

CHAPTER 12
LICENSES AND PERMITS

12.01 LICENSE FEES. (1) Unless otherwise indicated, fees for licenses issued under this chapter shall be as follows:

- (a) Class “A” to sell beer to consumers in original packages or containers for off-premises consumption ONLY \$60.00
- (b) Class “B” may sell beer to consumers for on-premises or off-premises consumption.....\$100.00
- (c) “Class A” for selling intoxicating liquor to consumers in original packages or containers for off-premises consumption only\$100.00
- (d) “Class B” for selling intoxicating liquors to consumers by the glass for on-premises consumption\$200.00
- (e) Combination Class “B” Beer and “Class B Liquor\$300.00
- (f) “Class C” license to sell wine by the glass or in an opened original container for consumption on the premises\$25.00
- (g) Reserve License\$10,000
- (g1) “Above Quota” License exception for “Class B” Liquor License s. 125.51(4)(v)(1):
 - \$7,500 Initial
 - \$500 Renewal
- (h) Operator (Bartender License)\$10.00
- (i) Cigarette License\$ 5.00
- (j) Temporary & Provisional Operator LicensesNo Fee
- (k) Temporary (Picnic) License\$10.00
- (m) Road Obstruction, Excavation & Culvert \$25.00

12.01(2) “Above Quota Class B” Liquor License Application shall be in compliance with WS 125.51(4)(v)(1) requiring determination for 300 seating under the discretion and formula(s) specified by the Town Board defined under this General Code in Section 120.0(10) (Am 2 – 707/16)

12.02 GENERAL PROVISIONS AS TO LICENSES. (1) **LICENSES OR PERMITS REQUIRED.** No person shall engage in any trade, profession, business or 12.02privilege in the Town for which a license or permit is required by any provision of this Code without first obtaining such license or permit from the Town in the manner provided in this section, unless otherwise specifically provided.

(2) **APPLICATION.** Unless otherwise provided, application for a license or permit shall be made in writing to the Town Clerk upon forms provided by the Town and applicant shall state the location of the proposed activity and such other facts as may be required for or be applicable to the granting of such a license or permit.

(a1) “Above Quota Class B” Liquor License Application shall be in compliance with s. 125.51(4)(v)(1) requiring determination for 300 seating under the discretion and formula(s) specified by the Town Board defined under this General Code in Section 12.01(10)

(3) **PAYMENT OF FEE.** The fees required for any license or permit shall be paid at the office of the Town Clerk before the granting of the license or permit. No fee paid shall be refunded unless the license or permit is denied.

(4) **BOND AND INSURANCE.** All required bonds shall be executed by 2 sureties or a surety company and be subject to the approval of the Town Board. Where policies of insurance

are required, such policies shall be approved as to substance and form by the Town Attorney. Satisfactory evidence of coverage by bond or insurance shall be filed with the Town before the license or permit is issued.

(5) APPROVAL OR DENIAL OF LICENSES. Where the approval of any Town or State officer is required prior to the issuance of any license or permit, such approval shall be presented to the Town before any license or permit is issued.

(6) CERTIFICATE. Licenses or permit certificates shall show the name of the licensee or permittee, the date of issue, the activity licensed and the term of the license or permit and shall be signed in the name of the Town by the Chairman and Town Clerk and be impressed with the Town Seal. The Clerk shall keep a record of all licenses and permits issued.

(7) TERMS. (a) Unless otherwise provided, the license year shall end on June 30th of each year.

(b) Where the issuance of licenses for a period of less than one year is permitted, the effective date of such license shall commence with the date of issuance.

(c) Permits shall be issued for the term set forth in the permit.

(8) EXHIBITION OF CERTIFICATE. Every licensee or permittee shall carry his license or permit certificate upon his person at all times when engaged in the activity for which the license or permit was granted, except that where such activity is conducted at a fixed place or establishment, the license or permit certificate shall be exhibited at all times in some conspicuous place in his place of business. The licensee or permittee shall exhibit the license certificate when applying for a renewal and upon demand of any police officer or person representing the issuing authority.

(9) TRANSFER. Unless otherwise provided, no license or permit shall be transferable or assignable.

