



# Operator License Disclosures

The Kimberly Village Board is entrusted to promote the safety and well-being of Kimberly residents and visitors. Therefore, all Alcohol Operator License applications are evaluated on an individual basis to reasonably ensure the public that the service or sale of alcohol is being done in a responsible manner and in compliance with State Statute and local ordinances.

As part of the application process, **Fox Valley Metro Police Department** performs a background check.

The following arrests, pending charges, convictions, including dismissals due to a plea deal must be listed:

- ✓ All alcohol related violations occurring within the last two (2) years. Examples include:
  - Traffic – OWI, open intoxicants in vehicle, etc.
  - Non-Traffic – sale to minors, underage drinking, selling without an Operator's license
- ✓ Drug violations specifically related to the possession or manufacture of drugs with intent to deliver
- ✓ Drug violations related to possessing any of the materials listed in WI Stats. §961.65 with intent to manufacture methamphetamine under that section or under federal law or a law of another state that is substantially similar to §961.65
- ✓ ALL CRIMINAL non-alcohol or non-drug related violations occurring within the last two (2) years
  - Non-traffic violations IE: Disorderly conduct, theft, obstructing a police officer etc.
  - Traffic crimes IE: reckless driving, hit and run etc. **NOTE:** Speeding, no seat belt etc. do not count)

**Fill out the application completely.** Failure to disclose charges, convictions or arrests will likely result in your application being denied, especially if it is alcohol or drug related.

Your application can be denied for any reason that leads the Board to think you may not be a responsible server or seller. Reasons that are likely to result in denial are:

- ✓ Two (2) or more alcohol related convictions within the last two (2) years
- ✓ **ANY** conviction (ever) for possession or manufacture of a controlled substance with intent to deliver or similar violations related to WI Stats. §961.41
- ✓ **ANY** Felony conviction (ever) substantially related to alcohol activity

The board **MAY** also decide to deny, delay or approve conditionally your license for reasons such as:

- ✓ Multiple minor violations showing poor judgment within the last year
- ✓ Multiple police contacts and/or violations on the premise while you are the licensed operator

If the Board decides to approve a license conditionally and the required conditions are not met or maintained, the license will be revoked and subsequently considered denied. The applicant will need to start the application process over if he/she wants to re-apply.

If the Board denies your application, you may appeal the denial by notifying the Clerk within 14 days of receiving the denial letter from the Village Clerk's office. Your letter should state, in detail, why you think the denial should be reversed and specifically request an appeal hearing before the board. You will then be given the opportunity to address the Board at a future Village Board meeting and request reconsideration of the denial.

**All application fees are non-refundable.** Please contact the Clerk's office at 920-788-7500 for questions.