

CITY OF WISCONSIN DELLS MEETING AGENDA

MEETING DESCRIPTION: LEGISLATIVE COMMITTEE
DATE: Monday, February 17, 2020 **TIME:** 7:00pm **LOCATION:** Municipal Building
 Common Council Chambers - 300 La Crosse Street, Wisconsin Dells, WI 53965

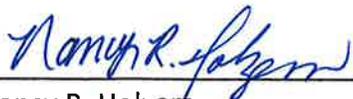
COMMITTEE MEMBERS	
Ald. Mike Freel, Chair	Ald. Brian Holzem
Mayor Ed Wojnicz	Ald. Ben Anderson
AGENDA ITEMS	
1	Call to Order and Attendance Noted
2	Approval of the December 9, 2019 Meeting Minutes
3	Discussion/Decision on Application for an Original Class B Beer and Class B Liquor License Submitted by Fisher's Bar Est 1933 LLC, Douglas Fisher Agent, for Fisher's Bar, 719 Superior Street, for the Licensing Period of February 25, 2020 Through June 30, 2020 (License holder name change for existing business)
4	Discussion/Decision on Application for an Original Class B Beer & Class C Wine License Submitted by Asgard Axe Throwing LLC, Dennis Mitchell Agent, for Asgard Axe Throwing, 714 Oak Street, for the Licensing period of February 25, 2020 through June 30, 2020 (License holder name change, location change and wine license added for existing business)
5	Discussion/Decision on Application for an Original Class B Beer & Class B (Quota Plus) Liquor License Submitted by San Antonio Mexican Restaurant LLC, Luis Martinez Agent, for San Antonio Mexican Restaurant, 742 Eddy Street, for the Licensing Period of February 25, 2020 through June 30, 2020 (Restaurant now has indoor seating capacity of 300 or greater. Current Class B Beer & Class C Wine Licenses for this location are being surrendered upon issuance of Quota Plus Class B Liquor License)
6	Discussion/Decision on Application for an Original Class C Wine License Submitted by Taco Loco LLC, Abel Villarreal Agent, for Taco Loco, 808 River Road, for the Licensing Period of February 25, 2020 through June 30, 2020
7	Discussion/Possible Decision on Amending Code Sec. 16.16 and 30.10 Regarding Outstanding Debt and the Issuance of City Licenses and Permits
8	Discussion/Possible Decision on Regulating Amusement Rides and Portable Amusements
9	Discussion/Possible Decision on Amending Code Sec. 16.35 – Licensing of Tourist Rooming Houses
10	Next Meeting Date: Monday, March 9, 2020
11	Adjourn
Ald. Mike Freel, Chairperson Posted: 02/13/2020	
<p>Open Meetings Notice: If this meeting is attended by one or more members of the Common Council who are not members of this committee, their attendance may create a quorum of another city commission, board or committee under the Wisconsin Open Meetings Law; However, no formal action will be taken by any governmental body at the above stated meeting other than the body, committee, commission, or board identified in this meeting notice. Please be advised that upon reasonable notice, the City of Wisconsin Dells will furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in meeting activities.</p>	

LEGISLATIVE COMMITTEE MEETING
CITY OF WISCONSIN DELLS
DECEMBER 9, 2019

Chairperson Mike Freel called the meeting to order at 6:10P.M. Notice of the meeting was provided to the *Dells Events*, WNNO Radio, and posted in accordance with State Statutes.

1. Present: Ald. Mike Freel, Mayor Ed Wojnicz and Ald. Ben Anderson and Ald. Brian Holzem.

Others: Ald. Terry Marshall, City Clerk/Coordinator Nancy Holzem, Fire Chief Pat Gavinski, Brad Gussel, Phil Helley, Marijo and Matt Zietlow.
2. Motion by Ald. Holzem seconded by Ald. Anderson to approve the minutes from the October 14, 2019 meeting. Motion carried unanimously.
3. Motion by Ald. Anderson seconded by Ald. Holzem to recommend to the Common Council for approval, the application for an Original Class B Beer and Class B Liquor License submitted by Myrt and Lucy's Chat & Chew, LLC, Marijo Zietlow Agent, for Myrt and Lucy's Chat & Chew Restaurant, 701 Broadway, for the licensing period of December 17, 2019 through June 30, 2020. Approval is contingent upon the sale of the property and the license for this location being surrendered by Skybox LLC. Motion carried unanimously.
4. Motion by Ald. Anderson seconded by Ald. Holzem to recommend to the Common Council for approval, the proposed ordinance amending the sign code regarding monument signs, roof signs, portable signs, projection of public property and appeals. Motion carried unanimously.
5. Motion by Ald. Holzem seconded by Ald. Anderson to recommend to the Common Council for approval, a proposed ordinance recommended by the Plan Commission after a Public Hearing, numerous changes to the zoning code. Motion carried unanimously.
6. No date was set for the next meeting.
7. Motion by Ald. Anderson seconded by Ald. Holzem to adjourn. Motion carried unanimously and the meeting adjourned at 6:20pm.



Nancy R. Holzem
City Clerk/Coordinator

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 2-25-2020 ending: 6/30/2020
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Wisconsin Dells
 Village of }
 City of }

County of Columbia Aldermanic Dist. No. _____
(if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number 456102959494604	
FEIN Number 84-3888183	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>pd</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>pd</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>14.00</u>
TOTAL FEE	\$ <u>pd</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
FISHER'S BAR EST 1933 LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Fisher</u>	<u>Douglas</u>	<u>Edward</u>	<u>4191 9th Avenue Wisconsin Dells WI 53965</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Fisher's Bar Business Phone Number 608-253-7049
2. Address of Premises 719 Superior Street Post Office & Zip Code Wisconsin Dells WI 53965

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
First Floor, Basement and Patio Deck at 719 Superior Street Wisconsin Dells WI 53965

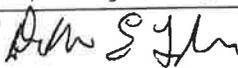
4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No

(b) If yes, under what name was license issued? Fisher's Tavern Douglas E. Fisher

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) Fisher, Douglas E.	Title/Member Agent/Owner	Date 1-13-20
Signature 	Phone Number 608-408-9802	Email Address doug.fisher5@frontier.

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 1-13-2020	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town
 Village of Wisconsin Dells County of Columbia
 City

The undersigned duly authorized officer/member/manager of FISHER'S BAR EST 1933 LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Fisher's Bar
(Trade Name)

located at 719 Superior Street Wisconsin Dells WI 5965

appoints Douglas E. Fisher
(Name of Appointed Agent)

4191 9th Avenue Wisconsin Dells WI 53965
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 60 Yrs

Place of residence last year _____

For: FISHER'S BAR EST 1933 LLC
(Name of Corporation / Organization / Limited Liability Company)

By: _____
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Douglas E. Fisher, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Douglas E. Fisher 1-13-20 Agent's age 60
(Signature of Agent) (Date)

4191 9th Avenue Wisconsin Dells WI 53965 Date of birth 03/30/1959
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Fisher		Douglas		Edward	
Home Address (street/route)		Post Office	City	State	Zip Code
4191 9th Avenue		Wisconsin Dells	Wisconsin Dells	WI	53965
Home Phone Number		Age	Date of Birth	Place of Birth	
Self Employed 608-408-9802		60	1959 03/30/2059	Baraboo	

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an **individual**.

A member of a **partnership** which is making application for an alcohol beverage license.

Agent _____ of **FISHER'S BAR EST 1933 LLC**
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

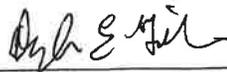
which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 60 YRS
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending. _____
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Thomas E. Fisher	Deceased	04/01/1977	06/30/1989
Self Employed	4191 9th Avenue Wis Dells	07/01/1989	01/13/2020

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the 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. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.



(Signature of Named Individual)

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 2-25-2020 ending: 6-30-2020
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Wisconsin Dells
 Village of }
 City of }

County of Columbia Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-10 29 568414-01</u>	
FEIN Number <u>84-1838226</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>pd</u>
<input checked="" type="checkbox"/> Class C wine	\$ <u>33.32</u>
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>14.00</u>
TOTAL FEE	\$ <u>47.32</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Dennis Mitchell E III Asgard Axe Throwing LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>Mitchell</u>	(First) <u>Dennis</u>	(Middle Name) <u>Edward III</u>	Home Address (Street, City or Post Office, & Zip Code) <u>4125 8th LN Wisconsin Dells WI 53965</u>
Vice President / Member Last Name <u>Marcum</u>	(First) <u>Nicholas</u>	(Middle Name) <u>Ryan</u>	Home Address (Street, City or Post Office, & Zip Code) <u>876 County Rd K Wisconsin Dells WI</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name <u>Dennis Mitchell</u>	(First) <u>Dennis</u>	(Middle Name) <u>Edward</u>	Home Address (Street, City or Post Office, & Zip Code) <u>4125 8th LN Wisconsin Dells WI 53965</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Asgard Axe Throwing Business Phone Number 608 432-3505
 2. Address of Premises 714 Oak st Post Office & Zip Code 53965

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
Entire Building 714 Oak st.

