on school grounds.**

**Sec. 14-5. Unattended animals in standing or parked vehicles – Authority to remove – Liability for Removal**

**Sec. 14-6. Confinement and observation of animals biting person.**

**Sec. 14-7. Declaration of vicious animal.**

**Sec. 14-8. Disturbing the peace prohibited.**

**Sec. 14-9. Animals as gifts.**

**Sec. 14-10. Carcasses**

**Secs. 14-11--14-30. Reserved.**

**ARTICLE II. DOGS AND CATS**

**Sec. 14-31. License.**

**Sec. 14-32. Applicability of state law.**

**Sec. 14-33. Harboring certain dogs prohibited.**

**Sec. 14-34. Reserved.**

**Sec. 14-35. Removal of waste deposited on public or private property.**

**Secs. 14-36 - -14-39. Reserved.**

**ARTICLE III. EXOTIC ANIMALS**

**Sec. 14- 40. Licensing requirements.**

**Sec. 14- 41. Providing registration information to relevant personnel.**

**Sec. 14- 42. Prohibited animals.**

**Sec. 14- 43. Prohibited animals enumerated.**

**Sec. 14- 44. Owner to report escape of Exotic Animals.**

**Secs. 14-45 - -14-49. Reserved.**

**ARTICLE IV. CRUELTY TO ANIMALS AND RELATED OFFENSES**

**Sec. 14-50. Cruelty to animals generally.**

**Sec. 14-51. Reserved**

**Sec. 14-52. Humane care of animals.**

**Sec. 14-53. Poisoning of Pets.**

**Sec. 14-54. Instigating or allowing fights between animals.**

**Sec. 14-55. Injured or ill animals.**

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<sup>1</sup> **Cross references:** Environment, ch. 46; health and sanitation, ch. 58; agricultural district one (A-1), § 130-701 et seq.; agricultural district two (A-2), § 130-721 et seq.; agricultural district three (A-3), § 130-741 et seq.

Secs. 14-56 - -14-59. Reserved.

## ARTICLE V. COMMERCIAL ANIMAL ESTABLISHMENTS.

Sec. 14-60. Permit Required.

Sec. 14-61. Operation of Commercial Animal Establishments.

## ARTICLE VI. ENFORCEMENT

Sec. 14-62. Penalties for violations of Chapter 14.

## ARTICLE I. IN GENERAL

Sec. 14-1. Definitions.

1. **Animal:** means any multicellular organism under the scientific kingdom classification of Animalia.
2. **Animal control officer:** means any person appointed by the City to act as animal control officer of the City or any police officer.
3. **Commercial Animal Establishment:** means an establishment that:
  - a. Bathes, clips, plucks, or otherwise grooms animals, not their own;
  - b. Breeds, boards, or buys;
  - c. Sells or donates more than 10 animals per calendar year;
  - d. Trains, or sports animals; or
  - e. Displays or exhibits animal
4. **Cat:** a small domesticated carnivore, *Felis domestica* or *F. catus*, bred in a number of varieties.
5. **Dog:** a domesticated canid, *Canis familiaris*, bred in many varieties.
6. **Domestic Pet.** means an animal that has been traditionally tamed and kept by humans as a service animal, or pet such as birds (i.e. caged birds such as parakeets, finches, macaws, and typically caged birds); small caged animals like hamsters, ferrets, sugar gliders, chinchillas, pet rats and gerbils; fish, but does not include Dogs or Cats.
7. **Exotic Animal.** Means any animal which is kept within the city limits by a person, and does not meet the definition provided under Domestic Pet and is not a dog or cat.
8. **Feral:** existing in a natural state, not domesticated, or having reverted to the wild state, as from domestication; or characteristic of wild animals; ferocious; brutal.
9. **Owner:** means any person owning, keeping, harboring, temporarily taking care of, or having under their control one or more Pet.
10. **Pet:** means all animals which are kept or cared for within the city limits by a person and including Exotic Animals, Domestic Pets, Dogs or Cats.
11. **Pet Boarding Facility:** means the cages maintained by the Evansville Police Department, the Rock County Humane Society, or any private entity that conducts business as a kennel and contracts with the Evansville Police Department for boarding Pets.
12. **Running at Large:** means that an animal is off the owner's premises, or on a public right of way on the owner's premises, and is not under the control of the owner or some other person.
13. **Service Animal:** Any pet or animal under an owner's care that is to provide support to the owner due to blindness, deafness, lack of mobility or other diagnosable mental and physical conditions.

**14. Unkempt:** means that the animal appears to be neglected, or is in poor health due to lack of food, dehydration, or untreated injuries.

**15. Vicious:** means that the Pet has been declared vicious pursuant to section 14-7.  
(Ord. 2020-05)

**Sec. 14-2. Excessive Animal Hoarding, Sheltering and Ownership.**

1. No property owner shall make or allow such use of property or harbor animals in a manner that creates one of the following violations:
  - a. Neglect of the Animals – The number of animals located at the property causing violations of 14-50 and/or 14-52 can be enforced under this provision.
  - b. Unsanitary Conditions for Humans –The location and/or number of animals cause or reasonably may cause health consequences to an individual or community such as, but not limited to, infectious bites or scratches to neighborhood children, Toxoplasmosis, asthma triggering caused by excessive urine, Leptospirosis, hookworms, Psittacosis, Lymphocytic Choriomeningitis Virus, Brucellosis, Scabies, Cryptosporidiosis, tape worms, insect infestation and rabies.
  - c. Unsanitary Conditions for Animals – The number of animals in relation to the space available and/or care provided could cause the spread of distemper, ring worm, flea anemia, Toxoplasmosis, asthma triggering caused by excessive urine, Leptospirosis, hookworms, Psittacosis, Lymphocytic Choriomeningitis Virus, Brucellosis, Scabies, Cryptosporidiosis, tape worms, insect infestation, rabies and other unsanitary conditions.
  - d. Harboring or Attracting Feral and Stray Animals –The property owner’s actions or allowance of such actions on their property creates a harbor for feral and/or stray animals by the creation of feeding stations, leaving the premises open for animals to freely leave and return or not properly containing their refuse.
  - e. Shelters –Evansville ordinances allow animal shelters to be permitted under proper licensing and zoning requirements. Shelters that are temporary, non-profit and commercial must be properly licensed, zoned, and maintained so that they do not violate any other section of the municipal code. This sub-section excludes family/friends or volunteers of non-profit shelters watching an animal temporarily unless a separate violation of this Chapter occurs. If a separate violation occurs then this section may be enforced without exception.
  - f. Noise Disturbance – Violation of ordinance 14-8 ~~and/or 82-161~~
  - g. Property Maintenance and Nuisance – Violations of any ordinances pertaining to the maintenance and care of properties caused by the number of animals or causes the attraction of animals that may result a public nuisance.
2. Any property owner creating or allowing such a violation shall be responsible for the humane disposal or placement of the animals to the extent the property is no longer in violation of local ordinances.  
(Ord. 2020-05)

**Sec. 14-3. Running at large.**

1. No person having in his possession or under his control any animal shall allow the animal to run at large within the city.
2. *Impoundment authorized.* The police department or any other officer appointed by the City shall attempt to apprehend any animal running at large within the city or any dog or cat which does any of the things prohibited under section 14-31(3). The animal may be

held at the police department or other location approved by the police department for a period of 1 day or such additional time as the chief of police may determine. If the police department is unable to identify the owner of the animal; or the owner of the animal fails to respond to the police department; or pay the fees and charges the animal may be transferred to a veterinary clinic or animal boarding facility for the duration of the holding period at the expense of the owner.

