

Sec. 14-661. Permit required.

No person shall conduct, exhibit, operate or maintain within the town any circus, menagerie, carnival, play, game, race, contest, theatrical performance, theater, concert, athletic event of any kind or any other public amusement or show to which admission may be had by the payment of a fee or by the purchase or presentation of a ticket or token obtained for money or other valuable thing or in which a charge is made indirectly for admittance, unless a license or permit shall be obtained therefor. This article shall not apply to events conducted under the sole control and supervision of educational, charitable or religious organizations where the entire proceeds of such show or amusement are devoted to such organization.

(Code 1982, § 12.13(1))

Sec. 14-662. Application procedure.

All applications for permits under this division shall be made in the manner provided in this chapter and shall specify in addition two previous places of employment of the applicant and the nature of the show or amusement.

(Code 1982, § 12.13(1)(a))

Sec. 14-663. Fees.

The permit fee for permits issued under this division are set forth in [section 14-35](#), or a fraction thereof for any show, event or amusement not regularly conducted within the town at least 60 days in each year except carnivals, which shall be subject to the daily permit fee regardless of tenure.

(Code 1982, § 12.13(1)(b); Ord. No. 2008-01, § 11, 12-22-2008)

Sec. 14-664. Yearly fee.

The fee for permits issued under this division for any ongoing theater, show, event or amusement, including movie houses, shall be \$200.00 per year, renewable on the anniversary date of issuance.

(Code 1982, § 12.13(1)(c))

Sec. 14-681. Inspection of premises.

The clerk-treasurer shall refer all applications filed under this article to the police chief or town constable and building inspector who shall investigate and inspect each application to determine whether the place sought to be licensed complies with all applicable laws and ordinances and is a proper place for the purpose for which it is to be used.

(Code 1982, § 12.13(2)(a))

Sec. 14-682. Miscellaneous conditions.

No permit shall be issued for any public show within a district other than that permitted under the county zoning ordinance, nor to any person under 18 years of age. The town board, in weighing whether to issue such permit, shall consider the detrimental effect of such show to the owners of the property situated within 1,000 feet of the premises contained in the application, shall consider if the premises contained in the application shall allow adequate on-premises parking for vehicles of patrons of the premises and employees of the business conducted on the premises, shall consider whether adequate fire and police protection can be afforded to the premises as outlined in the application, and shall consider and may provide specific conditions in the permit for the hours of operation of such amusement. No permit shall be issued unless the premises on which the show is to be held complies with all applicable laws including, but not limited to, the town's building, plumbing, electrical and health codes and the county zoning regulations. The town board may require proof of adequate insurance, and may impose additional conditions on the issuance of a permit related to the exercise of its powers under Wis. Stats. § 60.22(3). No applicant to whom a permit has been refused shall make further application for a period of at least six months. No permit shall be issued under this article to any applicant or licensee or permittee whose license or permit has been revoked within two years of the date of application, nor, subject to Wis. Stats. §§ 111.321, 111.322 and Wis. Stats. § 111.335, to any person who has within five years of the date of application been convicted of a felony.

(Code 1982, § 12.13(2)(b); Ord. No. 2012-04, § 1, 6-25-2012)

Sec. 14-683. Sanitation requirements.

All premises used by permittees under this article shall be subject to periodical inspection by the town for safety of the structure and the propriety of plumbing, electrical wiring, ventilation, heating and sanitation. The investigating officers of the town including the health officer may enter the premises from time to time during regular business hours for the purpose of making reasonable inspections to enforce compliance with the building, fire, electrical, plumbing and health regulations.

(Code 1982, § 12.13(2)(c))

Sec. 14-684. Prohibition of obscenity.

No person, individually or in connection with another, shall either sell or offer for sale, display, charge admission to see, exhibit in any way, or own or have possession of a premises where there is sold, offered for sale or displayed or exhibited in any way any material, movie, picture, book or article of any nature, wherein there is depicted or contained in the written or spoken word:

- (1) Patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated.
- (2) Patently offensive representations or descriptions of masturbation, excretory functions, lewd exhibition of the genitals, sadomasochistic abuse, sexual activities in any way involving a child, fellatio, cunnilingus, bestiality, which the average person taking the material as a whole and applying contemporary community standards would find appeals to the prurient interest and is patently offensive; and that the material, taken as a whole, lacks serious literary, scientific, political or artistic value.

(Code 1982, § 12.13(3))