4. Legal description (omit if street address is given above): 714 Oak st

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? _____

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
Owners/operators/staff are licensed Bartenders
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 5/21/2019 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>Mitchell Dennis E III</u>	Title/Member <u>Owner</u>	Date <u>1-28-19</u>
Signature 	Phone Number <u>608 369-1669</u>	Email Address <u>asgardaxe@gmail.com</u>

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>1-29-2020</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 2-25-20 ending: 6-30-20
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Wisconsin Dells
 Village of }
 City of }

County of Columbia Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-102619833102</u>	
FEIN Number <u>45-3462656</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>10,000</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>14.00</u>
TOTAL FEE	\$ <u>10,014</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Luis A Martinez / San Antonio Mexican Restaurant LLC.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Martinez</u>	<u>Luis</u>	<u>A</u>	<u>415 6th Ave Baraboo WI 53913</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name San Antonio Mexican Rest ~~LLC~~ Business Phone Number 608 254-5798
 2. Address of Premises 742 Eddy St Wisconsin Dells WI Post Office & Zip Code 53965

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
Dining area + the restaurant has 2 storage rooms with keys; upper level + outdoor patio

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? San Antonio Mexican Restaurant
B Beer + C Wine

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? **If yes, explain.** Yes No

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No

9. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No

(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) Martinez Luis A.	Title/Member Owner	Date 01/24/2020
Signature 	Phone Number 608 448-8165	Email Address Verossy-Olivares@hotmail.co

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 1-24-2020	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Martinez		Luis		A	
Home Address (street/route)		Post Office	City	State	Zip Code
415 6th			Baraboo	WI	53913
Home Phone Number			Age	Date of Birth	Place of Birth
608 448-8165			38	06/09/1981	Mexico

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- Luis A Martinez of San Antonio Mexican Restaurant LLC
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 17 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Snowboat Salon	24 Broadway st	03/2010	11/2011
Employer's Name	Employer's Address	Employed From	To
Springbrook Golf	242 Lake shore Dr Wisconsin Dells	03/2010	11/2011

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the 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. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.



(Signature of Named Individual)

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Wisconsin Dells County of Columbia

The undersigned duly authorized officer/member/manager of San Antonio Mexican Restaurant LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as San Antonio Mexican Restaurant LLC
(Trade Name)

located at 742 Eddy St Wisconsin Dells, WI 53965

appoints Luis A Martinez
(Name of Appointed Agent)
415 6th Ave Baraboo WI 53913
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? _____

Place of residence last year 415 6th Ave Baraboo WI 53913

For: San Antonio Mexican Restaurant LLC
(Name of Corporation / Organization / Limited Liability Company)

By: 
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Luis A. Martinez, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

 01/24/2020 Agent's age 38 Years
(Signature of Agent) (Date)
415 6th Ave Baraboo WI 53913 Date of birth 06/09/81
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

City of Wisconsin Dells
“Class B” Quota Plus Liquor License Supplemental Form

- Seller's Permit Number
- Federal Employer ID Number
- Notarized Original Application Form
- Notarized Supplemental Form

- Description of Licensed Premise
- Background Investigation Form(s)
- Notarized Transfer of Ownership
- *Articles of Incorporation
- *Notarized Appointment of Agent
- * Corporation/LLC only

- Floor Plans
- Lease
- Sample Menu
- Business Plan

1. Name of Applicant/Partner/Corporation/LLC: Luis A Martinez / Restaurant LLC San Antonio Mexican
2. Address of Licensed Premise: 742 Eddy St Wisconsin Dells WI 53965
3. Telephone Number: 608 254-5798 Cell Phone Number: 608 448-8165
4. Anticipated opening date: 03/01/2020
5. Mailing address if not opening immediately: PO Box 395 Wisconsin Dells WI 53965
6. Business Description, including hours of operation: Dining Restaurant typically from 10am to 11pm
7. Do you plan to have entertainment? No Yes—What kind and what effect will it have on the surrounding businesses or residential areas: _____
8. **Attach** a detailed written description of building, including overall dimensions, seating arrangements, capacity, kitchen, bar size and all areas where alcohol beverages are to be sold and stored. The licensed premise described cannot be expanded or changed without the approval of the Common Council.
9. Describe existing parking: City Public Parking
10. Are you operating under a lease or franchise agreement? Yes (attach a copy) No
11. Owner of building where establishment is located: Luis A. Martinez
Address of Owner: 415 6th Ave Baraboo WI 53913 Phone Number: 608 448-8165
12. What type of establishment are you? (Check all that apply) Nightclub Restaurant Other
Please Explain: Dining Restaurant

13. Please submit a sample menu with your application, if possible. What might eventually be included on your operational menu when you open? Appetizers Salads Soups Sandwiches

Entrees Desserts Pizza Full Dinners

14. During what hours of your operation do you plan to serve food and what hours, if any, will food service not be available? All restaurant working hours, 10am - 11pm

15. Indicate any other product/service offered. food and beverages

16. Do you plan to have hosts or hostesses seating customers? Yes No

17. Do your plans call for a full-service bar? Yes No
If yes, how many bar stools do you anticipate having at your bar? 15

How many bartenders do you anticipate you would have working at one time on a busy night? 2

18. Will there be a kitchen facility separate from the bar? Yes No

19. Will there be a separate and specific area for eating only? Yes No
If yes, what will be the seating capacity for that area? _____

20. What type of cooking equipment will you have? Stove Oven Fryers Grill Microwave
Provide a description of cooking equipment and kitchen layout: We have a dual kitchen attach blueprints

21. What is your estimated capacity? 358 (318 + 40 patio)

22. Restaurants serving alcohol under a Quota Plus License shall substantiate their gross receipts for food and beverage sales broken down by percentage. For new establishments, the percentage will be an estimate:

Gross Receipts from Alcoholic Beverages:	<u>20</u> %
Gross Receipts from Food & Non-Alcoholic Beverages:	<u>75</u> %
Gross Receipts from Other Sales:	<u>5</u> %
Total Gross Receipts:	<u>100</u> %

23. Do you have written records to document the percentages shown? Yes No
You may be required to submit documentation verifying the percentages you've indicated.

Read carefully before signing.

This is an application for a special form of "Class B" License to sell alcohol beverages for on premises consumption. The City of Wisconsin Dells refers to these special licenses as "Quota Plus Licenses". They are issued to applicants who meet certain statutory and city criteria in special circumstances. In seeking this license, the applicant has made representations regarding the type of establishment which will be operated pursuant to this license including, without limitation, seating capacity, theme, menu, décor, service level and entertainment. The city may approve this application based upon the unique characteristics of the venue as described and proposed. Absent those unique characteristics, the license may not have been approved and issued.

The city may suspend, revoke or non-renew this Quota Plus "Class B" License if it determines that the licensed premises are not being operated in a manner consistent with the application; or for any other reason pursuant to state law or city code. This license may not be transferred or assigned without the consent of the city.

Subscribed and Sworn to before me:

this 24 day of January, 2020



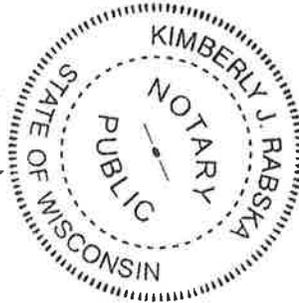
(SIGNATURE OF APPLICANT)

Luis A. Martinez

(PRINTED NAME OF APPLICANT)

Kimberly J. Rabaska
(Notary Public)

My commission expires 11-1-2022



1/24/2017 10:46:00 AM

San Antonio Restaurant

742 Eddy Street
Wisconsin Dells, WI 53965

CONSTRUCTION (PHASE 3)

7/24/2017



BARRIENTOS
205 West Highland Avenue, Suite 203
Madison, WI 53703
office 414-271-1812
www.barrientosdesign.com

02.10.17



architect
Barrientos Design and Consulting, Inc.
205 W. Highland Ave, Ste 203
Madison, WI 53703
Tel: (414) 271-1812

Contact: Brian Hutchinson
bhutcherson@barrientosdesign.com



structural consultant
General Engineering Company
918 Silver Lake Drive
Portage, WI 53001
Tel: (608) 742-2169