3. *Fees and charges.* The owner shall be responsible for the expense of all fees and charges for apprehension, impoundment, transport, veterinary care, quarantine, observation, and examination of the animal and may be subject to a forfeiture as provided in section 1-11. Fees and charges shall be as established by the council from time to time by resolution.
4. *Release to owner.* An animal may be returned to its owner upon proof that the owner has either resolved, or enrolled the animal in training to resolve, the reason the animal was impounded, completion of any required quarantine period, and payment of the fees and charges. If after seven (7) days from the date the animal was impounded or five (5) days after the expiration of the quarantined period, whichever is longer, the owner does not claim the animal and pay the fees and charges, ownership of the animal will be relinquished. The chief of police, instead of having the animal destroyed, may authorize the Rock County Humane Society or another non-profit organization to place the animal for adoption.

(Code 1986, § 11.04(1), Ord. 2012-22, Ord. 2015-01, Ord. 2016-18)

**Sec. 14-4. Animals not permitted on school grounds.**

No owner shall permit their Pet to be upon any school property except upon express permission of the school principal or their designee, except when a dog is participating in an organized event or activity. This does not include animals that would otherwise be considered Service Animals.

**Sec. 14-5. Unattended animals in standing or parked vehicles – Authority to remove – Liability for Removal.**

No person may leave a Pet unattended in a standing or parked vehicle in a manner that endanger the health or safety of such animal. If a Pet is found in a standing or parked vehicle, and the health and safety of the animal appears to be endangered, any animal control officer or police officer may use reasonable force to remove such animal. Removal of an unattended animal by an animal control officer or police officer shall not constitute an offense. Prior to the use of reasonable force the animal control officer or police officer shall attempt to contact the owner or operator of the vehicle.

**Sec. 14-6. Confinement and observation of Pets biting person.**

1. Any Pet known to have bitten any person shall be immediately seized by a police officer of the city and reported at once to the county health department for observation and attention. Such Pet shall be placed in an isolation facility for observation for ten days or such additional period as the officer may require under Wis. Stats. § 95.21, at the expense of the owner.
2. If the Pet has not been seized, the owner shall, on demand of the person bitten, a police officer or the county health department, immediately deliver such Pet to an isolation facility to be held for ten days for observation at the expense of the owner.

3. The individual or entity that takes responsibility for completing the quarantine of a Pet shall report at the end of such observation without delay to the county health department by telephone and confirmed in writing all reports required by law under Wis. Ch 95 regarding the quarantine.
4. Any person who refuses or fails to deliver such Pet as required shall be subject to a forfeiture as provided in section 1-11.
5. If after five days or such additional time as the chief of police in his discretion may deem advisable following such ten-day observation period, the owner does not claim such animal and pay the cost of keeping such animal, such officer shall dispose of the animal in a proper and humane manner. The chief of police, instead of destroying such animal, may authorize the Rock County Humane Society or another non-profit organization to place the Pet for adoption.
6. If the Pet is a dog or cat and the person has proof of current rabies vaccination, the isolation may be conducted within the owner's home in compliance with Wisconsin statutes.

(Code 1986, § 11.04(4), (5), Ord. 2012-22, 2015-01)

**Sec. 14-7. Declaration of vicious animal.**

The owner of a vicious animal must remove the animal from City limits or have the animal humanely disposed. An animal may be declared to be a vicious animal by at least two persons employed as a police officer, animal control officer, veterinarian, or the attending physician of a victim of an animal bite or scratch. In making such a declaration the individuals shall consider an animal to be vicious if:

1. An animal which, in a vicious or aggressive manner, approaches in an apparent attitude of attack, or bites, inflicts injury, assaults or otherwise attacks a person or other animal upon the streets, sidewalks or any public grounds, parks or places; or
2. An animal, while on private property, approaches in an apparent attitude of attack, or bites, inflicts injury, assaults or otherwise attacks a postal worker, meter reader, service person, journeyman, delivery person, or another person or animal that are on the private property with the consent of the owner or occupant of the private property.
3. No animal may be declared vicious if the injury or damage is sustained to any person or animal who is committing a willful trespass or is not authorized to be upon the premises occupied by the owner of the animal, or who is teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime.
4. The following factors may also be considered in making a determination of viciousness.
  - a. The nature or severity of the attack or bite.
  - b. Whether the animal has shown a propensity to display dangerously aggressive behavior and is able or likely to inflict injury to another animal or person.
  - c. Previous incidents of a similar nature.

**Sec. 14-8. Disturbing the peace prohibited.**

No person may keep a Pet which ~~disturbs the peace by loud or unusual noises at any time of the day or night.~~ habitually makes noise to the annoyance of any two or more other person.

**Sec. 14-9. Animals as prizes.**

No Person or entity shall offer as a prize or give away any animal, except a small fish in a plastic bag with enough water for the fish to easily move around, in a contest, raffle or lottery, as an enticement to enter any place of business, or to exploit any animal for the purpose of fundraising.

**Sec. 14-10. Carcasses**

Carcasses of Pets shall be buried or otherwise disposed of in a sanitary manner within 24 hours after death.