(10) DETERMINATIONS OF THE TOWN BOARD ABOVE QUOTA LICENSE.. All determinations made by the Town Board shall be subject to the provisions of Chapter 68 of the Wisconsin Statutes

(a) Specific requirements considered in licensing (Am 2 – 7/7/16)

(1) Application must include a completed “Supplemental Form.”

(2) Restaurant must be constructed as a permanent structure.

(3) Restroom facilities must be provided in the permanent structure.

(4) Restaurant must have been issued and inspected as a “Complex Restaurant” as defined by the Wisconsin Department of Health Services.

(5) Restaurant shall have a full service kitchen and staff supporting a minimum of 300 people at one time.

(6) Minimum seating capacity of 300 per WI Statute 125.51(4)(v) amended by WiAct 286 effective June 1, 2016: restaurant must have an “interior permanent” seating capacity of 300 or more persons.

(7) Seating diagram must be included with application.

(8) Restaurant should serve full menu while serving alcoholic beverages.

~~(9) Adequate parking for 300 plus persons is required. An example of a parking formula could be considered as follows:~~

~~50 vehicles (4 persons x 50 = 200 persons)~~

~~On water locations will consider boat slips or moorings~~

~~(20 slips x 5 each = 100 persons)~~

~~A designated parking diagram must be included with application~~

(9) License is NOT transferable

(10) An inspection by the Conover Fire Department must be completed to insure adequate access of rescue/emergency equipment.

(11) The Town Board will determine if conditions have been met to authorize such license to be issued.

(e) License Quota The number of persons and places to be granted a retail "Class B" Liquor License under this section shall be limited as provided in s. 125.51(4) and all acts amendatory. (Am #1)

(11) INSPECTION. Town officials may enter upon the premises where any licensed or permitted activity is being conducted for the purpose of inspection at any reasonable time.

(12) REVOCATION AND SUSPENSION OF LICENSES. (a) Except as otherwise provided, any license issued under this chapter may be revoked for cause by the Town Board. No license shall be revoked except upon written verified complaint filed with the Town Board by the Chairman, a member of the Town Board, the Chief of Police or a resident of the Town. The Licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the Town Board. The licensee shall be given notice of such hearing, which shall be not more than 20 nor less than 5 days after notice, except as otherwise agreed between the parties.

(b) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the Chairman or presiding officer of the Board to compel the attendance of witnesses.

(c) After hearing the evidence, the Board may revoke such license or impose a limited period of suspension. The determination of the Board shall be final, subject to review under Chapter 68 of the Wis. Stats., provided the licensee shall not be entitled to a further hearing unless granted by the Town Board.

(d) The Town Board shall repossess any license revoked hereunder.

(e) If the licensee does not apply for a hearing within the time provided, the license may be revoked by the Town.

12.03 ALCOHOL BEVERAGES. (1). STATE STATUTES ADOPTED. The provisions of Chapter 125 of the Wis. Stats., defining and regulating the sale, procurement, dispensing, consumption and transfer of alcohol beverages, including provisions relating to persons under the legal drinking age, are adopted and made a part of this section by reference. A violation of any of such provisions shall constitute a violation of this section.

(2) LICENSES, PERMITS, AUTHORIZATION REQUIRED. (a) When required, except as provided by 125.06 Wis. Stats., no person shall within the Town serve, sell, manufacture, rectify, brew or engage in any other activity for which this Chapter or Chapter 125 Wis. Stats., requires a license, permit or other authorization as provided in this chapter. (see WS 125.04(1).)

(b) LICENSES FOR EACH PLACE. Except for licensed public warehouses, a license shall be required for each location or premises where alcohol beverages are stored, sold or offered for sale. (See WS 125.04(9)).

(3) CLASSES OF LICENSES AND FEES. The following classes and denominations of licenses may be issued by the Town Clerk under the authority of the Town Board upon compliance with law and payment of the fee herein specified which, when so issued, shall permit the holder to sell, deal or traffic in alcohol beverages as provided in the referenced state statutes.

(a) Class A Fermented Malt Beverage Retailer's License (WS 125.25)

(b) Class B Fermented Malt Beverage Retailer's License (WS 125.26)

(1) A Class B License may be issued at any time for 6 months in any calendar year for 3/4 (75%) of the applicable license fee. Such license shall not be renewable during the calendar year in which issued. (WS 125.26(5))

(2) Special Event. No organization as set forth and enumerated in 125.26(6) Wis. Stats., shall receive more than three (3) licenses in any one calendar year, issued under the provisions of such section, for the sale of fermented malt beverages without the approval of either the Town Clerk or the Town Board.