Contact: Kent Fish, PE
kfish@generalengineering.net



plumbing
DESIGN-BUILD RESPONSIBILITY



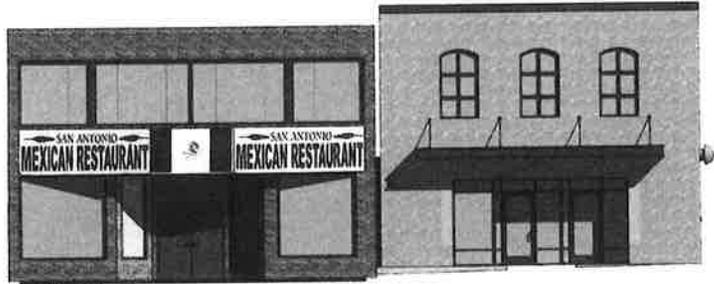
hvac
DESIGN-BUILD RESPONSIBILITY



electrical
DESIGN-BUILD RESPONSIBILITY

ABBREVIATIONS

<p>A.C.F. - ACQUICAL CEMENT FLOOR A.F.F. - ABOVE FINISHED FLOOR ACC. - ACCESSORIES AW. - ANGLE B.O.B. - BOTTOM OF BEAM BD. - BOARD B.L.D. - BUILDING C.J. - CORNER JOINT C.L. - CENTERLINE CLR. - CLEAR CMU - CONCRETE MASONRY UNIT CONG. - CONCRETE CONC. - CONCRETE CONSL. - CONTIGUOUS CL. - COURT DES. - DESCRIPTION DIMS. - DIMENSIONS DIA. - DIAMETER DIM. - DIMENSION DL. - DRAIN E.S. - EXPOSED STRUCTURE ELEV. - ELEVATION EQ. - EQUIP ETC. - ETCETERA</p>	<p>EXIST. - EXISTING EXP. - EXPOSURE EXT. - EXTENSION F.O. - FLOOR FINISH ECC. - EXTERIOR CUPBOARD CABINET, SEMI RECESSED F.F.L. - FINISHED FLOOR LEVEL FIN. - FINISH FLS. - FLOOR G.S.F. - GROSS SQUARE FEET G.W. - GUTTER GWB. - GUTTER WALL BOARD HWY. - HARDWOOD HGT. - HEIGHT HOUR. - HOURS HRS. - HOURS I.D. - INSIDE DIAMETER M.O. - MASSBURY OPENING M.F.F. - MEZZANINE MFG. - MANUFACTURER MWR. - MAYOR WELLS ARCHITECTS M.W. - MASSBURY MKG. - MOLDING M.S.L. - MEANS N.E.C. - NOT IN CONTRACT N.E.F. - NET SQUARE FEET</p>	<p>N.T.S. - NOT TO SCALE O.C. - ON CENTER O.H. - OVERHEAD P.L.M. - PLASTIC LAMINATE P.T. - PRESSURE TREATED PART. - PARTIAL P.V. - POLYVINYL P.V.M. - POLYVINYLMAULATE R.C.P. - RECESSED CEILING PLAN R.O. - ROUND OPENING RD. - ROAD REF. - REFLECTED REIN. - REINFORCEMENT REQ. - REQUIRED RELE. - RECESSED FULL EXTERIORISH CABINET RHPD. - RECESSED PAPER TOWEL DISPENSER BAND WANTED S.F. - SQUARE FEET S.D. - SEAM ON GABLE S.S. - STAINLESS STEEL SCHD. - SCHEDULED SECT. - SECTION SQ. FT. - SQUARE ST. - STREET STR. - STEEL T.O.B. - TOP OF BEAM</p>	<p>THK. - THICKNESS T.Y. - TYPICAL U.C. - UNDER COUNTER UL. - UNDERWRITE'S LABORATORY, INC. VERT. - VERTICAL VET. - VENT W.W.M. - WELDED WIRE MESH W. WITH W/O. - WITH OUT WOOD. - WOOD W. - WISCONSIN YR. - YEAR</p>
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FRONT FACADE (WEST)



project location map

sheet index

ARCHITECTURAL	ROOF AND SECOND FLOOR FRAMING PLANS
1	STRUCTURAL DETAIL
TITLE SHEET	
DATE	
7/24/2017	
PROJECT	
742 EDDY STREET	
WISCONSIN DELLS, WI	
PROJECT SHEET	
1	

San Antonio Restaurant
742 Eddy Street
Wisconsin Dells, WI 53965

NO.	DATE	DESCRIPTION
-----	------	-------------

Scale: 1/8" = 1'-0"
This drawing is the property of Barrientos Design and Consulting, Inc. It is to be used only for the project and location specified hereon. It is not to be reproduced, copied, or used in any way without the written consent of Barrientos Design and Consulting, Inc. The user assumes all liability for any errors or omissions in this drawing. The user also assumes all liability for any damage or injury resulting from the use of this drawing. Barrientos Design and Consulting, Inc. is not responsible for any damage or injury resulting from the use of this drawing.

DATE: 7/24/2017
PROJECT: 742 EDDY STREET
PROJECT SHEET: 1



BARRIENTOS

205 West Highland Avenue, Suite 303
Milwaukee, WI 53203
Office: 414.271.1812
www.barrientosdesign.com

04/2016

04/2016

San Antonio Restaurant

742 Eddy Street
Wisconsin Dells, WI 53995

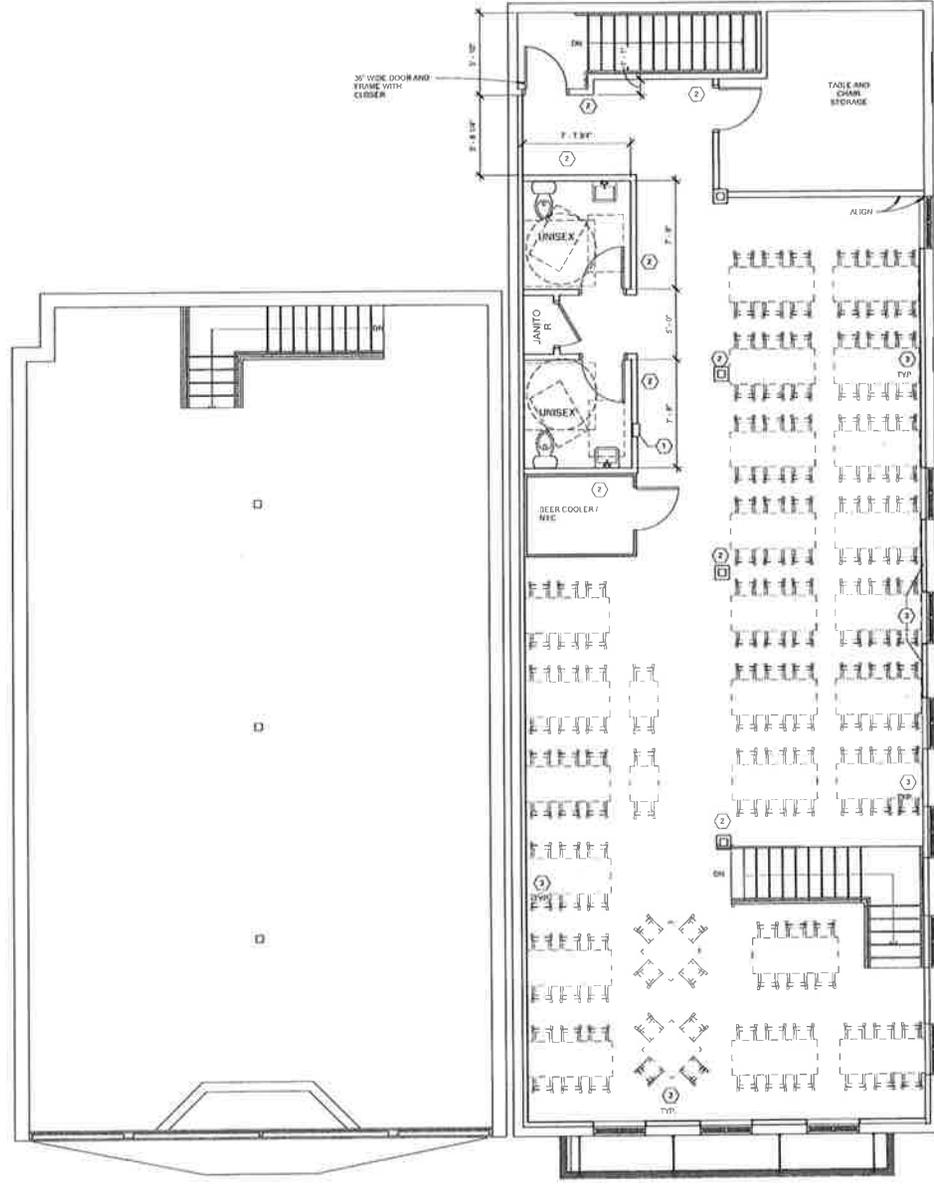
NO	DATE	DESCRIPTION

Scale: 1/8" = 1'-0"

This set of drawings is prepared for the purpose of providing information to the contractor. It is not to be used for construction without the approval of the architect. The contractor is responsible for verifying all dimensions and conditions on the site. The architect is not responsible for any errors or omissions in the drawings.

DATE	04/2016
BY	JR/AG/DF
PROJECT	SAN ANTONIO RESTAURANT
WORKING	SECOND FLOOR PLAN

A-102



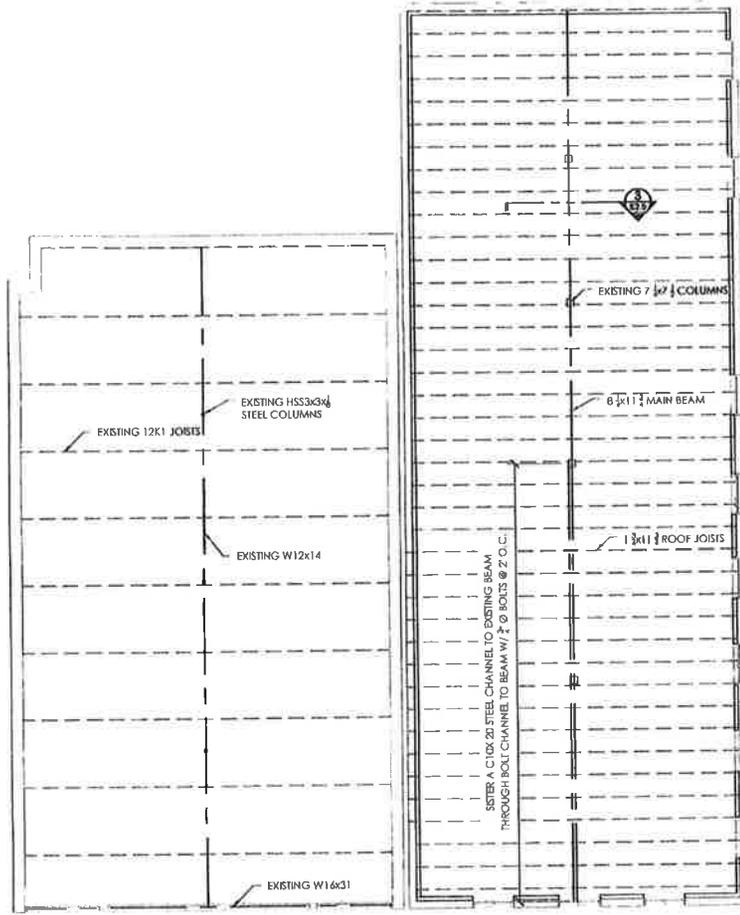
① SECOND FLOOR PLAN
1/4" = 1'-0"