**Secs. 14-11--14-30. Reserved.**

**ARTICLE II. DOGS AND CATS**

**Sec. 14-31. License.**

1. *Required.* Every person residing in the city who owns a dog or cat which is more than five months of age on January 1 of any year or five months of age within the license year shall, on or before the date the dog or cat becomes five months of age, and annually thereafter, pay the dog or cat license fee and obtain a license therefore.
2. *Fees.* Such owner shall pay to the city clerk/treasurer the amount as established by the council from time to time by resolution. The owner of any dog or cat who fails to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of a licensable dog or cat, or fails to obtain a license on or before the dog or cat reaches licensable age shall pay an additional late fee as established by the council from time to time by resolution and be subject to further penalties pursuant to section 14-62.
3. *Issuance; tag.* Upon payment to the city clerk-treasurer of the required fee, the clerk-treasurer shall issue to such person a license and tag bearing a serial number in the form prescribed by Wis. Stats. § 174.07, to keep such dog or cat for the license year. The owner shall upon procuring the license place upon the dog or cat a collar and shall securely attach and keep attached the tag furnished to him by the city clerk-treasurer to the collar as required by Wis. Stats. § 174.07. If the owner desires or the animal cannot wear a collar and tag, a micro-chip may be implanted so long as the information is placed on file with the City. No license shall be issued under this article for any dog or cat unless the applicant exhibits a certificate of a qualified veterinarian showing that the dog or cat is currently immunized against rabies and distemper. The owner shall attach the rabies vaccination tag to a collar, which shall be kept on the dog or cat at all times, but this requirement does not apply to a dog or cat during competition or training, to a dog while hunting, to a dog or cat securely confined indoors, to a dog or cat securely confined in a fenced area or to a dog while actively involved in herding or controlling livestock if the dog is under the control of its owner, as required by Wis. Stats. § 95.21(2)(f).
4. Every Pet specially trained to lead blind or deaf persons, designated as a service animal to the owner by a licensed medical health professional, or to provide support for mobility-impaired persons is exempt from the license fee.

(Code 1986, § 12.03(7))

(Code 1986, § 12.03(1)--(3); Ord. No. 2000-8, § 1(12.03(2)), 4-11-2000, 2015-01)

**Sec. 14-32. Applicability of state law.**



The provisions of Wis. Stats. ch. 174 and Wis. Stats. § 95.21, except for imprisonment penalties imposed are hereby adopted and by reference made a part of this chapter as if fully set forth herein.. Any act required to be performed or prohibited by any statute incorporated in this section by reference is required or prohibited under this Code. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made part of this Code.

(Code 1986, § 12.03(4))

**Sec. 14-33. Harboring certain dogs or cats prohibited.**

No person shall possess, harbor or keep any animal which:

1. Habitually pursues any vehicles upon any public street, alley or highway.
2. Which has been declared vicious.
- ~~3. Habitually makes noise to the annoyance of any two or more other persons.~~
- ~~4.3.~~ Is required to be licensed, but is not.
- ~~5.4.~~ Does not have a valid license tag and current rabies vaccination tag attached to a collar which is kept on the dog or cat whenever the dog or cat is outdoors and not securely confined in a fenced area.

(Code 1986, § 12.03(6))

**Sec. 14-34. Reserved.**

**Sec. 14-35. Removal of waste deposited on public or private property.**

(a) *Removal required.* Any person owning or having control of a dog on property, public or private, which property is not owned or occupied by such person, shall promptly remove excrement left by such dog and place it in a proper receptacle, bury it or flush it in a toilet on property owned or occupied by the person.

(b) *Possession of means of removal required.* Any person causing or permitting a dog to be on any property, public or private, which property is not owned or occupied by such person, shall have in his immediate possession a device or object suitable for removal of the excrement and a depository for the transmission of the excrement to property owned or occupied by the person.

(c) *Penalty.* Any person who fails to comply with any of the provisions of this section shall be issued a warning for the first offense and, upon conviction thereafter, shall be subject to punishment as provided in section 1-11.

(Code 1986, § 12.03(10))

**Secs. 14-36 - - 14.39. Reserved**

**ARTICLE III. EXOTIC ANIMALS**

**Sec. 14- 40. Licensing requirements.**

Any person who resides within the City limits and is the owner of an Exotic Animal which is within the City limits, shall license the Exotic Animal with the city clerk. Every person

residing in the city who owns an Exotic Animal on January 1 of any year or within 30 days of acquiring ownership shall annually and thereafter obtain a license.

Such owner shall pay to the city clerk/treasurer the amount as established by the council from time to time by resolution. The owner of any Exotic Animal who fails to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of an Exotic Animal shall pay an additional late fee as established by the council from time to time by resolution and be subject to further penalties pursuant to section 14-62.

**Sec. 14- 41. Providing registration information to relevant personnel.**

The city clerk shall provide copies of all Exotic Animal registrations to the police department and other emergency rescue personnel which may have reason to enter the premises where wild animals are present for purposes of rescue operations resulting from a natural disaster or personal emergency.

**Sec. 14- 42. Prohibited animals**

It shall be unlawful for any person to keep maintain or have in their possession or under their control within the City any poisonous reptile or other dangerous animal, hybrid animal, carnivorous wild animal or reptile, vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious, or dangerous propensities. Short term educational exhibits are exempt from this provision.

**Sec. 14- 43. Prohibited animals enumerated.**

1. In addition to the prohibition in section 14 – 42, it shall be unlawful for any person to keep, maintain or have in their possession or under their control within the City any of the following animals:
  - a. Any animal which has been declared to be protected or endangered by the U.S. Department of Interior;
  - b. All poisonous animals, including snakes; that upon touch or bite may cause hallucinations, alter cardiopulmonary functions, or even death.
  - c. Badgers;
  - d. Bears
  - e. Beavers
  - f. Canids (such as: wolves, foxes, coyotes, jackals, dingoes, or raccoon dogs);
  - g. Civet;
  - h. Constrictor snakes above six (6) feet in length
  - i. Crocodilian (such as: Alligators, crocodiles, or caimans);
  - j. Falconiformes (such as: eagles, hawks, owls, or falcons) except falcons and hawks in the possession of a state or federally licensed handler;
  - k. Edentata (such as: anteaters, tamadas, sloths, or armadillos);
  - l. Emus
  - m. Felids (such as: lions, tigers, leopards, cheetahs, jaguars, pumas, lynx, ocelots, or bobcats);
  - n. Game cocks and other fighting birds;
  - o. Hyenas

- p. Marsupials (such as: opossums, Tasmanian wolf, kangaroos, koalas, or wombats);
- q. Muskrats
- r. Ostriches
- s. Porcupine
- t. Primates (such as: apes, monkeys, baboons, chimpanzees, gibbons, gorillas, orangutans, siamangs.)
- u. Procyonids (such as: raccoons, coatis, kinkajous, ring-tailed cats, or pandas)
- v. Rheas;
- w. Skunks;
- x. Squirrels;
- y. Sharks;
- z. Ungulates (such as: elephants, zebra, tapirs, rhinoceroses, camel, llama, caribou, antelope, bison, reindeer, deer, giraffe, hippopotamus, wild boar, gazelle, or gnu);
- aa. Water buffalo;
- bb. Wart hogs;
- cc. Weasels;
- dd. Wolverines;
- ee. Woodchucks; or
- ff. Any other dangerous animal.

