

ORDINANCE NO. 2024-12

**VILLAGE OF YORKVILLE
RACINE COUNTY, STATE OF WISCONSIN**

**AN ORDINANCE TO AMEND SECTION 14-102 OF THE CODE OF ORDINANCES FOR
THE VILLAGE OF YORKVILLE, RACINE COUNTY, STATE OF WISCONSIN,
PERTAINING TO OPERATOR'S LICENSES**

**THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY,
STATE OF WISCONSIN ORDAINS AS FOLLOWS:**

1. That Section 14-102 of the Code of Ordinances for the Village of Yorkville, Racine County, State of Wisconsin be, and hereby is amended to read follows:

“Sec. 14-102. Operators’ licenses.

- (a) *Required.* No premises shall be open for business under any “Class A”, Class “A”, “Class B”, Class “B”, or “Class C” license or temporary retail license or provisional retail license unless there is upon the premises the licensee, the agent named in the license if the licensee is a corporation or limited liability company, or some person who has an operator's license issued by the Village or operator's permit issued by the Division of Alcohol Beverages and who is responsible for the acts of all persons serving any fermented malt beverages or intoxicating liquor to customers. For the purpose of this section, any person holding a manager’s license under Wis. Stat. § 125.18, or any member of the licensee’s or permittee’s immediate family who has attained the age of 18, shall be considered the holder of an operator’s license. No person other than the licensee or agent may serve fermented malt beverages or intoxicating liquor in any place operated under any “Class A”, Class “A”, “Class B”, Class “B”, or “Class C” license or temporary retail license or provisional retail license unless he or she has an operator's license issued by the Village or operator’s permit issued by the Division of Alcohol Beverages, is considered to have an operator's license under this subsection, or is at least 18 years of age and is under the immediate supervision of the licensee, agent, or a person holding an operator's license or operator's permit, who is on the premises at the time of the service.
- (b) *Standards for Issuance.* Operators’ licenses shall be issued as provided in Wis. Stat. § 125.17, as follows:
 - (1) *Application.* Operator’s licenses shall be made upon written application on forms provided by the village clerk. Said application shall state the name, residence, age, and sex of the applicant, together with such pertinent information as to the fitness of a candidate as the Village clerk shall require. All such applicants shall list any convictions for crimes or ordinance violations which bear a relationship to the responsibilities of licensees.
 - (2) *Application fee.* The annual fee for an operator’s license shall be paid to

the Village treasurer in an amount as set forth in the schedule of fees on file in the Village clerk's office and which may be revised by Village Board resolution from time to time.

- (3) An operator's license may be issued only to persons who have attained the age of 18 years.
- (4) Applicants shall not be required to show proof of or offer of employment as a condition of receiving an operator's license.
- (5) *Training course.* The applicant shall provide the Village clerk with documentation demonstrating successful completion of a responsible beverage server training course that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board, or a comparable training course, which may include computer-based training and testing, that is approved by the department of safety and professional services, or unless the applicant fulfills one of the following requirements:
 - a. The applicant is renewing a valid operator's license.
 - b. Within the past 2 years, the person held a Class "A", "Class A", Class "B", "Class B", or "Class C" license or an operator's license.
 - c. Within the past 2 years, the person has provided documentation demonstrating completion of a responsible beverage server training course.
- (6) Prior to the grant and issuance of an operator's license, both initially before issuance and annually upon renewal, the Village clerk shall conduct a background investigation of each operator's license applicant.
- (7) Operator's licenses may be granted and issued to individuals by the Village Clerk as provided in Wis. Stat. § 125.17(1).
- (8) If the Village clerk determines, however, that further review of an application is necessary or that an application may meet the criteria for denial, the Village clerk shall cause the name of the applicant to be placed on the agenda of the Village Board for action to either grant or deny such license application. In such cases, upon granting of the application by the majority vote of the Village Board members present, the Village clerk shall issue an operator's license to the applicant.
- (9) Each operator's license shall expire on the 30th day of June following the date of issuance.
- (10) In the event that an applicant for an operator's license submits an application in the months of May or June, a provisional license may be issued to that applicant to cover the final two months of the licensing year

subject to the provisional license application fee and requirements.