GENERAL NOTES

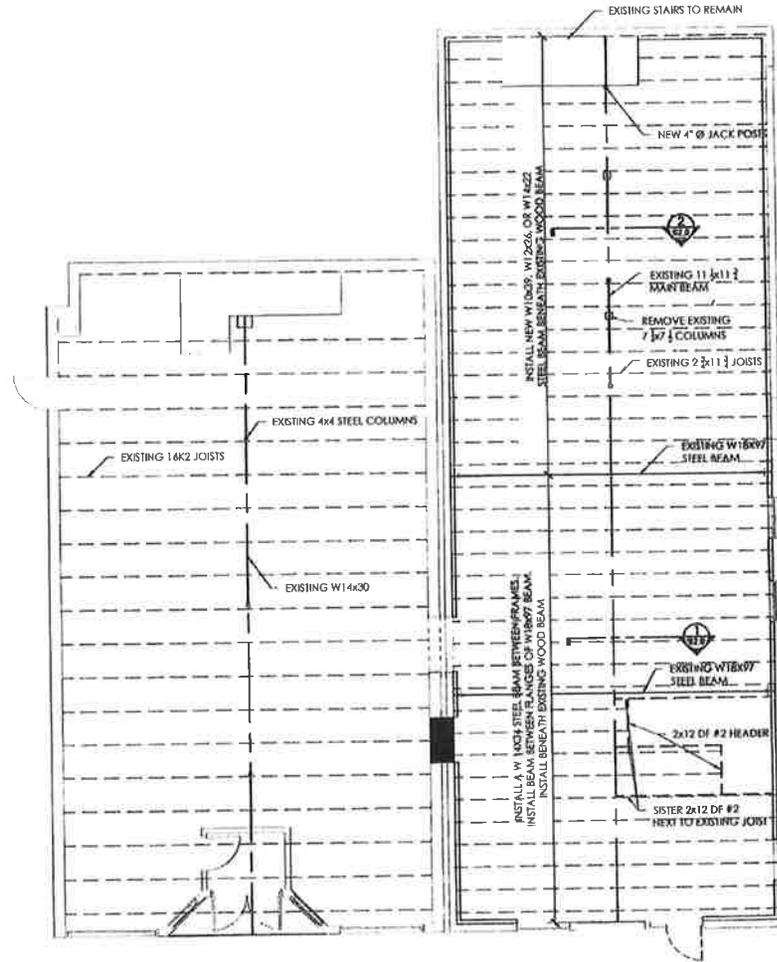
1. PROVIDE WOOD BASE AT ALL NEW GYPSUM BOARD WALLS
 2. CONFIRM ALL TOILET ROOM FIXTURES AND ACCESSORIES WITH BUILDING OWNER
- FIRE SUPPRESSION, PLUMBING, HVAC, ELECTRICAL/COMMUNICATIONS - GENERAL**
- A. WORK FOR THIS PROJECT SHALL BE DESIGN BUILD BY THE CONTRACTOR. ALL SYSTEMS AND COMPONENTS SHALL MEET APPLICABLE CODE REQUIREMENTS. COMPLY WITH ALL BUILDING OWNER'S INSURANCE CARRIERS REQUIREMENTS. ALL CONTRACTORS SHALL COORDINATE WITH THE WORK OF OTHER TRADES.
 - B. THE CONTRACTOR SHALL OBTAIN ALL PERMITS AND PAY ALL FEES RELATED TO THE WORK AS REQUIRED BY STATE AND LOCAL AUTHORITIES, INCLUDING ALL APPROVALS AND VISITATIONS, RELATING TO WORK. PROVIDE ALL DRAWINGS AND CALCULATIONS.
 - C. PRIOR TO SUBMITTING A BID, VISIT THE SITE TO DETERMINE PROJECT REQUIREMENTS.
 - D. SYSTEM DESIGN SHALL INCLUDE COORDINATION WITH OTHER TRADES ON THE PROJECT.
 - E. SEAL ALL FLOOR, CEILING, AND WALL PENETRATIONS. PROVIDE LEAK DETECTION SYSTEMS AT ALL WATER PENETRATIONS IF APPLICABLE. PROVIDE TRIM AT ALL PENETRATIONS IN EXPOSED LOCATIONS.
 - F. CONFORM TO ALL ADA REQUIREMENTS.
 - G. PROVIDE COMPLETE DRAWINGS AND SPECIFICATIONS FOR REVIEW BY BUILDING OWNER PRIOR TO ORDERING MATERIALS AND INSTALLATION.
 - H. ELECTRICAL REQUIREMENTS DESCRIBED ON THE PLANS, A SINGLE LINE AND SYMBOLS TO CORRELATE TO THE ELECTRICAL SYMBOLS. THE ELECTRICAL CONTRACTOR SHALL CONFIRM ALL REQUIREMENTS AND ENSURE COORDINATION OF ELECTRICAL ITEMS WITH BUILDING CONSTRUCTION AND EQUIPMENT AND SHALL OBTAIN THE NEEDED INFORMATION TO PROVIDE A COMPLETE AND WORKING INSTALLATION FOR THE OWNER.
 - I. PROVIDE EXIT LIGHTS AS NEEDED TO MEET THE CODE AND THE APPROVAL OF THE BUILDING DEPARTMENT. MATCH BUILDING DEPARTMENT.
 - J. PROVIDE LIFE SAFETY SYSTEMS AS REQUIRED TO MEET CODE. FIRE ALARM SYSTEM IS REQUIRED.
 - K. PROVIDE LIGHT FIXTURE CUTS AND LAYOUT OF LIGHT FIXTURES FOR OWNER APPROVAL PRIOR TO INSTALLATION.
 - L. PROVIDE LAYOUT OF ELECTRICAL OUTLETS AND SWITCHES, TELEPHONE AND DATA OUTLETS, EXIT LIGHTS, FIRE ALARMS, SMOKE DETECTORS, PANEL LOCATIONS, AND OTHER EQUIPMENT FOR OWNER APPROVAL PRIOR TO INSTALLATION.
 - M. VERIFY ALL EXISTING DIMENSIONS AND OPENINGS THAT ARE NOTED ON PLANS. INFORM ARCHITECT OF DISCREPANCIES.

KEYED NOTES

- ① PARTIALLY RECESSED FIRE EXTINGUISHER AND CABINET
- ② NEW 3/8" METAL STUDS AND 5/8" GYPSUM BOARD
- ③ NEW 3/8" METAL STUDS AND 5/8" GYPSUM BOARD FURRING AT EXTERIOR WALL



1 ROOF FRAMING
SCALE: 1/8"=1'-0"



1 SECOND FLOOR FRAMING
SCALE: 1/8"=1'-0"



General Engineering Company
P.O. Box 103, 747 Street, Ltd. Co., Portage, WI 53083
920-462-1888 (Office) • 920-462-2888 (Fax)
www.generaleng.com/gec

FLOOR FRAMING MODIFICATIONS
SAN ANTONIA RESTAURANT
NORMAN BARRIENTOS
City of Baraboo
Sauk County, WI

REVISIONS	NO.	BY	DATE

SCALE

DESIGNED BY	2051
REVIEWED BY	HEF
ISSUE DATE	3/26/2017
GEC FILE NO.	2-0112-187
SHEET NO.	

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 2-25-20 ending: 6/30/2020
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Wisconsin Dells
 Village of }
 City of }

County of Columbia Aldermanic Dist. No. _____
(if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1030546213-04</u>	
FEIN Number <u>61-1929058</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input checked="" type="checkbox"/> Class C wine	\$ <u>41.65</u>
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>14.00</u>
TOTAL FEE	\$ <u>55.65</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
EL TACO LOCO LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>VILLARREAL FRABCO</u>	<u>ABGJ</u>		<u>53719 LO WENTWORTH CIR MADISON WI</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Villarreal</u> Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Villarreal</u> Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name EL TACO LOCO LLC Business Phone Number (608)-253-0777

2. Address of Premises 808 RIVER RD WISCONSIN DELLS Post Office & Zip Code 53965

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

LOCKED COOLER

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No

(b) If yes, under what name was license issued? EL Taco Loco - B Beer

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No **If yes, explain.**
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) ABEL VILLARREAL FRAUSTO	Title/Member OWNER	Date 1/23/20
Signature <i>[Signature]</i>	Phone Number	Email Address tacolocowisdells@gmail.com

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 1-24-2020	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

CURRENT CITY ORDINANCES:

16.16 OUTSTANDING INDEBTEDNESS; LICENSES

The officers of the City of Wisconsin Dells shall not issue any license to any person, firm, corporation, partnership, individual or any other association whatsoever that has not paid all of its outstanding bills, debts and obligations of any and all kinds whatsoever to the City.

30.10 PAYMENT OF LICENSE OR PERMIT FEE AT TIME OF APPLICATION

(2) No officer or agent of the City shall issue any City permit or license if the applicant for such license or permit is in default of any financial obligations due and owed the City. If an application for a license or permit discloses the person or entity who or which will perform work associated with the permit or license, and, such person or entity is in default of any financial obligations due and owed the City, the application shall be denied until full payment is made.

CURRENT CITY ORDINANCE IN CHAPTER 16 - LICENSING:**16.08 PORTABLE AMUSEMENT RIDES**

(1) Definition. A "portable amusement ride" means a device, not affixed to real estate and taxable as an improvement, or not present in the City on January 1 and not taxed as personal property, that carries, transports or supports passengers in unusual entertaining or thrilling modes of motion and any vehicle providing entertainment or transportation in conjunction with an amusement ride or an amusement attraction, including, but not limited to, rider-powered and power-driven thrill rides, mild rides and ride-throughs, walk-throughs, air pillows, giant slides, and animal rides. Vehicles include parking lot trams, old fire engines, stage coaches and trains.

(2) Fee. The owners of portable amusement rides, **which rides have a capacity of three or more persons or passengers**, present in the City at any time shall pay a fee to the City as established by resolution adopted pursuant to Code sec. 2.05. Such fee shall be paid no later than fifteen (15) days from the day the ride commences operation. If the fee is not paid in a timely manner, the owner may not operate the portable amusement ride in the City until the fee is paid and the fee will increase in an amount established by aforementioned resolution for each day the fee remains unpaid. Unpaid portable amusement ride fees may be charged in full, or in part, against the real estate upon which the portable amusement ride is situated and if that cost is so charged, it is a lien upon such real estate and may be assessed and collected as a special tax.

