

Chapter 165

LICENSES AND PERMITS

ARTICLE I
Payment of Claims, Taxes
and Assessments

§165-1. Nonpayment of taxes or forfeitures.

§165-2. Applicability.
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[HISTORY: Adopted by the Village Board of the Village of Albany as indicated in article histories. Amendments noted where applicable.]

ARTICLE I
Payment of Claims, Taxes
and Assessments

§165-1. Nonpayment of taxes or forfeitures.

The village shall not issue or renew any license to transact any business within the Village of Albany:

- A. For any purposes for which taxes, assessments or other claims of the village are delinquent and unpaid.
- B. For any person who is delinquent in payment:
 - (1) Of any taxes, assessments or other claims owed the village; or
 - (2) Of any forfeiture resulting from a violation of any village ordinance.

§165-2. Applicability.

This article shall apply to licenses issued pursuant to the provisions of the following chapters: Chapter 95, Cigarettes; Chapter 103, Dance Halls; Chapter 107, Direct Sellers and Transient Merchants; Chapter 118, Entertainment, Public; Chapter 130, Fermented Malt Beverages and Intoxicating Liquor; Chapter 140, Fireworks; Chapter 161, Junk Dealers; Chapter 190, Nonmetallic Mining; Chapter 232, Streets and Sidewalks, Article III, General Provisions; and Chapter 246, Used Car Dealers, and shall not apply to Chapter 74, Animals, and Chapter 181, Mobile Homes.

§165-3. Denial of renewal.

An application for renewal of a license subject to this chapter shall be denied pursuant to the provisions of §165-1 only following notice and opportunity for hearing as provided by §165-4.

§165-4. Hearing.

Prior to any denial of an application for renewal of a license, including denials pursuant to §165-1, the applicant shall be given notice and opportunity for a hearing as hereinafter provided:

A. With respect to licenses renewable under Chapter 130, Fermented Malt Beverages and Intoxicating Liquor, notice and opportunity for hearing shall be as provided by W.S.A. s. 125.12, as amended from time to time.

B. With respect to licenses other than those described in §165-1, the Village Board or its assignee shall notify the applicant, in writing, of the village's intention not to renew the license and shall provide the applicant with an opportunity for hearing. The notice shall state the reasons for the intended action and shall establish a date, not less than three days nor more than 10 days after the date of the notice on which the applicant shall appear before the Village Board. If the applicant shall fail to appear before the Board on the date indicated on the notice, the Board shall pay the application for renewal. If the applicant appears before the Board on the date indicated in the notice and denies that the reasons for nonrenewal exist, the Village Board shall conduct a hearing with respect to the matter. At the hearing, both the village and the applicant may produce witnesses, cross-examine witnesses and be represented by counsel. The applicant shall, upon request, be provided a written transcript of the hearing at the applicant's expense. If the Village Board determines the applicant shall not be entitled to renewal pursuant to §165-1, the application for renewal shall be denied.

§165-5. Other grounds for hearing.

Where an individual, business or corporation wishes to appeal the Village Clerk-Treasurer's decision not to issue a license or permit under this title on grounds other than those specified in ~§165-1 through 165-4 above, the applicant may file a request, in writing, with the Village Clerk-Treasurer that the matter be referred to the Village Board. A public hearing shall be scheduled within 14 calendar days by the Village Board. All parties may be represented by counsel. The Board shall consider all relevant information and shall render a decision which shall be binding.