(11) *Temporary operators' licenses.*

- a. The Village clerk may, without prior Village Board approval and as provided in Wis. Stat. § 125.17(4), be authorized to issue temporary operator's licenses.
- b. Operator's licenses shall be made upon written application on forms provided by the village clerk. Said application shall state the name, residence, age, and sex of the applicant, together with such pertinent information as to the fitness of a candidate as the Village clerk shall require. All such applicants shall list any convictions for crimes or ordinance violations, which bear a relationship to the responsibilities of licensees.
- c. The fee for a temporary operator's license shall be paid to the Village treasurer in an amount as set forth in the schedule of fees on file in the Village clerk's office and which may be revised by Village Board resolution from time to time.
- d. A temporary operator's license may only be issued to persons who have attained the age of 18 years.
- e. Temporary operators' licenses may only be issued to operators employed by, or donating their services to, nonprofit corporations.
- f. No person may hold more than two temporary operator's licenses per year.
- g. The temporary operator's license is valid for any period from one day to 14 days. The period for which the license is valid shall be stated on the license.

(12) *Provisional operators' licenses.* A provisional operator's license shall function as an operator's license, subject to the limitations contained in this subsection.

- a. *Qualifications.* The Village clerk shall, without prior Village Board approval and as provided in Wis. Stat. § 125.17(5), be authorized to issue a provisional operator's license to any person who has, at the same time, also applied with the Village for an operator's license pursuant to this section of the Code, provided that, based upon the information contained in the application, the person meets the general qualifications contained in this section of the Code and Wis. Stat. Ch. 125 for the issuance of an operator's license, and further provided, however, that the Village clerk shall issue a provisional operator's license to anyone filing with the Village clerk a certified copy of a valid operator's license issued by

another municipality. In no event, however, shall a provisional operator's license be issued to anyone who has been denied an operator's license by the Village Board. A provisional license may be issued to an applicant that has enrolled in a training course if that applicant meets the other qualifications for an operator's license.

- b. *Application fee.* The fee for a provisional operator's license shall be paid to the Village treasurer in an amount as set forth in the schedule of fees on file in the Village clerk's office and which may be revised by Village Board resolution from time to time. The application fee shall be nonrefundable and shall not apply in whole or in part toward the operator's license fee for which the applicant has applied.
- c. *Duration.* A provisional operator's license shall expire (1) 60 days after its issuance, (2) upon issuance or denial of the operator's license that was applied for with the Village, or (3) upon expiration of an operator's license from another municipality that was filed with the Village under paragraph a., whichever event occurs sooner.
- d. *Revocation.* The Village clerk may revoke the provisional operator's license if it is discovered that the holder of the license made a false statement on the application, if the operator's license issued by another municipality is determined to not be valid, or upon denial of the license holder's application for an operator's license by the Village Board." If the provisional license was issued to an applicant that had enrolled in a training course, the license may be revoked for the applicant's failure to successfully complete the training course.

2. That this ordinance shall become effective upon adoption and publication as provided by law.

Adopted by the Village Board of the Village of Yorkville, Racine County, Wisconsin, this 22nd day of July, 2024.

VILLAGE OF YORKVILLE

Ayes: 5

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Janine Carls
Janine Carls, Clerk

Abstentions: 0

Absences: 0

Village of Yorkville
Notice of Newly Enacted Ordinances

Please take notice that, on Monday, July 22, 2024, the Village Board of the Village of Yorkville adopted the following ordinances:

- Ordinance 2024-11, entitled "An Ordinance amending Sections 38-111, 38-112, and 38-115 of the Code of Ordinances of the Village of Yorkville, Racine County, State of Wisconsin, pertaining to driveways and culverts".
- Ordinance 2024-12, entitled "An Ordinance amending Section 14-102 of the Code of Ordinances for the Village of Yorkville, Racine County, State of Wisconsin, pertaining to operator's licenses".

These ordinances take effect upon publication of this notice. The full text of these ordinances may be obtained from the Village of Yorkville Clerk's office, 925 15th Avenue, Union Grove, Wisconsin 53182, or through the Village's website at www.villageofyorkville.com. The phone number for the Clerk is (262) 878-2123.

Janine Carls
Clerk

Affidavit of Printing State of Wisconsin

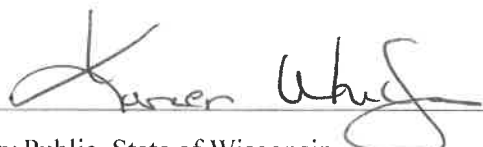
County of Racine

City/Village of Union Grove

Southern Lakes Newspapers, LLC, certifies that it is the publisher of the Westline Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which the attached notice is a true copy, has been legally published in said newspaper 1 time(s) for 1 consecutive week(s); That the first publication was on the 25th day of July, 2024; The last publication was on the 25th day of July, 2024.

Signed 
By Amy Naber, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this
25 day of July 2024.


Notary Public, State of Wisconsin
My commission expires 1/25/26



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