(3) Exceptions. This code section does not apply to portable amusement rides which are considered coin-operated kiddie rides. This code section does not apply to portable amusement rides which have obtained a Special Events Permit from the City upon authorization by the Common Council.

Lake Delton Ordinance

Chapter 21 AMUSEMENTS AND ATTRACTIONS

- 21.01 Purpose
- 21.02 Permits required
- 21.03 Definitions
- 21.04 Permit Classification
- 21.05 Permit terms, conditions and fees.
- 21.06 Exclusions
- 21.07 Insurance required
- 21.08 Additional applicability of permit fee requirements
- 21.09 Information permit required
- 21.10 Non-operational hours
- 21.11 Special Exceptions Permits
- 21.12 Renewal of Special Exception Permits
- 21.13 Supervision
- 21.14 Use of Alcohol prohibited
- 21.15 Penalties
- 21.16 Nuisance, injunction
- 21.17 Enforcement
- 21.18 Consent to Inspection
- 21.19 Additional regulations

21.01 Purpose. The provisions of this chapter are an exercise of police power for protecting the public welfare, health and safety of the citizens of the Village and visitors who attend and patronize amusements and attractions in this Village. The Village Board finds the protection of the general public and patrons of the businesses regulated herein is a vital interest of this Village and the regulations herein are reasonable and necessary to ensure the businesses regulated under this chapter are properly operated to meet the purposes of this chapter.

21.02 Permits required.

- A.** It shall be unlawful to conduct or operate an amusement or attraction without having first secured a permit under this chapter. This chapter's provisions shall not be held to apply to those amusements that are specifically permitted and regulated by any other Village of Lake Delton ordinance unless otherwise stated in the chapter. Application for such permit shall be made to the Clerk-Treasurer-Coordinator and shall be issued only upon Village Board approval, with the exception of occasional activity permits, which the Clerk-Treasurer-Coordinator may issue.
- B.** Applications for each permit shall be filed with the Clerk-Treasurer-Coordinator along with all supporting documents and the application fee, if any. Applications for permits must be filed on or before May 1st of each year, and shall be valid only for the location and time designated in such permit.
- C.** Permits shall be for one year commencing on the first day of July and expire on June 30th of the following year. Permits commencing in mid-year shall expire on the next occurring June 30th.
- D.** A permit is required for each business operating an amusement or attraction whether or not the business premises are located within another business operating under a permit issued under this chapter.

E. Only one permit is required for any business operating multiple amusements of attractions on the same or adjoining premises.

21.03 Definitions.

A. An "amusement" is any business that is open to the public and for which an admission fee, fees, or other charges are required for admission or participation, and in which the patron may physically participate. Unless otherwise specifically identified as an attraction in 21.03(B), a business is considered an amusement. All references to amusements identified below include indoor and outdoor operations. Amusements include, but are not limited to, the following operations:

1. Amusement Park: "Amusement Park" means a facility offering numerous amusement activities including, but not limited to, kiddie rides, thrill rides, water activities under single management for which an entrance fee is charged
2. Water parks, swimming pools, or other water play features
3. Arcades, simulators, laser tag, batting cages
4. Golf courses, driving ranges
5. Miniature golf
6. Sporting events
7. Go-cart tracks
8. Bicycle races, foot races, race walking, walking, wheelchair racing, rollerblading, marathons iron-man competitions and jogging events and similar events
9. Bowling centers, pool halls
10. Rental of bicycles, motorized vehicles, skates or other form of mechanical or motorized transport
11. Water skiing, rafting, parasailing or similar water based activities
12. Fitness centers, gyms, health clubs
13. Dance halls, teen bars, and nightclubs not licensed to serve alcohol
14. Other similar events or operations for amusement and entertainment, or intended for public patronage or open to the public for patronage

B. An "attraction" is a business that is open to the public and for which an admission fee, fees, or charges are required for admission or participation and where activities are provided in which the patron is only an observer. All references to the attractions identified below include indoor and outdoor operations. Attractions include, but are not limited to, the following operations:

1. Boat or land tours
2. Circuses
3. Parades, carnivals
4. Indoor and outdoor motion picture theaters
5. Art or photography gallery or studio
6. Museums, children's exhibitions, zoos, menageries, displays gardens, animal performances or exhibits, or any other objects of curiosity
7. Fairs, flea markets, festivals and other similar outdoor events
8. Performance arts arenas, theaters, street performances, busking, sketch artists
9. Other similar attractions intended for public patronage or open to the public for patronage.

- C.** “Applicant” means any individual, proprietor, firm, partnership, corporation, limited liability company or business entity of any kind including the officers, directors, shareholders, partners, and members.
- D.** “Arcade” means any establishment in which thirty (30%) percent of the gross income is derived from offering mechanical or electronic amusement devices such as simulators; mechanical or electronic games; pool tables; air hockey; foosball; video games, laser tag; virtual reality games or other computer-based entertainment.
- E.** “Combined operation” means a business with more than one amusement, attraction, or other business operated on the same premises including but not limited to amusement parks, arcades, water parks, and family fun centers.
- F.** “Fee” means any payment, remuneration or other consideration received from, or on behalf of, a patron or customer.
- G.** “League” means any formally organized league for seasonal recreation such as darts, pool, softball, games, hockey, or other such organized activities.
- H.** “Occasional activities” means non-recurring amusements, attractions or events not otherwise identified in *ss. 21.02 or 21.06 VMC* and are conducted for less than 3 days and not located entirely on a permitted premises. In addition, Occasional Activities include, but are not limited to, the following operations:
1. Bicycle races, foot races, race walking, walking, wheelchair racing, rollerblading, marathons, “iron-man events”, jogging events, and other similar activities.
 2. Outdoor flea markets, rummage sale collective “yard” sales sponsored by governmental, charitable or non-profit organizations and not conducted entirely on a permitted premises.
 3. Fundraising events taking place in whole or in part on the public right of way.
- I.** “Outdoor musical performances” include live or recorded singers, musicians, bands, or orchestras with or without electronic amplification conducted outdoors
- J.** “Permit” means a permit issued under this chapter.
- K.** “Permitted Premises” mean the parcel(s) where the business is located. Separate permits are required for amusements and attractions located on non-contiguous parcels.
- L.** “Restaurant, tavern or other eating places” has the meaning as defined in Wis. Stats. Sec. 254.61(5) and whose primary business is serving of food and beverages.
- M.** “Sporting activities” means volleyball, baseball, softball, basketball, or other such sports activities.
- N.** “Temporary permit” means a permit issued to a business while an application filed under s.21.02 is pending.
- O.** Digital/Video Camera System. The camera system shall include digital/video camera(s) and digital/video recorders. The video cameras shall provide high definition (“HD”) color and black and white image resolution of not less than seven hundred twenty (720) p / one (1) MP and shall be supported by additional lighting if necessary to produce easily discernible video images at all times. The video cameras shall not record audio. The digital video recorder(s) shall be capable of storing video footage in a searchable format and of transferring selected recorded images to a commercially available portable digital format for independent, standalone review and screening by a third party.
- P.** Thrill ride. “Thrill ride” includes roller coasters, catapults, drop towers, bungee jumping and pendulum swings and similar devices.

Modified & Amended Ordinance 14-25 Passed: 11/10/2014 Published: 11/15/2014

21.03 P Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019

21.04 Permit Classification. Permits shall be issued based upon the classification of the amusement. When there are multiple amusements and/or attractions on a single premises, the classification of the permit will be for the highest applicable class. Amusements are classified as follows:

1. Class A Amusements
2. Class A-1 Amusement with Continuing Special Exception Permits
3. Class B Attractions
4. Class B-1 Attractions with Continuing Special Exception Permits
5. Class C Occasional Activities
6. Class D Ticket Booths, Information Booths
7. Class E Amusement Park.

21.04 Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019

21.05 Permit terms, conditions and fees. Any permit issued pursuant to this chapter shall be granted only upon the following conditions:

- A. Arrangements must have been made for a suitable location, and all reasonable precautions must have been taken for protection of the public.
- B. The business must have equipment suitable for the purpose and in safe operating condition.
- C. The proposed performance, entertainment or exhibit must not endanger the health, morals or safety of the public.
- D. The proposed amusement must not unduly interfere with the peaceful enjoyment of the neighborhood.
- E. The applicant shall not have had a permit revoked or suspended in the previous five (5) years for a material violation of this ordinance. If the applicant is a corporation, none of the shareholders, officers or directors of the applicant shall have been a permittee, or a shareholder, officer or director of a permittee that had been revoked or suspended in the previous five (5) years.
- F. The permit fees set forth below are adopted by the Village Board and may be changed from time to time by resolution of the Village Board:

F. The permit fees set forth below are adopted by the Village Board and may be changed from time to time by resolution of the Village Board:

1. Class A \$ 300.00
2. Class A-1 \$ 600.00
3. Class B \$ 300.00
4. Class B-1 \$ 600.00
5. Class C \$ 100.00
6. Class D \$ 100.00
7. Class E: \$ 500.00

21.05 F. Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019

- G. (1) Any occasional activity shall first obtain an activity permit and a permit fee of One Hundred dollars (\$100.00) and for activities subject to s. 21.05 (G) (4), Five Hundred (\$500). The occasional activity permit fee may be waived by the Village Board for public events and fund-raising events by charities and non-profit organizations.