(c) Class C Wine License (1992) A Class C License authorizes the retail sale of wine by the glass or in opened original container for consumption on the premises where sold.

(d) Wholesaler's Fermented Malt Beverage License. May not exceed \$25 per year or fraction thereof. (125.51(2), Wis. Stats.)

(e) Retail Class A Liquor License. See 125.51(2), Wis. Stats.

(f) Retail Class B Liquor License. A retail Class B liquor license shall permit its holder to sell liquor in original packages or containers in multiples not to exceed 4 liters at any one time to be consumed off the licensed premises. See 125.51(3), Wis. Stats.

(g) Operator's License. See 125.17, Wis. Stats.

(1). Operator's licenses may be granted to individuals by the Town Board for the purposes of complying with 125.32(2) and 125.68(2), Wis. Stats.

(2) Operator's licenses may be issued only on written application on form provided by the Town.

(3) Operator's licenses shall be valid for one year and shall expire on June 30th of each year after issuance.

(h) Temporary and Provisional Operator License. (1990) (1) The Town board finds that is in the best interests of the public to authorize issuance of temporary and provisional operator licenses to better provide for licensing of summer help added to licensed businesses prior to statutory due date of such licenses.

(2) This paragraph is enacted pursuant to 125.10 of the Wisconsin Statutes.

(3) The definitions contained in 125.02 Wis. Stats., are hereby adopted and made a part of this paragraph by reference.

(4) Temporary Operator License. (a) The Town Board may, upon application, issue a temporary operator license under this paragraph, provided the operator is employed by or donating his services to a nonprofit corporation or organization.

(b) No person may hold more than one license of this kind during any calendar year.

(c) The license is valid for any period from one day to 14 days and the period for which it is valid shall be stated on the license.

(d) No fee shall be required for such license

(5) Provisional Operator License (a) The Town Board may, upon application, issued a provisional operator license.

(b) The Town Clerk may, upon application, issue such license.

(c) Such license may be issued only to a person who has applied for an operator's license under 125.71(1) Wis. Stats.

(d) The fee for a provisional license shall be as provided in 12.01 of this chapter.

(e) The provisional license expires 60 days after it issuance or when a license under subpar. c. is issued to the hold, whichever is sooner.

(f) Whenever any license under this subparagraph is issued, it shall be posted on the licensed premises.

(g) The official who issued the provisional license may revoke the license if he discovers that the holder may a false statement upon the application.

(h) General Provisions. Whenever any license under this paragraph shall be revoked or

suspended, the licensee shall surrender the license to the Town Clerk. The Town Clerk shall have the right to take physical possession of the suspended or revoked license wherever it may be found and file it in the Clerk's Office.

(4) **LICENSE APPLICATION.** (a) Application for a license to see or deal in intoxicating liquor or fermented malt beverages shall be made in writing on forms prescribed by the Wisconsin Department of Revenue and filed with the Town Clerk at least 15 days prior to issuance. The premises shall be physically described, including every room and storage space to be covered by the license and including all rooms joined by connecting entrances or not separated by a solid wall.

(b) The application shall be signed and sworn to by the application as provided by 887.01, Wis. Stats.

(c) Prior to issuance of a license under this section, the Town Clerk shall publish notice of the application in the official town newspaper.

(d) By July 15th of each year, the Clerk shall forward to the State Department of Revenue, a list containing the name, address and trade name of each person holding a license issued under this section, except a picnic, manager's or operator's license.

(5) **LICENSE RESTRICTIONS.** (a) (1988) Licenses shall be issued only to persons eligible therefor under 125.04, Wis. Stats.

(b) No retail Class A or Class B license shall be issued for premises, the main entrance of which is less than 300' from the main entrance of any established public school, parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the main entrance of such school, church or hospital to the main entrance of the premises covered by the license.

(2). This paragraph shall not apply to premises licensed as such on June 30, 1947, nor shall it apply to any premises licensed as such prior to the occupation of real property within 300' thereof by any school, hospital or church building.

