

**CITY OF WEST ALLIS
ORDINANCE O-2020-0035**

ORDINANCE TO REPEAL NATURAL CHRISTMAS TREE SALES LICENSE

REPEALING SECTION 9.265

WHEREAS, the temporary use of a property for natural Christmas tree sales can be an approved use or can require a temporary occupancy permit under WAMC 13.33(4); and

WHEREAS, it is unnecessary to require a license for those properties that are already approved for retail sales; and

WHEREAS, it is unnecessary to require a license for those properties for which a temporary occupancy permit is required;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **REPEAL** “9.265 Natural Christmas Tree Sales” of the City Of West Allis Municipal Code is hereby *repealed* as follows:

R E P E A L

~~9.265 Natural Christmas Tree Sales~~ (*Repealed*)

1. Any person, firm or corporation desiring to engage in the business of selling natural Christmas trees shall obtain a license therefor for each separate sales location. Applications shall be made in duplicate to the City Clerk and the City Clerk shall forward the duplicate copy of the application to the Fire Prevention Bureau, which shall inspect the premises to determine whether it complies with all laws, ordinances, rules and regulation, and shall report back on the same to the City Clerk.
2. Such application shall state the ordinary use to which such premises or location have been devoted up to the time of making application and the type and character of any other business carried on at said place.
3. The fee for each such license shall be one hundred seventy-five dollars (\$175.00), payable to the City Clerk/Treasurer upon application, and each such license shall expire on January 1 following the date of issuance. The licensee shall have direct control over the premises where such trees are sold and shall be responsible for the conduct of any person in his employ. The license shall not be assignable, and any holder of such license who permits it to be used by any other person shall be guilty of a violation of this section. **[Ord. 6055, 11/15/1993; Ord. O-2009-0033, 11/3/2009]**
4. Upon receipt of the proper application, fee, bond and report of the Fire Prevention Bureau approving the application, the City Clerk shall issue the license referred to in Subsection (1).
5. The licensee shall observe all the minimum standards applying to the storage, handling or

sale of natural Christmas trees, as provided in Section 5.10(6)(i)3. of this Code.

6. Any license issued pursuant to this section may be revoked by the Common Council. Such revocation shall be for cause, and it shall be the duty of the Chief of the Fire Department to report to the Common Council any violations of this section.
7. Every applicant for a license under this section shall, at the time of filing his application, post with the City Clerk a bond in the sum of five hundred dollars (\$500) for each license, either in cash or a certified check. This sum shall be returned to the applicant by January 10 of the year following the date of issuance of such license, if, after inspection of such premises by the Fire Prevention Bureau to determine that all standards set out in Section 5.10(13) have been met, the Fire Prevention Bureau has approved the refund. **[Ord. 6157, 4/18/1995]**
8. Any person violating any of the provisions of this section or whose license is revoked as provided herein shall, in addition to the penalties imposed thereon pursuant to Section 9.27(g), forfeit the right to a license hereunder for two (2) years from the date of such violation.

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL AUGUST 04, 2020.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Angelito Tenorio	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Vince Vitale	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Tracy Stefanski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Thomas Lajsic	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Rosalie Reinke	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Rebecca Grill, City Clerk, City Of West Allis



Dan Devine, Mayor City Of West Allis