(2) Subject to the provisions of subparagraph (j) below applications for a Class C Occasional Activities permit, shall include the following information:

- a. A site plan including location of all structures, buildings, tents, tables, including adequate toilet and sanitation facilities and lighting if necessary.
- b. A map of all streets, roads and highways within the village that will be used in the activity.
- c. A traffic control and parking plan. If plans include off-site or street parking, it must include a plan for ensuring that traffic for the activity does not inordinately interfere with traffic on public streets.
- d. A estimate of anticipated crowd size and a safety and security plan showing:
 - 1. Adequate personnel for crowd control.
 - 2. An evacuation plan in the event of an emergency or severe weather.
 - 3. The extent to which village police, fire or emergency services are necessary to ensure the safety of the public.
- e. Each applicant shall furnish evidence of a liability insurance policy in accordance with the provisions s.21.07 and shall be in force and effect at the time the activity is to take place. Said evidence of insurance shall include a certificate of insurance naming the Village of Lake Delton as additional named insured in connection with said activity.
- f. The proposed location of temporary signage, if any.
- g. Written notification of the application to adjacent property owners, if applicable.
- h. If alcoholic beverages will be served at the activity, a plan for restricting the location where alcoholic beverages will be served and consumed with fencing around permitted premises.
- i. Identification of the contact person managing the activity.
- j. A narrative description of the activities to occur on site including the time or opening and closing, the estimated attendance and possible impact on traffic and village resources.
- k. The Village Clerk-Treasurer-Coordinator has the discretion to waive any of the above listed items for minor occasional activities.

(3) In addition to reviewing the permit and supporting documentation, considering issuing a Class C Occasional Activity permit the Board should take into consideration the following:

- a. The previous experience with similar events.
- b. The adverse impact the event may impose on village resources.
- c. The extent to which adequate security is provided.
- d. The Police Department review and recommendations.
- e. If concentration of several activities in the area at the same time would result in adverse traffic conditions or a potential threat to public safety.

(4) In case of large-scale events which may have a significant impact on neighboring properties, the Village Clerk-Treasurer-Coordinator shall facilitate meetings with the applicant, the Police Department, DPW and Village Staff, to minimize any potential adverse impact on village streets or resources and to ensure public safety.

(5) If the applicant utilizes Village of Lake Delton Police, Fire or Emergency Medical Services for site security, the applicant shall contract with the appropriate agency for the cost for such services.

(6) Cancellation or Suspension: The Village Chief of Police or Fire Chief have the authority to suspend or cancel a permit issued under this section at any time and without prior notice if:

- a. The applicant fails to comply with any conditions placed on the permit

- b. The applicant violates the requirements of this article or any other applicable federal, state, local laws;
- c. Conditions exist which would adversely affect public health or safety;
- d. Conditions exist that would place facilities, grounds, or other natural resources at a substantial risk of damage or destruction if the special event were permitted to take place.

21.05 G. Modified & Amended Ordinance 19-011 Passed: 9/09/2019 Published: 9/19/2019

H. The issuance of a permit authorizes the conduct of the permitted activity only on the permitted premises.

I. The Village Board may reduce or waive fees for fund-raising or other events conducted by governmental, charitable, or non-profit organizations.

J. The Clerk-Treasurer-Coordinator is authorized to issue temporary and occasional activity permits.

K. Thrill Rides. All Thrill Rides are required to be located within an amusement park. 21.05 K. Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019

21.06 Exclusions.

A. The following businesses are not required to obtain a permit under *s. 21.02 VMC*:

- 1. Any Restaurant, tavern or other eating places with or without ancillary amusements and/or attractions located on the premises for the exclusive use of their customers.
- 2. Any hotel, motel, campground or resort with ancillary amusements and attractions located on the premises for the exclusive use of their guests.
- 3. Youth sports leagues, games or events.
- 4. Activities and events occurring on public lands with village permission.
- 5. Except as provided under subsection 6, any business holding a license or permit under Chapters 20, 27, 31 and 46 VMC unless specifically identified as an amusement under s.21.03 A, or an attraction under s.21.03 B.
- 6. This exclusion does not apply to businesses which include outdoor music.

B. Scope of exclusions. Businesses identified in *s.21.06 (A)* are not excluded from complying with the provisions of this chapter if the licensed or permitted activity is a part of a combined operation.

21.07 Insurance required. No permit shall be granted until there has been deposited, with the Clerk-Treasurer-Coordinator, a true and correct copy of the applicant's liability insurance policy with minimum coverage limits of One Million dollars (\$1,000,000) per person, Two Million dollars (\$2,000,000) in the aggregate. Insurance policies must be issued by insurance companies approved by the state of Wisconsin's commissioner of insurance office, covering personal injury or property damage arising out of the operation for which the permit is required, such copy to be kept on file during the permit term. The Clerk-Treasurer-Coordinator, shall notify the agent issuing such policy that in the event of cancellation of such policy, the said clerk is to be immediately notified thereof. It shall be unlawful for a permittee or any employee of a permittee to either orally or in writing make any statement that would lead a patron to believe that the permittee does not have insurance coverage.

21.08 Additional applicability of permit fee requirements. Any person, firm or corporation operating a booth, office or off-premises roadside stand selling admission tickets for any attraction, boat ride, excursion, tour, or any event for which admission is charged shall pay a permit fee as set

forth above. This provision does not apply to ticket booth, office, or roadside stands selling admission tickets to any attraction located at the same premises as said ticket booth, roadside stand or office, and applies only to those located off-premises.

21.09 Information permit required.

A. Any person, agent or corporation operating a booth, office or roadside stand for the purpose of giving free information to the general public without any commission, fee or monetary compensation shall first obtain a permit from the Village Board.

B. Any person, agent or corporation operating a booth, office or roadside stand for the purpose of giving information, directing, recommending or placing of any person to any attraction, boat trip, tour, eating place, tavern or sleeping accommodation for which a commission, fee or monetary compensation is paid shall first obtain a permit from the Village Board.

21.10 Non-operational hours.

A. Except as provided below, all outdoor amusements and attractions shall be closed for operation between the hours of 1:00 a.m. and 8:00 a.m. each day.

B. All outdoor amusements and attractions shall be closed for operation between the hours of 1:00 a.m. and 8:00 a.m. on the following days:

1. Each Saturday and Sunday morning
2. Memorial Day
3. Labor Day
4. The 3rd 4th and 5th of July.

C. Outdoor musical performances shall be prohibited each day between the hours of 10:30 p.m. and the following 8:00 a.m.

D. All outdoor amusements and attractions operating under a Special Exception Permit shall be closed for operation in accordance with the requirements of the permit.

21.11 Special Exception Permit.

A. Any person asking to be relieved from the strict enforcement of this chapter's provisions may apply for a Special Exceptions permit. The application shall be on a form provided by the Clerk-Treasurer-Coordinator. The completed form and all supporting documents shall be filed with the Clerk-Treasurer-Coordinator along with the filing fee. The Clerk-Treasurer-Coordinator shall forward the application to the Zoning Administrator. Within ten (10) days of receiving the application for a Special Exceptions permit, the Zoning Administrator shall issue a written report to the Village Board including his recommendation.

B. Following the review and issuance of a report by the Village Zoning Administrator, the application will be reviewed by the Board. The Village Board may require the applicant to furnish additional information it deems necessary in its review of the application. The procedure set forth in s. 19.05, shall govern the process for review in acting upon an application for a Special Exception Permit.

C. When reviewing an application for a Special Exception Permit, the Village Board will take into consideration such factors it deems appropriate, including but not limited to:

1. The Special Exceptions Permit will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. The uses, values and enjoyment of other property in the neighborhood shall not be substantially impaired or diminished by the proposed Special Exception Permit.

3. The Special Exception Permit will not unduly create a danger to pedestrians or traffic.
4. The Special Exception Permit allowing an extension of the hours of operation will not unduly attract minors.
5. The Special Exception Permit will not unduly require assistance from the police.
6. The past experience with the applicant or similar business operations.
7. That the issuance of a special exception permit will not violate the terms or conditions of a Conditional Use Permit or variance for the permitted premise.
8. Such other factors due to the specific circumstances that the Village Board deems appropriate.

21.12 Renewal of Special Exception Permits.

- A. Each permittee of a Special Exception Permit must comply with the provisions of s.21.02 and file annually for renewal.
- B. The procedure set forth in s.19.05 VMC shall govern any action to revoke, suspend, terminate, or the non-renewal of a Special Exception Permit.

21.13 Supervision. At all times while an establishment is open to the public, or is in use, there shall be one responsible adult on the premises to supervise and enforce the regulations applicable to such use. If the amusement involves the use of motor driven vehicles, motorized boats or watercraft, or animals, then all personnel responsible for the supervision and control of the machinery or animals must be adults.

21.14 Use of Alcohol prohibited. No patron shall be permitted to possess alcohol while actively participating in any amusement activity which involves equipment, rides, vehicles, machinery, water sports or any other activity which poses a danger to the participant or others.

21.15 Penalties.

- A. **Forfeiture.** Any person, agent, firm or corporation violating any provision of this chapter shall, upon conviction thereof, forfeit not more than one hundred dollars (\$100.00) for the first offense, with a deposit required of one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for the second offense, with a deposit of five hundred dollars (\$500.00), and the costs of prosecution. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- B. **Suspension; revocation.** In addition to the penalties set forth in s.21.15(A), any person violating this chapter may result in the suspension, revocation and/or non-renewal of the permit. The procedure set forth in s.19.05 VMC shall govern any action for revocation or suspension of a permit.

21.16 Nuisance, injunction. The repeated violation of this chapter is hereby declared to be a nuisance. In addition to any other relief provided by this chapter, or the Village code, the Village attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this chapter. Such application for relief may include seeking a temporary restraining order, temporary injunction, or permanent injunction.

21.17 Enforcement. The Village Zoning Administrator shall be responsible for enforcing this chapter. The Village Zoning Administrator shall maintain complaint forms for filing complaints

under a violation of this chapter. The complaint shall be filed with the Clerk-Treasurer-Coordinator, Chief of Police and the Village Board. Nothing herein limits, restricts or prevents the police department from enforcing the provisions of this chapter.