**Sec. 14- 44. Owner to report escape of Exotic Animal.**

The owner or keeper of any Exotic Animal that escapes from their custody or control shall within one hour after they discover or reasonably should have discovered the escape, report it to a law enforcement officer of the City and the County Sheriff where the escape occurred.

**Secs. 14-45 - - 14-49. Reserved**

**ARTICLE IV. CRUELTY TO ANIMALS AND RELATED OFFENSES**

**Sec. 14-50. Cruelty to animals generally.**

No Person shall beat, torture, or injure any animal, nor overload any working animal, nor shall any person abuse, mistreat or neglect any such animal.

**Sec. 14.51. Reserved**

**Sec. 14-52. Humane care of animals.**

All persons keeping, possessing and/or in control of an animal shall provide the animal with sufficient food and water, proper shelter, humane care and treatment and veterinary care when needed to prevent suffering. No person shall mistreat any animal nor shall any animal be abandoned. An owner may take an animal they no longer desire to care for to an Animal Shelter licensed by the State of Wisconsin.

**Sec. 14-53. Poisoning of Pets.**

It shall be unlawful for any person to administer or cause to be administered a substance which they knew or should have known was a poison of any sort whatsoever to any Pet, or to place any poison or poisoned food where the same is accessible to any Pet.

**Sec. 14-54. Instigating or allowing fights between animals.**

No person shall engage in or allow any fighting between animals of any kind upon their premises or premises in their possession or under their control in the City. No person shall keep any house, pit, or other place to be used in permitting fights between animals. No person shall instigate or encourage any animal to attack, bite, wound, or worry another animal for any bet, stake, reward or entertainment.

**Sec. 14-55. Injured or ill animals.**

Whenever an animal control officer encounters a stray animal suffering pain, the animal control officer may take the animal to a veterinarian where the cost of any care or treatment shall be borne by the owner of the animal. If ownership of the animal cannot be determined, the animal control officer shall impound the animal for five days unless it appears that a longer impoundment will lead to identification of the owner. If the owner cannot be located the animal may be disposed of by humane means without notice.

**Secs. 14-56 - - 14-59. Reserved.**

**ARTICLE V. COMMERCIAL ANIMAL ESTABLISHMENTS.**

**Sec. 14-60. Permit Required.**

No Person or entity shall operate a commercial animal establishment without first obtaining a permit. An application for a commercial animal establishment permit shall be made to the city clerk, and the applicant shall pay a fee prior to the city clerk issuing a commercial animal establishment permit. No permit shall be granted without an inspection of the premises to determine compliance with this Code and state law. The permit shall be issued for one year, commencing on January 1 of each year. Renewal applications for permits shall be made 30 days prior to and up to 30 days after the start of the calendar year. If there is a change of ownership of a commercial animal establishment, the new owner shall obtain a permit.

**Sec. 14-61. Operation of Commercial Animal Establishments.**

Every Commercial Animal Establishment:

1. Shall be maintained in a clean and sanitary condition and not to allow any refuse or waste material to accumulate.
2. Shall have impervious, smooth and cleanable floors.
3. Shall post its permit in a conspicuous place open to the public.
4. Shall isolate and treat any animal in its possession which has any disease, injure, or abnormality and may not sell such animal without full disclosure to the buyer of the condition of the animal.

5. Shall furnish the buyer of any animal, except fish, with a written statement of sale showing the date of sale, approximate age of the animal, immunization and medication type and date administered, and the names of both the seller and buyer.
6. Shall take measures to limit the potential creation of a noise nuisance and take measures to mitigate the actual noise at the establishment or premise.
7. A violation of this chapter shall be cause for revocation of the Commercial Animal Establishment Permit.  
(Ord. 2020-05)

## **ARTICLE VI. ENFORCEMENT**

### **Sec. 14-62. Penalties for violations of Chapter 14.**

Any person who shall violate any section within this chapter is subject to the penalties set forth in section 1-11 of the City ordinances, in addition to any other remedies or sanctions stated with this Chapter



	<p><b>CITY OF EVANSVILLE</b>  <b>Operator's License Application</b></p>
	<p>City Hall          31 S. Madison St          PO Box 76          Evansville, WI 53536</p>

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

First Trinity Middle Lucille Last (as on your driver's license) Rosa Date of Birth \_\_\_\_\_

Address \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State WI Zip Code 53536

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
 (If no current DL, Provide the Last Valid Driver's License No.)

*If you are unsure about the answers to questions 3-5 below, you may obtain a copy of your record from the Wisconsin Department of Transportation or visit CCAP's website at <http://wcca.wicourts.gov>. Incomplete information may result in a delay or denial of your application. Answer ALL questions below.*

- 1) In the last 2 years, have you held a valid Wisconsin Operator's License or completed a Wisconsin Certified Responsible Beverage Server's Training Course?  
 Yes  No  Original applications require a copy of either document.
- 2) Do you need to apply for a Provisional (60 Day) License?  
 Yes  No  If yes, please enclose an additional \$15.00 fee
- 3) Have you ever been cited and/or convicted of any felony or misdemeanor in the State of Wisconsin or in the United States?  
 Yes  No  If yes, state nature of offense and, if applicable, the conviction date and name of court: underage drinking in July of 2019 - Dane County
- 4) Within the last 10 years have you been cited and/or convicted of violating any other law or ordinance in the City of Evansville or State of Wisconsin?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_
- 5) Within the last 10 years have you been cited and/or convicted of violating any license law or ordinance regulating the sale of fermented malt beverages or intoxicating liquors?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 1/29/21 Signature of Applicant: [Signature]

----- **For Office Use Only** -----

**Provisional License** Receipt # \_\_\_\_\_ Faxed \_\_\_\_\_ Initials \_\_\_\_\_

Police: Recommend \_\_\_\_\_ Non-Recommend \_\_\_\_\_ Signature/Date: \_\_\_\_\_

Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Clerk Approval: \_\_\_\_\_

**Operator's License** Receipt # 1.143061 Faxed \_\_\_\_\_ Initials LA

Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: 2/15/21

Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Applicant completed 4 hrs. community service  
fine reduced re: item 3 on Application.

Public Safety Committee: Granted \_\_\_\_\_ Denied \_\_\_\_\_

Reason for Denial: \_\_\_\_\_

Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_

Signature/Date: \_\_\_\_\_ / \_\_\_\_\_

Paid To:  
City of Evansville

Receipt: 1.143061 25.00



	<b>CITY OF EVANSVILLE</b> <b>Operator's License Application</b>
	City Hall 31 S. Madison St PO Box 76 Evansville, WI 53536

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

First Tracie Middle Lee Last (as on your driver's license) HEID Date of Birth \_\_\_\_\_

Address \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State WI Zip Code 53536

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
 (If no current DL, Provide the Last Valid Driver's License No.)