(c) Violators of liquor or Beer Laws or Ordinances. No retail Class A or B license shall be issued to any person who has been convicted of a violation of any federal or state liquor or fermented malt beverage law or the provisions of this section or who license has been revoked under 125.12, Wis. Stats., during one year prior to such application. A conviction of a member of a partnership or the partnership itself shall make the partnership or any member thereof, ineligible for such license for one year.

(d) Health and Sanitation Requirements. No retail Class B license shall be issued for any premises which does not conform to the sanitary, safety and health requirements of the State Department of Industry, Labor and Human Relations pertaining to buildings and plumbing, to the rules and regulation of the State Department of Health and Social Services applicable to restaurants and to all such ordinances and regulations adopted by the Town Board.

(e) License Quota. The number of persons and places to be granted a retail Class B Liquor License under this section is limited as provided in 125.51(4), Wis. Stats. and all acts amendatory. (Am 2 -7/7/16)

(f) Corporations. No corporation organized under the laws of this State or of any other state or foreign country may be issued any alcohol beverage license or permit unless it meets the requirements of 125.04(6), Wis. Stats.

(g) Age Requirement. No license hereunder, except an operator's license, shall be granted to any person who has not attained the legal drinking age. Operator's licenses may be issued ONLY to applicants who have attained 18 years.

(h) Effect of Revocation of License. Twelve months shall elapse before another license shall be granted to the person whose license was revoked.

(I) Delinquent Taxes, Assessments and Claims. (1995) No initial or renewal license shall be granted, and existing licenses may be revoked for any premises for which local taxes,

assessments, or other claims are delinquent and unpaid, or to or from any person delinquent in payment of such claims, including unpaid forfeiture judgments. In the case of revocation, such nonpayment shall be considered cause for revocation as set forth in Section 12.02(12) of this code. The procedure for such revocation shall be as set forth in Section 12.02(12).

(j) Issuance for Sales in Dwellings Prohibited. No license shall be issued to any person for the purpose of possessing, selling or offering for sale any alcohol beverages in any dwelling house, flat or residential apartment.

(k) Fencing required for Special Events. No special event license shall be issued for any outdoor area which is not fenced or posted with notice that fermented malt beverages may not be carried or consumed outside the fenced area.

(1) Active Use Required. (am 2001) (1) As a minimum requirement, each holder of a Class A or Class B Liquor and Fermented Malt Beverage License shall place the same in active use for a period of not less than 20 hours per week for 13 consecutive weeks within each license period, said period being July 1 through June 30 of the subsequent year.

(2) The term "Active Use" as referred to in this ordinance is hereby defined as beverage service to the public in the licensed premises during posted or advertised hours of operation.

(3) The Town Board of the Town of Conover, or any one of its Town Board, or any resident within the Town of Conover, may petition the Town Board alleging that a violation of this ordinance has been committed by a particular license holder and the Town Board shall then schedule, within (30) thirty days, a hearing to determine whether or not this ordinance has been so violated. Notice of hearing shall be given, in writing to the alleged violator, pursuant to Section 125.12 Wis. Stats.

(4) The Town Board in determining whether or not active use of said license exists, shall consider the following information which shall be the obligation of the license holder to provide:

- a...Specific dates and hours of operation for the period in question
- b...Type of advertising during the period in question
- c...Weekly wages paid to employees during operation of public beverage service during period in question
- d...Gross liquor/beer purchased and sale during period in question
- e...Sales tax paid to the State of Wisconsin during period in question
- f...An approved release from the Dept. of Health and Social Services for period in question
- g...Any other pertinent testimony which may lead to the conclusion that subject premises were or were not in active operation

(5) The Town Board of the Town of Conover, after hearing all testimony of all interested parties, shall determine, by majority vote, whether or not said license has been in active use, pursuant to the requirements of this section. If it is determined that the hold of said license is in violation of this section, the Town Board of the Town of Conover may revoke said license forthwith.

(6) FORM AND EXPIRATION OF LICENSES All licenses shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee, and unless soon revoked, shall expire on June 30 thereafter, except as other provided by law. The Town Clerk shall affix his affidavit as required by w125.04(4), Wis. Stats.

(7) TRANSFER OF LICENSES. (a) No license shall be transferable as to licensee except as provided by 125.04(12), Wis. Stats.