21.18 Consent to Inspection. All applicants for a permit and all permittees authorize village officials, fire inspectors, and police officers on the premises at all reasonable hours for the purposes of inspection and search of the premises, and removal from the premises of all things relevant to the investigation, including evidence of a violation of this chapter and/or any other chapter of the Village code or state law. Each applicant and all permittees consent to the introduction into evidence at any hearing before the Village Board, or court of law, any evidence obtained from an inspection or search of the premises. All application forms shall include a statement notifying each applicant of this requirement.

21.19 Additional regulations. Any permit issued pursuant to this chapter shall be subject to such further regulations and restrictions as the Village Board of the Village of Lake Delton may impose by amendment to this section or by the enacting new ordinances. If any permittee shall fail or neglect to meet the requirements imposed by such new restrictions and regulations, his/her permit may be revoked in accordance with this section. If any new amendment or ordinance the Village Board enacts shall provide revoking all or any class of existing permits and the issuing new permits, or shall impose such new restrictions as to render it impossible for any permittee under an existing permit to meet such restrictions, then and in such case the unused portion of the fee paid for such permit shall be refunded or applied on any new permit issued to such permittee by the Village Board. In case of permit revocation or any violation of any provision of this chapter in accordance with this section or for any reasonable cause except imposing new restrictions, no refund shall be made of any part of the permit fee.

A. Security Digital/Video Camera System Required. Commencing on January 1, 2015, all permitted amusement premises with swimming pools with capacities of four hundred (400) or more commonly referred to as wave pools, are required to install and maintain in proper working order, a Digital/Video Camera System meeting the following requirements:

1. Purpose. The purpose of this Section is to maintain the health, safety and welfare of the community by providing safe environments for the enjoyment of recreation.
2. Security cameras sufficient in number to cover the establishment's pool areas producing high definition color and black and white digital images with a resolution of not less than seven hundred twenty (720) p / one (1) MP.
3. The security cameras shall be operated during all hours the establishment is open to customers and two (2) hours after closing.
4. There shall be no obstructions or other impediments blocking any portion of a camera's manufacturer specified field of view.
5. Recorded digital/video image files shall be kept for a minimum of thirty (30) days.
6. All recordings made by Digital/Video Camera System installed and maintained pursuant to this Section while in the possession of the business shall be stored in a controlled area to which only authorized personnel have access.

7. The owner or agent of the premises subject to the provisions of this Section shall include with its application for a permit a certification that the premises is in compliance with this Section.

21.19 A. Modified & Amended Ordinance 14-25 Passed: 11/10/2014 Published: 11/15/2014

Adopted 10/21/2009

21.03 O. Amended by Ordinance 14-25 Passed: 11/10/2014 Published: 11/15/2014
21.19 A. Modified & Amended Ordinance 14-25 Passed: 11/10/2014 Published: 11/15/2014
21.03 A. Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019
21.03 A. 1. Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019
21.03 P. Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019
21.04 Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019
21.05 F. Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019
21.05 K. Modified & Amended Ordinance 19-007 Passed: 7/22/2019 Published: 8/1/2019
21.05 G. Modified & Amended Ordinance 19-011 Passed: 9/09/2019 Published: 9/19/2019

(1) **Purpose.** The purpose of this section is to ensure that the quality of tourist rooming houses operating within the City is adequate to protect public health, safety and general welfare, including establishing minimum standards of space for human occupancy, for adequate levels of maintenance, determining the responsibilities of owners, operators and property managers offering these properties for tourists, to protect the character and stability of City neighborhoods, to provide minimum standards for the health and safety of persons occupying or using the regulated premises; and, provisions for the administration and enforcement.

(1a) **Short Term Rentals.** Short term rentals, a form of Tourist Room House, are permitted by right as an accessory use in all zoning districts subject to the regulatory provisions of the Section 16.35; and, further subject to the limitation that the total number of days of operation within any calendar year shall not exceed 180 days which must be consecutive and must be specified in advance.

(2) **Definitions.**

- (a) **Bathroom.** Full bath.
- (b) **Clerk.** The City Clerk of the City of Wisconsin Dells, or designee.
- (c) **Corporate Entity:** A corporation, partnership, limited liability company, or sole proprietorship licensed to conduct business in this state.
- (d) **Dwelling Unit:** One (1) or more rooms with provisions for living, cooking, sanitary, and sleeping facilities and a bathroom arranged for exclusive use by one (1) person or one (1) family. Dwelling Units include residential, tourist rooming house, seasonal employee housing and dormitory units.
- (e) **License.** The Property Management License issued under 16.35(4).
- (f) **Owner .** The owner of a tourist rooming house.
- (g) **Permit.** An individual tourist rooming house permit issued under sub. sec. (4).
- (h) **Person.** Shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals, including a personal representative, receiver or other representative appointed according to law. Whenever the word person is used in any section of this section prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members, and as to corporations, shall include the officers, agents or members who are responsible for any violation of this section.
- (i) **Resident Agent.** Any person appointed by the owner of a tourist rooming house to act as agent on behalf of the owner.
- (j) **Property Manager.** Any person providing property management services to a least five (5) tourist rooming houses.
- (k) **Short Term Rental.** A residential dwelling offered or occupied for rent for a fee or similar consideration for more than six but fewer than 29 consecutive days.
- (l) **State.** The State of Wisconsin Department of Health, or its designee.

- (m) **Tourist Rooming House.** Any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients. Houses, cabins, and/or condominium units operated by a hotel, motel or resort are not tourist rooming houses under this section.
- (n) **Tourist Rooming House Complex.** A condominium with eight (8) or more units operating as tourist rooming houses.

(3) **Operation of Tourist Rooming Houses.**

- (a) Tourist Room Houses are a form of overnight lodging (Code Sec. 19.11.5.5) conditionally permitted in the following districts: C-1, C-2, C-3, C-4 and M-1)
- (b) No person may operate a tourist rooming house without a tourist rooming house permit. Every tourist rooming house shall be operated by a Resident Agent or licensed Property Manager.
- (c) Each tourist rooming house is required to have the following licenses and permits:
 1. State of Wisconsin Department of Health Service License
 2. Seller's permit issued by the Wisconsin Department of Revenue;
 3. Conditional Use Permit;
 4. Wisconsin Department of Revenue Premier Resort Tax number;
 5. Room Tax Permit; and
 6. Permit or license issued pursuant to the provisions of this Section.
- (d) Exemptions. The following activities are exempt from complying with the requirements of this section:
 1. Private boarding or rooming house, ordinarily conducted as such, not accommodating tourists or transients.
 2. Hotel, motel or resort license issued by the State of Wisconsin Department of Health Services, pursuant to Wis. Stats. sec.254.64.
 3. Bed and breakfast establishments.

(4) **Tourist Rooming House Permit; Property Manager License.**

- (a) The Clerk shall issue an original tourist rooming house permit to all applicants following the approval of an application by the Common Council and the filing of all documents and records required under this Section.
- (b) The Clerk shall issue a property manager license to all applicants following the approval of the application by the Common Council and the filing of all documents and records required under this Section.
- (c) No person may act as a property manager of a tourist rooming house without a property manager license issued in accordance with the provisions of this Section. The property manager license shall apply to all tourist rooming houses for which the property manager has exclusive rights for the rental of the property. The property manager must certify to

the City that each tourist rooming house operating under the property manager license complies with the standards of this Section.

- (d) All Property Managers shall carry casualty and liability insurance issued by an insurance company authorized to do business in this state by the Wisconsin Office of the Commissioner of Insurance, with liability limits of not less than \$300,000 per individual and \$1,000,000 aggregate.
- (e) Certification of compliance. As a condition of issuance of a license under this Chapter, the Property Manager shall certify that each managed property is in compliance with the terms and conditions of the license and this Section.

(5) Resident Agent; Property Manager.

- (a) All tourist rooming houses are required to appoint a Resident Agent for the receipt of service of notice of violation of this Section's provisions and for service of process pursuant to this Section. Such a designation shall be made by the owner and shall accompany each application form. The applicant shall immediately notify the Clerk of any change in residence or information regarding the Resident Agent.
- (b) To qualify as a Resident Agent the person must meet the following requirements:
 - 1. Be a natural person residing in or within twenty-five (25) miles of the City of Wisconsin Dells; or a corporate entity with offices located within twenty-five (25) miles of the City of Wisconsin Dells.
 - 2. The applicant does not have pending any criminal charge and has not been convicted of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Wis. Stat. Chap. 944, as amended.
 - 3. The applicant is authorized by owner to accept service of process for all City communications, citations and orders.
- (c) Resident Agent Permit. Application for a Resident Agent permit, and payment of the application fee, shall be filed with the Clerk, who shall issue the permit to all qualified applicants. Each Resident Agent permit shall be for a period of one (1) year commencing on July 1, or the date of issuance, and shall expire on June 30 of each year. No fee is required for the owner of a tourist rooming house residing within twenty-five (25) miles of the City of Wisconsin Dells who is serving as Resident Agent.
- (d) Property Manager License. No person may act as a property manager for a tourist rooming house without a property manager license issued in accordance

with the provisions of this Section. The property manager license shall apply to all tourist rooming houses for which the property manager has exclusive rights for the rental the property. The property manager shall serve as the Resident Agent for the property owner. The property manager must certify to the City that each tourist rooming house operating under the license complies with the standards of this Section.

- (e) Property Manager qualifications. To qualify as a Property Manager the applicant must meet the following requirements:
 - 1. Comply with the qualifications for a Resident Agent as set forth in 5(b).
 - 2. Shall be managing not less than five (5) tourist rooming houses operating in the City of Wisconsin Dells.
 - 3. Shall hold the following licenses and permits in its name:
 - a. Seller's Permit issued by the Wisconsin Department of Revenue;
 - b. Room Tax Permit issued by the City of Wisconsin Dells;
 - c. Employer identification number issued by the Internal Revenue Service;
 - d. Wisconsin Department of Revenue Premier Resort Tax number.
- (f) Each Resident Agent and Property Manager shall be authorized by the property owner to act as the agent for the owner for the receipt of service of notice of violation of this Section's provisions and for service of process pursuant to this Section and shall be authorized by the owner to allow City employees, officers and their designees, to enter the owner's property for purposes of inspection and enforcement of this Chapter and/or the City Code.

