

CHAPTER 240

REGULATION OF TEEN CLUBS WITHIN THE CITY OF RICHLAND CENTER

[History: Ord 1987-10, 1987-12]

240.01 FINDINGS OF FACT AND DECLARATION OF POLICY. The Common Council finds that it is desirable that one or more private enterprises undertake to furnish, as a commercial venture, a location for social activities for the young people of the City. However, the Council further finds that such locations and social activities, if not strictly regulated and well managed, tend to have a negative impact upon the moral and physical well-being of young people who frequent the premises and in addition tend to impose an unreasonable burden upon the owners and occupants of neighboring properties and upon the community at large. Accordingly, it is the policy of the City of Richland Center that any privately operated social club catering primarily to persons who have not yet reached the legal drinking age shall be licensed by the City and shall further be subject to very high standards of management and control of the premises and surrounding area as conditions of retaining and renewal of a license for continued operation.

240.02 DEFINITION. (1) For purposes of this chapter, a "teen club" is defined as a premises open to members of the public, whether or not a fee is charged for admission, wherein music is generally provided either by live band or by recorded music, and wherein admittees are accorded the privileges of dancing, consuming non-alcoholic beverages and similar activities.

(2) Notwithstanding the foregoing, the following are not "teen clubs" and are not subject to the licensing requirements of this Chapter:

(a) Any social event conducted by the University of Wisconsin Center-Richland or by any group acting under the auspices or sponsorship of the said University Center in any building or facility owned by said University Center.

(b) Any social event conducted by the Richland Public Schools or by any group acting under the auspices or sponsorship of the said Richland Public Schools in any building or facility owned by said school district.

(c) Any social event conducted by any church or by any group acting under the auspices or sponsorship of any church in any building or facility owned by such church.

(d) Any social event conducted at the Richland Center Community Center with the prior permission of the appropriate officials of the City of Richland Center.

240.03 LICENSE REQUIRED.

(1) No person shall operate or maintain any teen club within the City of Richland Center without first obtaining and having in force a license therefor.

(2) Application for such license shall be made in writing to the Clerk, on a form to be furnished by the City. The Clerk may require such information on the application as is deemed reasonably appropriate to determine the fitness of the applicant or of the proposed licensed premises for licensing.

(3) Any such license shall expire on the 30th day of June next succeeding its issuance.

(4) The fee for such license shall be \$50.00 per year, which license fee shall be tendered with the license application.

(5) The issuance of a teen club license shall be in addition to and not in lieu of any other license required by the City of Richland Center or by the State of Wisconsin for any activity conducted on the premises.

240.04 REGULATION OF CONDUCT REQUIRED FOR CONTINUED LICENSING. As conditions for the issuance, maintenance and renewal of a teen club license under this chapter, the licensee shall:

(1) Maintain on the premises at all times that the facility is open to patrons sufficient adult staff to carry out the licensee's responsibilities under this chapter.

(2) Deny admission to any person who appears to be under the influence of alcohol beverages and immediately eject any person found on the premises who appears to be under the influence of alcohol beverages.

(3) Deny admission to any person who has not yet reached the Wisconsin legal drinking age who appears to have recently consumed alcohol beverages and immediately eject any person who has not yet reached the Wisconsin legal drinking age found on the premises who appears to have recently consumed alcohol beverages.

(4) Prevent the use or possession of alcohol beverages on the premises.

(5) Deny admission to any person who appears to be under the influence of controlled substances and immediately eject any person found on the premises who is under the influence of or who appears to have recently ingested controlled substances.

(6) Prevent the use or possession of controlled substances on the premises.

(7) Prevent trafficking in controlled substances on the premises.

(8) Maintain order within the premises by preventing or immediately intervening in any fights or provocative activities likely to cause fights and ejecting any persons provoking fights.

(9) Prevent loitering on the premises or, to the extent permissible by law, in the vicinity of the premises by those denied admission to the licensed premises.

(10) Maintain order on portions of the premises lying outside the building.

(11) Cooperate with the Richland Center Police Department in enforcing the provisions of this chapter and all other ordinances of the City and laws of the State of Wisconsin.

240.05 PROCEDURE FOR HEARINGS ON APPLICATIONS FOR LICENSE RENEWAL.

(1) At the time any licensee applies for the renewal of a teen club license, the Common Council may, at the request of the Mayor, any Alderman or the Chief of Police, defer action on the renewal pending a public hearing. Any such request shall be accompanied by a statement by the requestor of the the reason or reasons why the requestor feels that a hearing and possible non-renewal of the license are appropriate.

(2) In the event of such a deferment, the licensee shall be given notice by mail of the hearing at least seven (7) days in advance thereof, which notice shall state the reasons given by the requestor for the hearing and possible non-renewal of the license. Notice of the hearing shall, in addition, be given to the public by publication of a notice in the official City newspaper.

(3) The public hearing shall be held within 21 days after the act of the Common Council directing deferment of consideration of the application pending the hearing. The hearing may be held at any regular or special meeting of the Common Council and shall be open to the public.

(4) At such hearing, the Common Council may hear from any persons having information relevant to the question of whether the license shall be renewed. The licensee shall be entitled to be present at the hearing and to address the Common Council on the matters at issue. The licensee may be represented by an attorney at his/her own expense.

(5) In making a determination as to whether or not to renew any such license, the Common Council may take into account the impact that the premises has had on the surrounding neighborhood and upon the public at large, the history of the licensee in regard to his/her conformity with the provisions of this ordinance, and any other factors reasonably relevant to the decision as to whether or not to renew the license.

240.06 LOITERING IN VICINITY OF TEEN CLUBS PROHIBITED. No person who has been denied admission to or ejected from any licensed teen club may loiter on any public street or public sidewalk within 300 feet of such teen club, nor on any private property within 300 feet of such teen club without the express permission of the owner of such private property.

240.07 PENALTY. Any person who shall violate or fail or refuse to comply with any section of this chapter shall, upon conviction thereof, forfeit to the City of Richland Center not less than \$25.00 nor more than \$400.00, together with the costs of prosecution and any applicable penalty assessment, and in the event such forfeiture, costs and assessment are not paid, such person may, by order of the Circuit Court, be imprisoned in the Richland County Jail until such forfeiture, costs and assessment are paid, but not to exceed 90 days. Each day that a violation is maintained or permitted to exist shall constitute a separate offense.