(b) Licenses issued pursuant to this section may be transferred to another premises once during any license year as provided in 125.04(12), Wis. Stats. Application for such transfer shall be made on blanks furnished by the State Department of Revenue. Proceedings for transfer shall be had in the same manner and form as the original application. The fee for such transfer

shall be \$10.00.

(8) **POSTING AND CARE OF LICENSES.** Every license or permit required under this section shall be framed and posted and at all times display as provided in 125.04(10) Wis. Stats. No person shall post such license or permit any other person to post it upon premises other than those mentioned in the application, or knowingly deface or destroy such license.

(9) **REGULATION OF LICENSED PREMISES AND LICENSES.** (a) Gambling and Disorderly Conduct Prohibited. Each licensed premises shall at all times, be conducted in an orderly manner and no disorderly, riotous or indecent conduct or gambling shall be allowed at any time on any such premises.

(b) Employment of Underage Person. No licensee shall employ any underage person who does not have a valid operator's license to serve, sell, dispense or give away any alcohol beverage.

(c) Sales by Clubs. No club shall sell intoxicating liquors or fermented malt beverages except to members and guests invited by members.

(d) Safety and Sanitation Requirements. Each licensed premises shall be maintained and conducted in a sanitary manner and shall be a safe and property place for the purpose for which used.

(10) **CLOSING HOURS.** No premises for which an alcohol beverage license has been issued shall remain open for the sale of alcohol beverages:

(a) If a retail Class A fermented malt beverage license, between midnight and 8 a.m.

(b) If a retail Class A intoxicating liquor license, between 9 p.m. and 8 a.m.

(c) If a retail Class B license, between 2 a.m. and 6 a.m. on weekdays and between 2:30 a.m. and 6 a.m. on Saturdays and Sundays. On January 1, premises operating under a Class B license are not required to close. No package, container or bottle sales may be made after midnight.

(d) Hotels and restaurants, the principal business of which is the furnishing of food or lodging to patrons, bowling alleys, indoor horseshoe-pitching facilities, curling clubs, golf courses and golf clubhouses may remain open for the conduct of their regular business, but no intoxicating liquors or fermented malt beverages shall be sold during prohibited hours. (1991)

(11) **REVOCAION AND SUSPENSION OF LICENSES.** (a) Whenever the holder of any license under this section violates any portion of this section, proceedings for the revocation or suspension of such license may be instituted in the manner and under the procedure established by 125.12, Wis. Stats., and the provisions therein relating to granting a new license shall likewise be applicable.

(b) Effect of Revocation. See sub (5) (h) of this section.

(12) **RENEWAL OF LICENSES.** Before renewal of any license issued under this section is refused, the licensee shall be given written notice of any charges or violations or the reasons proposed for nonrenewal and a copy of any proposed motion for nonrenewal and shall have an opportunity to be heard before the Town Board.

(13) **VIOLATIONS BY AGENTS AND EMPLOYEES.** A violation of this section by an authorized agent or employee of a licensee shall constitute a violation by the licensee.

12.05 ROAD OBSTRUCTION, EXCAVATION, CULVERT AND DRIVE-. WAY:
90-01D 5/01

(1) Coverage (a) Every person, who desires to make any obstruction, excavation or fill or install any culvert, make any alterations including any town road or disturb in any manner, any Town of Conover road or bridge improve or construct a driveway, shall obtain a road permit

from the Town of Conover, pursuant to Sec. 66.045 and 86.07 of the Wisconsin Statutes. and this section.

(b) The Town Board shall appoint a person to handle the issuing of the permits. Prior to any person commencing any obstruction, excavation, alteration of or driveway on atown road, a permit must first be obtained from the authorized person or his or her appointed agent(s).

(c) Definition: “**Driveway**” is any area where travel occurs from a public road over land(s) [whether by easement or ownership] not considered to be a part of the public road for the purpose of gaining access to land or improvements.

(2) Application - Permit (a) The application and permit shall designate the premises and area permitted. Permits may not be amended if the permittee or area changes in the Town of Conover. The permits are not transferable from one person to another.

(b) The application shall include: Applicant’s name, address, mailing address, phone number, application date, date of requested permit, premise and area requested for the permit, description of the activity or project, projected time from start to finish, comments and diagram of work to be performed.

(c) The Town Board of the Town of Conover, shall establish the permit conditions and any other rules and regulations pursuant to this ordinance, by resolution.