(6) Procedure.

- (a) All applications for a tourist rooming house permit shall be filed with the Clerk on forms provided. Applications must be filed by the property owner or on the owner's behalf by the licensed Property Manager. Each applicant shall certify that the tourist rooming house included in the permit is in compliance with the provisions of this Section. No permit shall be issued unless the completed application form is accompanied by payment of the required fee.
- (b) Each application shall include the following information and documentation for each tourist rooming house unit:
 - 1. Conditional Use Permit (or application).
 - 2. State of Wisconsin Department of Health Services License for a tourist rooming house license issued under Wis. Stats. sec. 254.64
 - 3. Copy of a completed State Lodging Establishment Inspection form dated within one (1) year of the date of issuance or renewal.
 - 4. Wis Department of Revenue Premier Resort Sales Tax Number.

5. Proof of Insurance.
 6. Seller's Permit from the Department
 7. Floor plan and requested maximum occupancy
 8. Site plan including available onsite parking.
 9. Property Management Agreement (if applicable)
 10. Designation of the Resident Agent.
 11. Certification from the owner or licensee that the property meets the requirements of (12) below.
 12. Applications for renewal permits filed by Property Managers are not required to include the documentation for each individual unit for items listed in subparagraph 4, 5, 6, 7, 8, 9, 10, unless the information on the renewal application has changed.
- (c) Terms and Filing date. Each permit and license shall run from July 1 through June 30 of the following year. All applications must be filed on or before May 1. The filing fee shall be paid upon filing of the application. The Clerk may conditionally accept untimely filed applications, subject to payment of a penalty filing fee. Any application which does not include all of the information and documentation shall not be considered as complete.
- (d) Application Review Procedure.
1. Initial applications for a Tourist Rooming House (TRH) site shall be accompanied by a Conditional Use Permit (CUP) application. The CUP and TRH applications shall proceed simultaneously.
 2. TRH applications shall be accepted and reviewed by the Building Inspector/Planning & Zoning administration who shall prepare and submit a report and recommendation to the appropriate Common Council Committee. The Committee shall make a recommendation to the Common Council which shall approve or deny the application.
 3. Approvals may include conditions and restrictions. Denials shall be based upon specified reasons; and non-renewal denials shall be subject to due process standards of notice and opportunity to be heard.
- (e) The City shall issue a permit for each tourist rooming house approved by the Common Council. The permit shall include the following information:
1. Identify the Property Owner;
 2. Identify the Resident Agent/Property Manager with contact information;
 3. The maximum occupancy for the premises;
 4. The permit term;
 5. State lodging license number; and
 6. Contact information for the City.
- (f) No permit or license shall be issued or renewed unless there is filed with the Building Inspector a completed Fire Inspection Report dated not more than one (1) year before the date of issuance or renewal.
- (g) No permit or license shall be issued or renewed, if the applicant or

property has outstanding fees, taxes or forfeitures owed to the City, unless arrangements for payment have been approved by the Common Council.

- (h) **Electronic Filing.** Applications, reports and supporting documentation filed under this section may be filed electronically in the manner and form prescribed by the City Clerk.

(7) Renewal.

- (a) Each application for a renewal of a permit shall include updated information for the documentation on file with the City and payment of the applicable fee. The Building Inspector/Zoning Administrator shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this Section. The Building Inspector/Zoning Administrator shall request reports from the Police Department and the Zoning Administrator regarding any complaints received, calls for service or actions taken regarding the permitted properties. The Building Inspector/Zoning Administrator shall issue renewal permits within ten (10) days of the filing of the application unless the information provided is incomplete or otherwise not in compliance with the requirements of this Section and/or the reports from the Police Department and the Zoning Administrator indicate that there are complaints or actions involving the property.
- (b) If the Building Inspector/Zoning Administrator finds that the license or permit should not be renewed, or that the application should be considered by the designated Common Council/Committee, the Building Inspector/Zoning Administrator shall forward the application to the appropriate Common Council Committee for action along with a written explanation of the reason for referral.
- (c) No permit shall be issued or renewed unless there is filed with the Building Inspector/Zoning Administrator a completed Fire Inspection Report by the City fire inspector dated within one (1) year of the issue date.
- (d) No permit or license shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City, or is under an order issued by the Building Inspector, or designee, to bring the premises into compliance with City ordinances, unless arrangements for payment have been approved by the Common Council.

(8) Room Tax.

- (a) Each tourist rooming house shall comply with the room tax reporting requirements of the City Code.
- (b) Each Property Manager Licensee shall file consolidated room tax returns for the managed tourist rooming houses.

- (c) All tax returns and supporting documentation filed with the Clerk are confidential and subject to the protections provided under the City Code and Wis. Stat. secs. 66.0 615(3) and 77.61.

(9) **Inspections.**

- (a) Each separate unit which is offered for rental as a tourist rooming house is required to be inspected annually by the State and the City Fire Inspector. If the State fails to inspect the tourist rooming house, the applicant may request that the building inspector conduct the inspection.
- (b) If the Building Inspector conducts the inspection, the holder of a permit or license shall be responsible for payment of the inspection fees.
- (c) If the Building Inspector or Fire Inspector at any time is unable to conduct an inspection due to denial of access, the tourist rooming house shall not operate until it has passed the inspection.

(10) **Display of Permit.** Each permit shall be displayed on the inside of the main entrance door of each tourist rooming house.

(11) **Standards for Tourist Rooming Houses.** Each tourist rooming house shall comply with the requirements of this Section and any other applicable City ordinance; and failure to do so constitutes a nuisance. Each tourist rooming house shall comply with the following minimum standards:

- (a) not less than one (1) bathroom for every six (6) occupants.
- (b) not less one hundred fifty (150) square feet of floor space for the first occupant thereof and at least an additional one hundred (100) square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any premises without a separate enclosed bedroom is two people.
- (c) each tourist rooming house complex shall have a designated manager residing on the premises.
- (d) not less than one and one quarter (1 ¼) onsite off-street parking spaces for every four (4) occupants based upon maximum occupancy.

- (e) a safe, unobstructed means of egress leading to safe, open space at ground level.
 - (f) shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Wis. Admin. Code Chap SPS 362.
 - (g) shall not have an accessible wood burning fireplace unless the owner provides a certificate from a licensed commercial building inspector, dated not more than thirty (30) days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances.
 - (h) shall not have a hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose on any balcony, deck or under any overhanging structure or within ten (10) feet of any structure.
- (12) **Fees.** The City may establish by resolution fees related to TRH regulation, including, without limitation, application, inspection and renewal.
- (13) **Enforcement.**
- (a) The provisions of this ordinance shall be enforced by the Fire Chief, Chief of Police, Building Inspector, Zoning Administrator, Code Compliance Officer, or their designees or agents.
 - (b) Owners and others shall be subject to fines or forfeitures for failure to abide by the terms of this ordinance or other relevant city or state codes or regulations; including, without limitation, the provisions of Code Sec. 17.10 “Chronic Nuisance Premises”; and, for failure to observe or implement license conditions. The penalty provisions of Code Sec. 30.04 shall apply. Each day a violation continues shall constitute a separate offense.
 - (c) Repeated and unabated violations of this cost may also subject the permit to non-renewal, suspension or revocation proceedings. Such proceedings shall include written notice to the permit holder, a hearing and decision by the Common Council.
 - (d) If a license is non-renewed, suspended or revoked, the City shall take those actions necessary to protect the interests of effected occupants.

(1) Definition. In this section the following terms shall mean:
Commercial Quadricycle.

A vehicle with fully operational pedals for propulsion entirely by human power, that has four wheels, and is operated in a manner similar to a bicycle, that is equipped with at least 12 seats for passengers, that is designed to be occupied by a driver and passengers providing pedal power to the drive train of the vehicle that is used for commercial purposes.

(2) General Regulations.

- (a) Commercial quadricycles operating within the City shall comply with applicable City and State codes and regulations.
- (b) No person shall drive a commercial quadricycle upon any street, sidewalk or other public place in the City without first registering and obtaining a City license for such commercial quadricycle and securing a license/sticker which shall be displayed.
- (c) No person shall park a commercial quadricycle upon any sidewalk or undesignated parking stall.
- (d) No person shall drink from or have in their possession an open container of fermented malt beverage or intoxicating liquor while on a commercial quadricycle.
- (e) No glass beverage containers shall be carried on a commercial quadricycle while operated on the public way.
- (f) Hours of operation. No person shall operate a commercial quadricycle except between the hours of 10:00 a.m. to 10:00 p.m. daily.
- (g) No music or amplified sound shall be played, other than tour-type information relating to the area landmarks, history and amenities. There shall be no yelling or conversation conducted in such a manner that the sound carries to nearby residences or properties and is audible above the level of conversational speech at a distance of 50 feet or more from the point of origin of the sound.

(3) License and registration required.

- (a) Application for registration and license for a commercial quadricycle shall be made by the owner of the quadricycle, in writing, upon forms furnished by the City. Such application shall be signed by the owner and approved by the City Council on an annual basis. The fee for an annual license shall be set by resolution of the City Council and paid to the City prior to issuance of a license. Such license shall be issued on the 1st day of April each year, or thereafter when applied for, and shall expire on the 31st day of March following its issuance.
- (b) Upon payment of the necessary fees and approval of the Legislative Committee and Common Council, the City may issue or cause to be issued a proper license plate/sticker. Transfer of the license to another person or quadricycle is prohibited.
- (c) Revocation. A license may be revoked by the City for any of the following reasons: