

VILLAGE OF POYNETTE

Operator's License Cover Sheet

*Please remove before submittal

The application for an original or renewal Operator's License asks questions regarding past convictions or arrests under State or Federal Laws, either as adult or juvenile. These questions MUST be answered truthfully. Please read these questions carefully.

Our Police Department performs a background check on all applicants. Should we find your information is **NOT** correct, we **WILL** deny your license. The Poynette Village Board has adopted the "Parameters for Denial of Bartender's Licenses" as a guideline for license denials. If you have been convicted twice of any of the offenses listed, your application will be denied. If you have any questions, please ask before completing the application.

Thank you.

PARAMETERS FOR DENIAL OF BARTENDER'S LICENSE

1. Lying on the Application.
2. Two arrests or convictions of underage selling during the past 5 years.
3. Convicted of any substance abuse twice during the past 5 years.
4. Convicted of driving under the influence of any alcohol or controlled substance twice during the past 5 years.
5. Two convictions of allowing a person to use operator's license during the past 5 years.
6. Two convictions of selling to an intoxicated person during the past 5 years.
7. Two convictions of selling after hours during the past 5 years.
8. Two convictions of selling without a license during the past 5 years.
9. Convicted of giving away intoxicating liquor to evade provisions of law twice during the past 5 years.
10. Two convictions of any part of Chapter 125 State Statutes relating to alcohol beverages during the past 5 years.
11. Two other arrests or convictions of charges related to the activities performed while bartending within the past 5 years.
12. Any habitual law offender or felon where the circumstances of the charges substantially related to the licensing activity.

Any person denied a license may appeal the decision. The request will be made through the Village Clerk's office and will be placed on the Village Board agenda. **IF YOUR APPLICATION SHOULD BE DENIED BY THE VILLAGE BOARD, FEES ARE NON-REFUNDABLE AND YOU CANNOT RE-APPLY UNTIL THE NEXT LICENSE YEAR.**

**VILLAGE OF POYNETTE
APPLICATION FOR LICENSE TO SERVE
FERMENTED MALT BEVERAGES & INTOXICATING LIQUORS**

License Year: July 1, 20__ through June 30, 20__.

Original _____
Renewal _____
Provisional _____

License Fee: \$45.00

APPLICANT MUST BE 18 YEARS OF AGE OR OLDER TO APPLY

To the Clerk of the Village of Poynette, WI: I hereby apply for a License to serve Fermented Malt Beverages and Intoxicating Liquors, subject to the limitations imposed by Section 125.32(2) and 125.68(2) of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, Federal, State or Local laws, affecting the sale of such beverage and liquors if a license be granted to me.

PLEASE PRINT CLEARLY:

Name: _____
Last
First
Middle Initial
Maiden

Address: _____
House # and Street
City, State & Zip Code

Home Phone Number: _____ Sex: Male _____ Female: _____

Date of Birth: _____ Age: _____

List all prior addresses within the last 5 years:

Street Address	City	State	Zip	From	To

City and State Where You Were Born: _____

Social Security Number: _____

Driver's License Number: _____

Applicant Name: _____
Last First Middle Initial Maiden

1. How long have you continuously resided in the State of Wisconsin prior to the date of this application?

NOTE: If you need assistance in answering the questions below, please contact the Local Police Dept., County Sheriff's Dept., or the authority who made the arrest, issued the citation or summons.

2. Have you ever been convicted of a felony (unless pardoned)? _____
If YES, list violation, give conviction date and jurisdiction where convicted:

3. Have you ever been arrested or convicted of violation any other laws including traffic, of the United States, State, County, City, Village or Town, relating to the use or abuse (either as an adult or juvenile) of alcohol or controlled substances within the past 5 years? _____

If YES, describe the circumstances and give conviction date and jurisdictions where convicted:

4. Are there charges of any kind pending against you (either as an adult or juvenile)? _____
If YES, describe the circumstances and give arrest/charge date and jurisdiction.

5. Name of the licensed establishment(s) where you will be working. _____

6. Have you previously held an Operator License in the State of Wisconsin? _____
If yes, list dates held and issuing jurisdiction:

Date	Issuing Jurisdiction
_____	_____
_____	_____

Applicant Name: _____
Last First Middle Initial Maiden

7. Have you ever had an Operator License denied or revoked by the Village of Poynette? _____
If YES, explain when and why. _____

8. Have you completed the training session on alcohol beverage regulations*? _____

Date Location

If YES, when and where _____

If NO, are you currently registered to attend a training session? _____

If YES, you must attach a copy of the registration form.

If you haven't held an Operator (Bartender) License or a Class A or Class B Alcohol License, or were not an alcohol agent for a corporation within the past two years of the application date, you **MUST completed Alcohol Awareness Course and submit a copy of the Certificate of Completion before the Operator License can be issued.*

The undersigned, deposes and says that (s)he is the person in the foregoing application; that the applicant has read and made a complete answer to each question, and the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

The undersigned further acknowledges that any false statements automatically means a denial of License.