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 Yes  No  Original applications require a copy of either document.
- 2) Do you need to apply for a Provisional (60 Day) License?  
 Yes  No  If yes, please enclose an additional \$15.00 fee
- 3) Have you ever been cited and/or convicted of any felony or misdemeanor in the State of Wisconsin or in the United States?  
 Yes  No  If yes, state nature of offense and, if applicable; the conviction date and name of court: \_\_\_\_\_
- 4) Within the last 10 years have you been cited and/or convicted of violating any other law or ordinance in the City of Evansville or State of Wisconsin?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_
- 5) Within the last 10 years have you been cited and/or convicted of violating any license law or ordinance regulating the sale of fermented malt beverages or intoxicating liquors?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 2-18-21 Signature of Applicant: Tracie S. Held

**For Office Use Only**  
Provisional License Receipt # 1143115 Faxed 2/23/21 Initials TH  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 2/23/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_  
Lic No. 21/23-4 Issue Date: 2/23/21 Date Approved: 2/23/21 Clerk Approval: [Signature]

Operator's License Receipt # 1143115 Faxed 2/23/21 Initials TH  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 2/23/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Public Safety Committee: Granted \_\_\_\_\_ Denied \_\_\_\_\_  
Reason for Denial: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_  
Signature/Date: \_\_\_\_\_ / \_\_\_\_\_

Printed Name  
City of Evansville



# CITY OF EVANSVILLE Operator's License Application

City Hall  
31 S. Madison St  
PO Box 76  
Evansville, WI 53536

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

Colin John Reese Date of Birth \_\_\_\_\_  
First Middle Last (as on your driver's license)

Address \_\_\_\_\_ Evansville WI 53536  
Street City State Zip Code

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
(If no current DL, Provide the Last Valid Driver's License No.)

**If you are unsure about the answers to questions 3-5 below, you may obtain a copy of your record from the Wisconsin Department of Transportation or visit CCAP's website at <http://wcca.wicourts.gov>. Incomplete information may result in a delay or denial of your application. Answer ALL questions below.**

- In the last 2 years, have you held a valid Wisconsin Operator's License or completed a Wisconsin Certified Responsible Beverage Server's Training Course?  
Yes  No  Original applications require a copy of either document.
- Do you need to apply for a Provisional (60 Day) License?  
Yes  No  If yes, please enclose an additional \$15.00 fee
- Have you ever been cited and/or convicted of any felony or misdemeanor in the State of Wisconsin or in the United States?  
Yes  No  If yes, state nature of offense and, if applicable, the conviction date and name of court: Dui January 2010 Rock county
- Within the last 10 years have you been cited and/or convicted of violating any other law or ordinance in the City of Evansville or State of Wisconsin?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_
- Within the last 10 years have you been cited and/or convicted of violating any license law or ordinance regulating the sale of fermented malt beverages or intoxicating liquors?  
Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_

31 S. Madison St, Evansville WI 53536 / Phone 608.882.2266 / Fax 608.882.2282

[www.ci.evansville.wi.gov](http://www.ci.evansville.wi.gov)

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 2-18-21 Signature of Applicant: [Signature]

**For Office Use Only**

Provisional License Receipt # 1143130 Faxed \_\_\_\_\_ Initials [Initials]  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 2/23/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Clerk Approval: \_\_\_\_\_

Operator's License Receipt # 1143130 Faxed \_\_\_\_\_ Initials [Initials]  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 2/23/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_

**Public Safety Committee:** Granted \_\_\_\_\_ Denied \_\_\_\_\_  
Reason for Denial: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_

Signature/Date: \_\_\_\_\_ / \_\_\_\_\_

Dorry

	<b>CITY OF EVANSVILLE</b> <b>Operator's License Application</b>
	City Hall 31 S. Madison St PO Box 76 Evansville, WI 53536

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

First Dorry Middle A Last (as on your driver's license) Weigel Date of Birth 11/11

Address \_\_\_\_\_ Street \_\_\_\_\_ City Evansville State WI Zip Code 53536

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
 (If no current DL, Provide the Last Valid Driver's License No.)

*If you are unsure about the answers to questions 3-5 below, you may obtain a copy of your record from the Wisconsin Department of Transportation or visit CCAP's website at <http://wcca.wicourts.gov>. Incomplete information may result in a delay or denial of your application. Answer ALL questions below.*

- 1) In the last 2 years, have you held a valid Wisconsin Operator's License or completed a Wisconsin Certified Responsible Beverage Server's Training Course?  
 Yes  No  Original applications require a copy of either document.
- 2) Do you need to apply for a Provisional (60 Day) License?  
 Yes  No  , yes, please enclose an additional \$15.00 fee
- 3) Have you ever been cited and/or convicted of any felony or misdemeanor in the State of Wisconsin or in the United States?  
 Yes  No  If yes, state nature of offense and, if applicable, the conviction date and name of court: \_\_\_\_\_
- 4) Within the last 10 years have you been cited and/or convicted of violating any other law or ordinance in the City of Evansville or State of Wisconsin?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_
- 5) Within the last 10 years have you been cited and/or convicted of violating any license law or ordinance regulating the sale of fermented malt beverages or intoxicating liquors?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 2/23/21 Signature of Applicant: Douglas Weigel

For Office Use Only

Provisional License Receipt # 1143163 Faxed \_\_\_\_\_ Initials JSA  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 3/1/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Clerk Approval: \_\_\_\_\_

Operator's License Receipt # 1143163 Faxed \_\_\_\_\_ Initials JSA  
Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 3/1/21  
Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Public Safety Committee: Granted \_\_\_\_\_ Denied \_\_\_\_\_  
Reason for Denial: \_\_\_\_\_  
Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_  
Signature/Date: \_\_\_\_\_ / \_\_\_\_\_

Austin

	<b>CITY OF EVANSVILLE</b> <b>Operator's License Application</b>
City Hall 31 S. Madison St PO Box 76 Evansville, WI 53536	

Provisional License \$15.00  Original License \$25.00  Renewal License \$25.00

First: AUSTIN Middle: LEE Last (as on your driver's license): MARLOWE Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State WI Zip Code 53536

Telephone No.: \_\_\_\_\_ Gender: Male  Female

Current Driver's License No.: \_\_\_\_\_ Issued in the State of: \_\_\_\_\_  
 (If no current DL, Provide the Last Valid Driver's License No.)

