

**TO: Applicants for Operator or Alcohol Licenses**

**FROM: Lacey L. Reynolds, City Clerk**

**RE: Operator/Alcohol License Application Approval Policy**

The application for an original, renewal, or provisional Operator or Alcohol License asks questions regarding past convictions, arrests or charges under State, Federal or Local laws or ordinances, either as an adult or juvenile. **These questions MUST be answered completely and truthfully.** Please read the questions carefully. Applicants for Class A, B or C Alcohol Licenses must make an appointment with the City Clerk to submit their completed applications. The City performs a background check on all applicants. **Should we find your information is NOT complete, correct or illegible, your license may be denied.** Thank you.

**PARAMETERS FOR DENIAL OF OPERATOR/CLASS A, B OR C LICENSES**

Applicants for an operator's or alcohol license may not be habitual law offenders; defined as two or more arrests or convictions within a five-year period, or longer if a pattern of conduct exists. The following list of offenses is considered to substantially relate to the licensing activity and may disqualify an individual from receiving a license:

1. Underage consumption/possession of alcohol.
2. Furnishing or sale of alcohol to minors.
3. Any substance abuse.
4. Driving under the influence of any alcohol or controlled substance.
5. Allowing a person to use operator's license.
6. Selling to an intoxicated person.
7. Selling after hours.
8. Selling without a license.
9. Giving away intoxicating liquor to evade provisions of law.
10. Convictions of any part of Chapter 125 State Statutes relating to alcohol beverages.
11. Arrests or convictions of charges related to the activities performed while bartending.
12. Any felony conviction, subject to Wisconsin Statutes 111.321, 111.322, 111.335, until the applicant has been duly pardoned.
13. Convictions with supervision agreements shall be considered a conviction until the applicant has satisfactorily completed supervision and is released by the respective court.

**ADDITIONAL PARAMETERS FOR DENIAL OF OPERATOR/CLASS A, B OR C LICENSES**

1. Lying, giving false or incomplete information, or misinformation on the Application.
2. Unpaid taxes, assessments, utility, other charges or failure to pay overdue forfeitures due the City.
3. For Class A, B or C Licenses: lack of a Wisconsin Seller's Permit or unpaid alcohol beverage bills.
4. Unpaid utility bills or owing money to the City of Elkhorn.

This is not a complete list. The Common Council may, after conducting a proper review of the application, decide to deny the application due to other reasons. This generally applies to Class A, B or C alcohol applications where other factors need to be considered.

**A FORFEITURE UP TO \$1,000 MAY BE ISSUED TO APPLICANT IF AN APPLICATION IS DENIED DUE TO ANY PERSON KNOWINGLY PROVIDING MATERIALLY FALSE INFORMATION ON THE APPLICATION FOR A CLASS A, B OR C ALCOHOL LICENSE (Wisconsin Statute 125.04(3)(j))**

Adopted 8/7/2017; Amended 11/5/18