Signed: _____ Date: _____

Based on information provided above and a record check by the Police Department, this license is hereby:

Approved: _____ Disapproved: _____ Date: _____ Police Chief: _____

SECTION 7.01(7)(a) ORDINANCE RELATIVE TO ALCOHOL LICENSE DEMERIT POINT SYSTEM

(a) Alcohol License Demerit Point System.

1. Purpose. In addition to the regulations found in Chapter 125 of the Wisconsin Statutes and this Chapter of the Village of Poynette Ordinances, the following point system is hereby established to provide a guide for the Village Board in the suspension or revocation of alcohol licenses. This system is intended to identify habitually troublesome alcohol license holders who repeatedly violate Wisconsin Statutes and/or Village Ordinances or those license holders who repeatedly permit such violations and to assist the Village Board in taking consistent action in matters involving alcohol licenses.

2. Point Schedule. The following is a list of demerit points for each type of listed violation.

Type of Violation	Point Value
Sale of alcohol beverages without license or permit	100
Unauthorized transfer/use of license	75
Sale of alcohol beverages to under aged person	50
Sale of alcohol beverage to intoxicated person	35
Under aged person on premises	35
Intoxicated bartender	50
After hours consumption	35
Refusal to allow police to search premises or refusal to cooperate with lawful police investigation	75
Licensee, Agent or Licensed Operator to be on premises at all times	35
Agent responsibility violations – for example lack of control of business holding the License, lack of control of premises, etc.	35
Patron(s) on premise after closing hours	25
No carry-out, restricted to appropriate hours	10
Permit person to leave licensed premises with open alcohol beverage	10
Failure to post license	50

Employee selling/possessing controlled substance with intent to sell	75
Employee possessing controlled substance	35
Owner/License holder selling/possessing controlled substance with intent to sell	150
Owner/License holder possessing controlled substance	75
Exceeding posted occupancy by more than 30%	25
Disorderly Conduct Prohibited	35
All other violations of Wisconsin State Statutes Section 125 or ordinances of the Village of Poynette	10-75
Any points assessed for the above violations shall double if the violation results in Serious bodily injury to or the death of any person	
Any warning issued by the Poynette Police Department for any of the above violations Shall be counted as one half the points specified for that violation	

3. Calculating Violations. In determining the accumulated demerit points against a license, the Village shall use the date each violation was committed as the basis for the determination. In addition, the violation must occur on the licensed premises or be directly related to the use of the licensed premises.
 - a. Demerit points shall be assessed after entry of a judgment of conviction in a federal, state or municipal court for violation of any statute or ordinance provision listed under the types of violations in Section 2 above. The Village Board may take notice of any such convictions without the need for further evidence to establish the violation.
 - b. The Board of Trustees or their appointee/s shall have the exclusive authority to assign a point value for any violation which the point value is not specified above. The designation of a point value for a particular violation shall be made at the same hearing that the Committee takes up the possible suspension, revocation or nonrenewal of an alcohol license.
4. Notice and Hearing. The Board of Trustees or their appointee/s shall provide for and conduct any hearing which could result in the suspension, revocation or nonrenewal of any alcohol license pursuant to Wisconsin Statute Section 125.12 or its' successors and shall use subsections a. through c. below as a guide to determine the appropriate sanction, if any, for the license holder following such hearing.
 - a. For demerit points accumulated in the current and most recently completed license year of at least 100, but less than 150, suspension of the license for a period of 3 to 10 days.

- b. For demerit points accumulated in the current and most recently completed license year of at least 150, but less than 200, suspension of the license for a period of 10 to 90 days.
 - c. For demerit points accumulated in the current and most recently completed license year of 200 or more, revocation or nonrenewal of the license.
5. Scope of Ordinance. Nothing in this section shall be construed to conflict with, abridge or modify the rights or procedures established for the suspension, revocation or nonrenewal of alcohol licenses stabled by the Wisconsin Statutes and does not restrict the Village, or any other party, from seeking suspension, revocation or nonrenewal of an alcohol license regardless of the total number of demerit points assessed against a license.
6. Transfer/sale of licensed business. Upon transfer or sale of any licensed business, all accumulated demerit points shall be cancelled unless any of the following apply:
- a. The new license is related to the former licensee by blood, adoption, marriage or is his/her domestic partner.
 - b. The new license held an ownership interest in the previous licensed business, real estate or equipment.
 - c. The former license retains an ownerships interest in the business, real estate or equipment used by the business.

For the purposes of this section, an “ownership interest” is defined to mean that a person, partnership, corporation, limited liability company, or other legal entity either owns all or part of or controls directly or indirectly, the license business. This is not intended to include a relationship that is strictly related to a security interest or a vendor’s interest under a land contract unless otherwise maintaining an ownership interest. It is presumed that control of or ownership interest in a business is an “ownership Interest” under this subsection.

If any of the subsections (a) through (c) apply, the new licensee will inherit the demerit points previously assessed and be subject to all of the applicable provisions of this section.

7. Persons who are holding a license at the time this ordinance is enacted but would not be in compliance with this ordinance will be allowed to obtain a license. In the event the person holding a license commits another violation which would prohibit them from holding a license after the enactment of this ordinance, that person’s license shall be revoked, suspended or non-renewed.