*If you are unsure about the answers to questions 3-5 below, you may obtain a copy of your record from the Wisconsin Department of Transportation or visit CCAP's website at <http://wcca.wicourts.gov>. Incomplete information may result in a delay or denial of your application. Answer ALL questions below.*

- 1) In the last 2 years, have you held a valid Wisconsin Operator's License or completed a Wisconsin Certified Responsible Beverage Server's Training Course?  
 Yes  No  Original applications require a copy of either document.
- 2) Do you need to apply for a Provisional (60 Day) License?  
 Yes  No  If yes, please enclose an additional \$15.00 fee
- 3) Have you ever been cited and/or convicted of any felony or misdemeanor in the State of Wisconsin or in the United States?  
 Yes  No  If yes, state nature of offense and, if applicable, the conviction date and name of court: \_\_\_\_\_
- 4) Within the last 10 years have you been cited and/or convicted of violating any other law or ordinance in the City of Evansville or State of Wisconsin?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: CLIFFER, H.R.F. DESTRUCTION OF PROPERTY, BATTERY, DISORDERLY CONDUCT
- 5) Within the last 10 years have you been cited and/or convicted of violating any license law or ordinance regulating the sale of fermented malt beverages or intoxicating liquors?  
 Yes  No  If yes, state nature of offense and if applicable the conviction date and name of court: \_\_\_\_\_

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquors, subject to the limitations imposed by Section 125.32 (2) and 125.68 (2) of the Wisconsin State Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State, or Local, affecting the sale of such beverages and liquors if a license be granted me. I understand that the Provisional License expires 60 days after issuance and the Original License expires on the second June 30<sup>th</sup> after issuance (unless revoked prior to expiration).

I certify that I am a citizen of the United States; I am \_\_\_\_\_ years of age; and that all answers in this application are true and correct, and I agree that any misstatements or omissions of material fact may result in the denial of this application. I understand the application fees are non-refundable.

Date: 02/23/21 Signature of Applicant: AUSTIN MORLOWE

**For Office Use Only**

Provisional License Receipt # 1143162 Faxed \_\_\_\_\_ Initials JH

Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 3/1/21

Reason for Non-Recommendation if Applicable: \_\_\_\_\_

Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Clerk Approval: \_\_\_\_\_

Operator's License Receipt # 1143162 Faxed \_\_\_\_\_ Initials JH

Police: Recommend  Non-Recommend \_\_\_\_\_ Signature/Date: [Signature] 3/1/21

Reason for Non-Recommendation if Applicable: \_\_\_\_\_

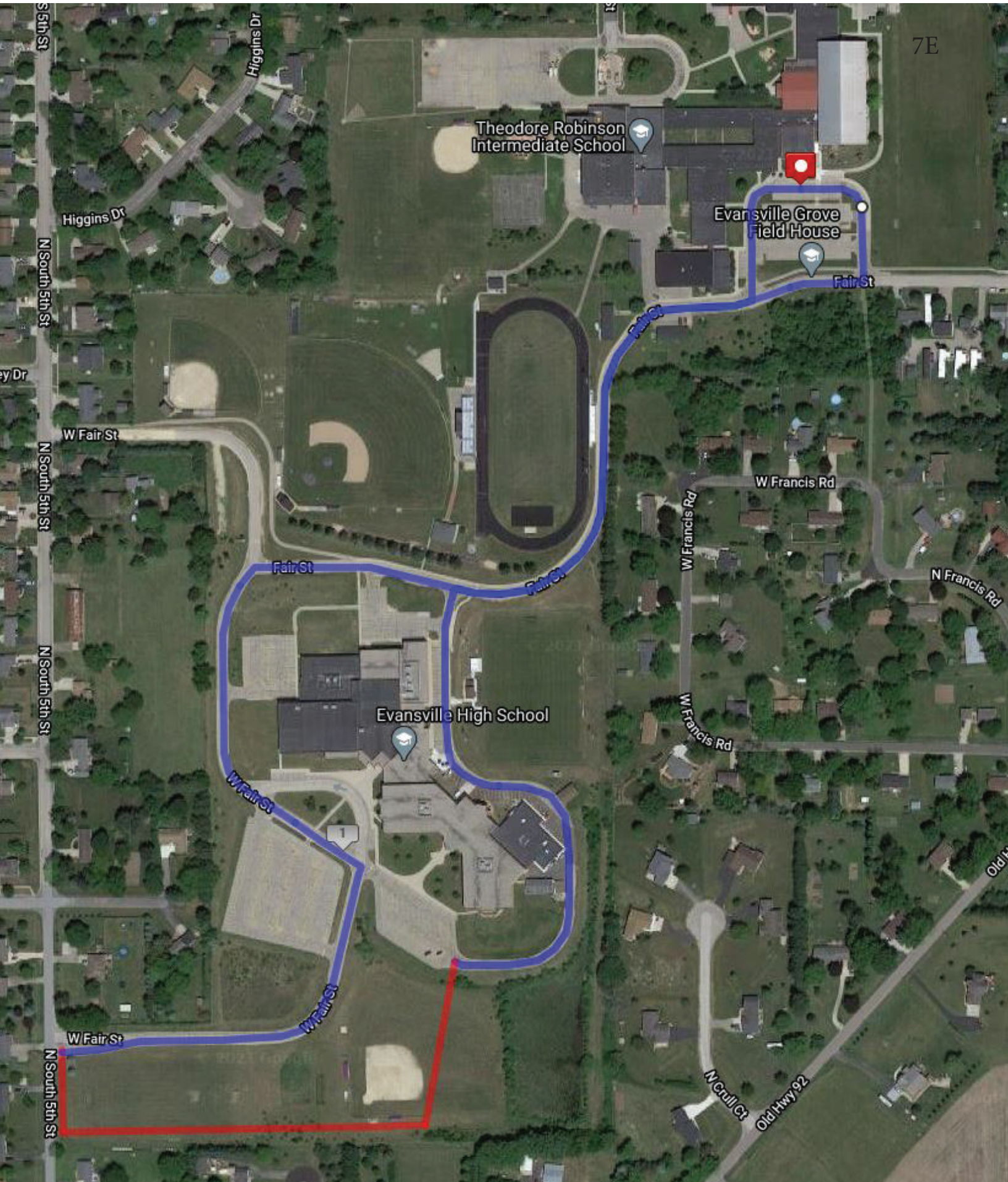
Public Safety Committee: Granted \_\_\_\_\_ Denied \_\_\_\_\_

