

**TOWN OF ELLINGTON
OUTAGAMIE COUNTY
ORDINANCE ENTITLED
“TOWN OF ELLINGTON DISCIPLINARY PROCEEDINGS ORDINANCE”
NO. 93.2 Revised 6/98**

The Town Board of Supervisors of the Town of Ellington, Outagamie County, does ordain as follows:

SECTION 1-LICENSING

This ordinance is enacted pursuant to licensing powers granted this town and is intended to be used in disciplinary proceedings.

SECTION 2-OBSCENITY

The following shall constitute grounds for suspension or revocation of a license issued by this town, to a degree determined by the Town Board following notice to the license holder, and hearing:

- a. Conviction of an offense, contrary to Wisconsin Statute 944.21, or a county ordinance adopted pursuant to said statute or 59.07(64m), or any successor statute or later amended version.
- b. Arrest or bringing of charges, whether by complaint or citation, or a license holder, pursuant to Wisconsin Statutes 944.21, 59.07(64m) or an ordinance pursuant thereto.
- c. A finding by the Town Board, whether or not court charges are filed, that the operation of the licensed facility or activity is in conflict with Wisconsin Statute 944.21.
- d. Regardless of the basis for the hearing, the standard for disciplinary action shall be whether the Board finds, by preponderance of the evidence, that a violation occurred.

SECTION 3-ALCOHOL

Licenses are to be disciplined according to the guidelines of present Wisconsin Statute 125.12, or any later amended or successor statute.

SECTION 4-SEVERABILITY

In the event any portion of this ordinance, which is intended to incorporate Wisconsin obscenity provisions, is found unconstitutional or invalid, the remaining portions shall remain in full force and effect.

SECTION 5-PENALTY


The penalty for each violation shall be determined by said Town Board, taking into account the number of past and present violations proven, and the severity of the current offense (s). Multiple offenses may be considered at any hearing involving the same licensee, and the board may suspend or revoke any type of issued license, following prior notice to the license holder.

SECTION 6-EFFECTIVE

This ordinance shall take effect following passage and publication as provided by law.

The foregoing ordinance was revised and adopted at a regular meeting of the Town Board of the Town of Ellington on June 15, 1998


Town Chairperson


Town Supervisor


Town Supervisor

Filed this 15 day of
June, 1998.

THIS ORDINANCE REPLACES ANY AND ALL PREVIOUS ORDINANCES PERTAINING TO THIS SUBJECT.