(d) The Town Board shall determine the permit fees by resolution.

(3) Exemptions The Town of Conover or any of its sub-divisions are exempt from the permit requirements.

(4) Ordinance - Permit No person shall be issued or re-issued a road permit in the Town of Conover until the person has agreed by signature to the conditions established by the permit.

(5) Ordinance requirements for Driveways:

(a) A driveway shall slope away from the public roadway a minimum of 1% and a maximum of 5% to prevent erosion onto the public roadway.

(b) The roadbed of a driveway shall be constructed of suitable material to support all tatypes of emergency and fire control equipment and requirements for culverts shall be determined by the Town Foreman or Board in considering the application. If culverts are required, minimum diameter shall be 18 inch.

(c) To adequately provide emergency services and fire protection while insuring safe and unobstructed entry and exit from properties within the Town, the following minimum standards must be met:

1. Minimum road surface width.....14 ft.
2. Minimum width clearance.....20 ft.
3. Minimum height clearance.....14 ft

(d) Driveways shall be free and clear of low hanging limbs and the overhanging of brush on the traveled surface.

(6) Road Permit Penalty Pursuant to Wi. Stats. 86.07, the Town of Conover may require of any person in violation of this Sub-section, to forfeit not less than \$50 nor more than \$100.

12.06 Seasonal Weight Road Permit (Ord 2-14) V1032 P53)

(1) All persons operating any vehicle on Town of Conover Roads shall seek and obtain a weight permit if such vehicle exceeds special weight limits on the maximum seasonal weight limitations pursuant to Sections 348.17(1) and 349.16 of the Wis. Stats.

(2) The Town Board shall appoint a person to handle the issuing of the permits. Prior to any person commencing any travel on the roads established with weight limits when the vehicle exceeds the maximum limitation, the person must first obtain a permit from the authorized person or his or her appointed agent(s).

(3) The application and person shall designate the premises or area over which the travel is applied for and permitted on proper forms obtainable from the Town of Conover

(4) The Town Board shall establish permit conditions, rules, fees and regulations by

resolution and the permit officer shall determine the time of day the permit may be used and its duration should the application be approved. The permit officer's decision and judgment in the matter shall be final and non-disputable.

(5) No person shall be issued or re-issued a permit until the person has agreed in writing to the conditions established by the permit.

(a) Exceptions for Specific Vehicles

1. Ambulance and Rescue Vehicles
2. Fire Department Vehicles and/or any other emergency vehicle
or
equipment as deemed necessary by the Fire Chief or appointed agent
3. Vehicles owned by the Town of Conover
4. School Busses

(b) Procedure for Issuance

1. Permits applied for in the Office of the Town Clerk
2. If approved, a hard card permit will be issued
 - 1a. card must be displaced openly on the visor or in the window on the driver's side of the vehicle being permitted
 - 2b. card must be visible to persons outside the vehicle at all time while the vehicle operated on Conover Roads
3. Permit fees shall be made payable to the Town of Conover
4. Application and permit shall be acquired in person by the owner of the property to which access is applied for or by applicant or

vehicle owner.

5. Availability and access shall be in accordance with regular posted office hours (no phone call authorizations will be made under any circumstances)

(6) Weight restrictions shall be in accordance with posted limitations per road based upon the following type of roadway:

(a) **Blacktopped Roads** shall be posted with a gross weight of a single vehicle or the combined gross weight of more than one vehicle not to exceed the maximum gross weight of **10,000 lbs (5 TONS)**

(b) **Chip Seal, Gravel or Sand Roads** shall be posed with a gross weight of a single vehicle or the combined gross weight of more than one vehicle not to exceed the minimum gross weight of **10,000 lbs (5 TONS)**.

(6) Weight Penalty Provisions

Pursuant to Wis. Stat. 348.21(2)(a), the Town of Conover may require the forfeiture of not less than Fifty Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00) upon the first conviction and upon the second or each subsequent conviction within a twelve (12) month period, may require a forfeiture of not less than One Hundred Dollars (\$100.00) and not more than Two Hundred Dollars (\$200.00).

12.15 PENALTY. In addition to the revocation, suspension and nonrenewal of any license issued under this chapter, any person found to be in violation of any provision of this chapter, sub paragraph 12.01 through 12.04, shall be subject to a penalty as provided in 25.04 of this General Code.