Reason for Denial: \_\_\_\_\_

Lic No. \_\_\_\_\_ Issue Date: \_\_\_\_\_

Signature/Date: \_\_\_\_\_ / \_\_\_\_\_





Theodore Robison Intermediate School

Evansville Grove Field House

Evansville High School

7E

S 5th St

Higgins Dr

Higgins Dr

N South 5th St

W Fair St

N South 5th St

N South 5th St

Fair St

Fair St

W Fair St

W Fair St

W Fair St

N South 5th St

Theodore Robison Intermediate School

Evansville Grove Field House

Evansville High School

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Higgins Dr

N South 5th St

W Fair St

N South 5th St

N South 5th St

Fair St

Fair St

W Fair St

W Fair St

W Fair St

N South 5th St

W Francis Rd

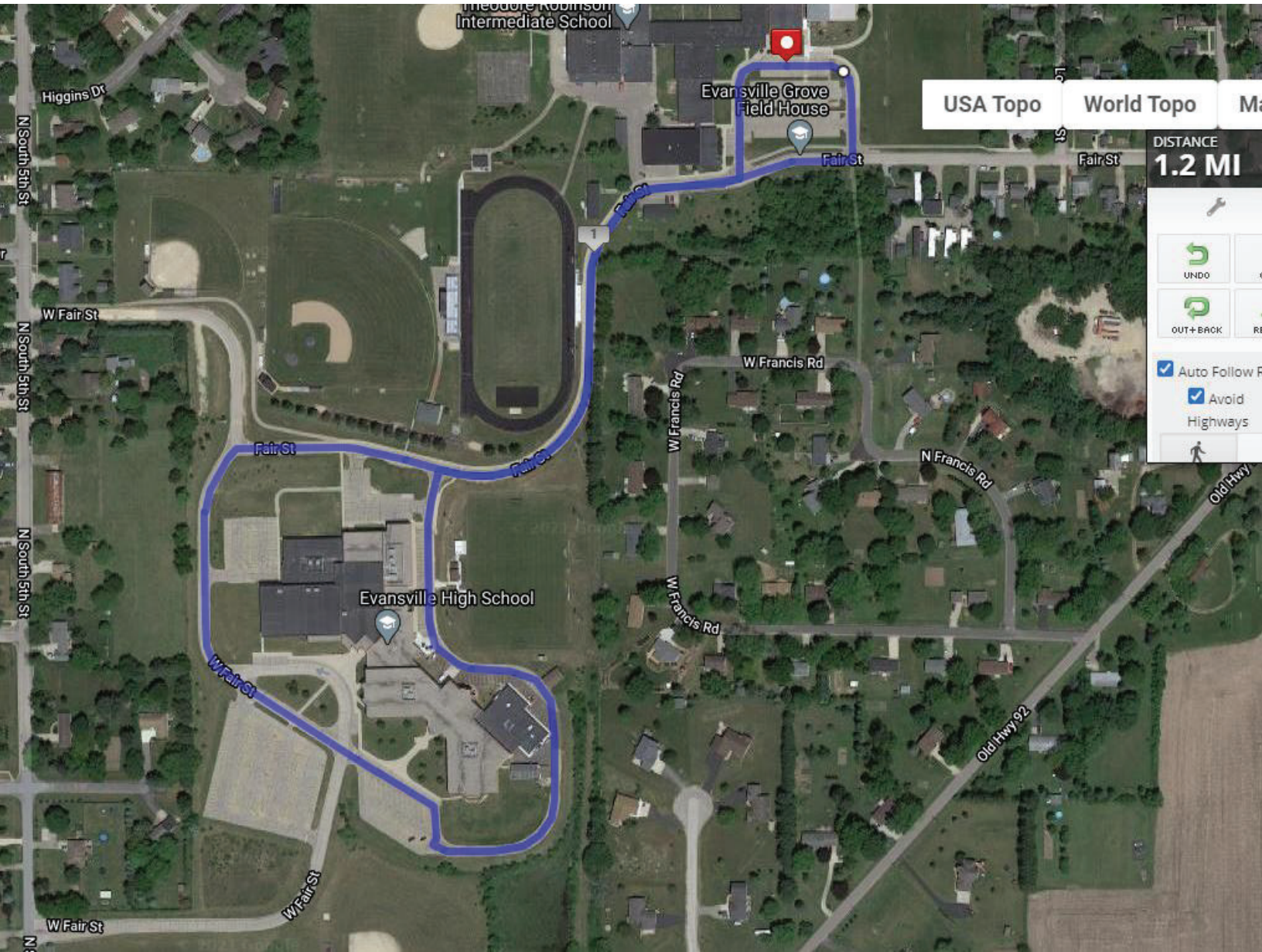
W Francis Rd

W Francis Rd

N Francis Rd

W Crull Ct

Old Hwy 92



Theodore Robinson Intermediate School

Evansville Grove Field House

Evansville High School

USA Topo

World Topo

DISTANCE  
1.2 MI

UNDO

OUT+BACK

Auto Follow R

Avoid Highways

N South 5th St

N South 5th St

N South 5th St

N

Higgins Dr

W Fair St

Fair St

W Fair St

W Fair St

W Francis Rd

W Francis Rd

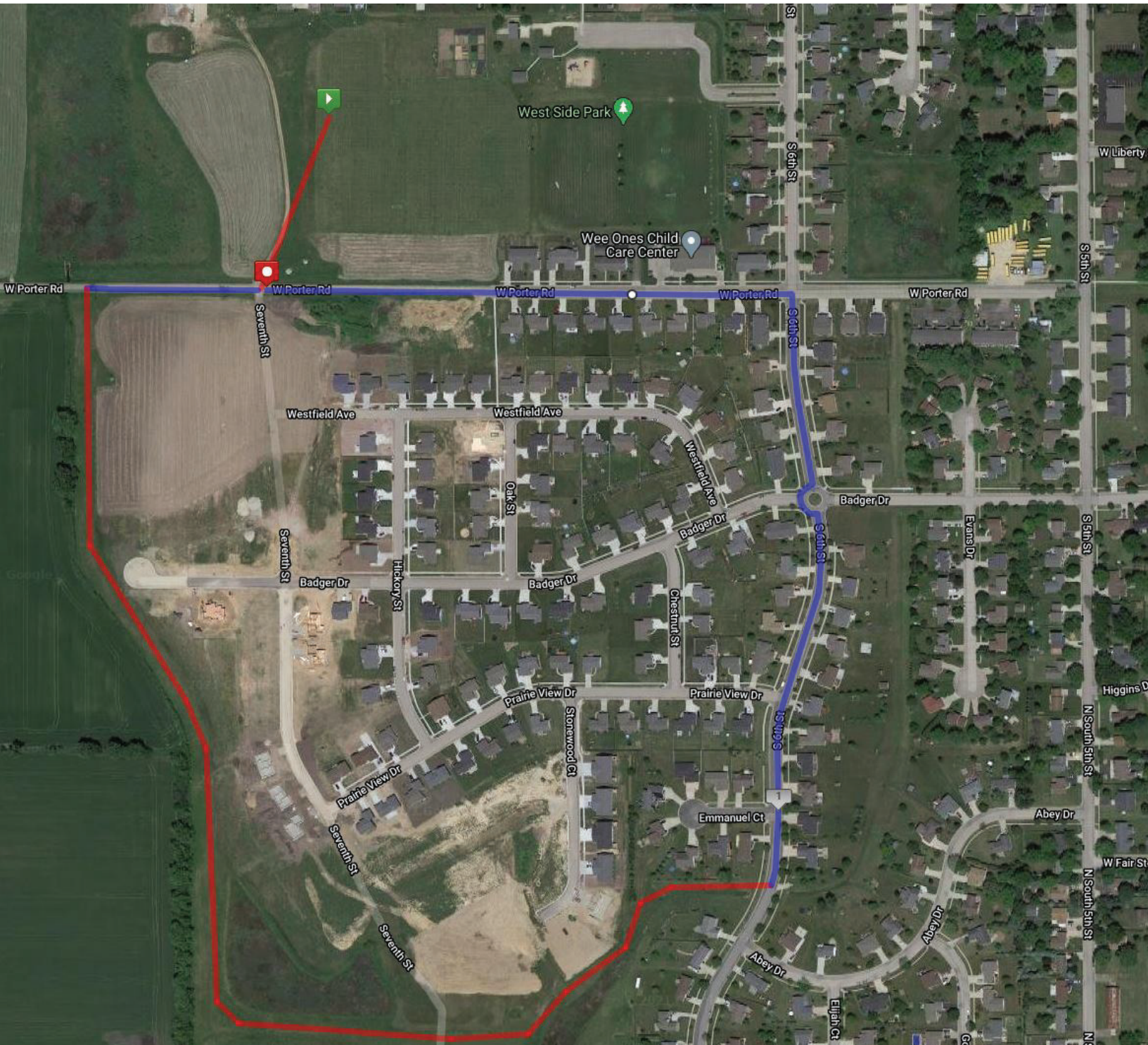
N Francis Rd

Old Hwy 92

Lo St

Fair St

Old Hwy







# Evansville Public Safety Police Report

March 3<sup>rd</sup> 2021

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## Committee Members:

Chair Dianne Duggan  
Aldersperson Erika Stuart  
Aldersperson Bill Lathrop

## City Representatives:

Mayor: William Hurtley  
City Administrator: Vacant  
Prepared by: Chief Patrick Reese  
Virtual Meeting

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## Officer Training:

- The academy director has provided an update on Officer Wolfs training:
  - The academy students took their Phase I Exam today and did very well. Wolf scored a 92% on the exam
  - Completed Phase 1 simulations which includes interviewing victims and other various scenarios
  - Soon they'll move out of the classroom and onto the physical skills
- The following free training all members of the department (sworn and non-sworn) have completed or will have completed by March 18<sup>th</sup>:
  - Conflict De-Escalation (1-3, three part series)
  - How to take a Racism Self Inventory
  - How to Talk About Symbols and Racism
  - How to Learn From Others Without Offending
  - What to Say When Someone Calls You Racist
  - How to be an Ally Against Racism at Work
  - How to Begin to Build a Belief System Around Racism and Other Differences
  - How to Talk About Racism Online
  - How to Respond Well in Diversity Conversations
  - Understanding the Scars of Diversity
- All Officers had a free training put on by the Department of Natural Resources on rules for snowmobiles, ATV's, UTV's and the differences in OWI penalties and other useful information. Thank you to DNR Warden Kyle Johnson for his time giving an update to the staff
- Chief Reese is in the process of completing his instructor development update, Lt. Jones, Sgt. Reilly, Ofc. Nankee, and Ofc. Schmidt have already completed the course – this is required every two years to maintain instructor certification for the State
- Officer Johnson completed Hidden Compartments and Deceptive Behavior class
- Officer Tway completed Conflict Communications Skills
- All officers finished up intoximeter recertification's between last month and February

## Community Relations:

- Chief Reese met w/ Jennifer Braun to discuss a "Stuff the Squad" event at the Piggly Wiggly. This is an event that would benefit the Care Closet. We are trying to find some different ways to give back since Night Out and some of our other community outreach has suffered because of COVID

# Monthly Update:

## Technology/Equipment/Building Update:

- Chief Reese spoke with Architectural Design Consultants, Inc – Michael Maas regarding our building. Michael was at the Chiefs Conference and provided some good insight on building projects
- The building had a deep clean, next the flooring will be stripped and waxed. We are still waiting on the hire of a custodian for the City. Chief Reese and Lieutenant Jones have been mopping and cleaning until a custodian is hired
- Grant check for the body cameras was received by Evansville Fund
- Vinyl Graphics will be the PD to place proper signage at our doors and at EMS the early part of March
- Lt. Jones has been working with Kustom Signals regarding our in squad video system. We've has some problems with them not working properly. Lt. Jones has sent them back to Kustom Signals twice and we will again need to send one back for repairs. Kustoms has been covering the repairs. These will be replaced soon when the new system is installed
- The 2021 squad car is still waiting at General Communications. They are waiting for equipment to arrive
- Thank you again to Dale and the Evansville DPW for keeping up on the ice on our building

## Police Commission/staffing:

Detective Sergeant Rittenhouse talked with an individual that is going through the Criminal Justice program at MATC. She is interested in possibly doing an internship with our department

## Calls for Service:

February 2021:1175

February 2020: 1012

## Accreditation:

- Chief Reese continuing working on Minocqua PD's CORE assessment review
- Detective Sergeant Rittenhouse keeps working on our accreditation

Notable incidents/calls (by Sergeant Reilly):

- Traffic Stops
  - 60 Stops
  - 19 Citations
  - 1 OWI Arrest
  
- Domestic Violence Incidents
  - 4 Arrests
  
- Welfare Checks
  - 9 Incidents
  -
  
- Detective Sgt Rittenhouse and Officer Johnson investigated the abuse of an infant in coordination with CPS and an area hospital. The case was referred to the Rock County District Attorney.

Other Concerns/Comments:

- Lobby remains busy with DMV transactions and regular day to day activities
- Our lobby was closed last Friday for maintenance to the floors
- Jill has been on vacation and remains on vacation this week. Quinn has been covering her hours, thank you to Quinn for putting in extra hours

Operational at 10 W. Church Street as of Monday, November 2<sup>nd</sup>, 2009.