

AGENDA
Special Meeting
VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
Village Hall Auditorium
9915 – 39th Avenue
Pleasant Prairie, WI
October 24, 2011
6:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. **Citizen Comments** (Please be advised per State Statute Section 19.84(2), information will be received from the public and there may be limited discussion on the information received. However, no action will be taken under public comments.)
5. Administrator's Report
6. New Business
 - A. Consider Plan Commission recommendation and consider Ordinance #11-31 to amend several sections of the Village Zoning Ordinance related to definitions for a cash convenient business, secondhand article dealer and secondhand jewelry dealer and prohibiting both indoor and outdoor flea markets.
 - B. Consider Ordinance #11-31 to amend Chapter 246 of the Municipal Code relating to Secondhand Article and Secondhand Jewelry Dealers.
 - C. Presentation of the proposed 2012 General Fund, Capital and Debt budget.
7. Village Board Comments
8. Adjournment

The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk, 9915 – 39th Avenue, Pleasant Prairie, WI (262) 694-1400

Consider **Ord. #11-31** to amend Chapter 246 of the Village Municipal Code related to Secondhand Article Dealers, and Secondhand Jewelry Dealers Licenses.

Consider several **Zoning Text Amendments (Ord. #11-32)** including amendments to Section 420-152 related to definitions for Convenient Cash Businesses, Secondhand Article Dealers, and Secondhand Jewelry Dealers; and Sections 420-18 C (6), 420-119 C (4), 420-120 C (6) and 420-127.2 C (5) to specifically list indoor/outdoor flea markets in Unspecified Permitted Uses not allowed in the B-1, B-2, B-3, and PR-3 Zoning Districts.

**THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME
HOWEVER SEPARATE ACTION IS REQUIRED.**

RECOMMENDATIONS:

Village staff recommends that the Village Board for the approval of the amended to Chapter 246 of the Village Municipal Code (**Ord. #11-31**) as presented at the October 24, 2011 meeting.

Village staff recommends that the Village Board for the approval of the Zoning Text Amendments (**Ord. #11-32**) as presented at the October 24, 2011 meeting.

VILLAGE STAFF REPORT OF OCTOBER 24, 2011

Consider **Ord. #11-31** to amend Chapter 246 of the Village Municipal Code related to Secondhand Article Dealers, and Secondhand Jewelry Dealers Licenses.

Consider several **Zoning Text Amendments (Ord. #11-32)** including amendments to Section 420-152 related to definitions for Convenient Cash Businesses, Secondhand Article Dealers, and Secondhand Jewelry Dealers; and Sections 420-18 C (6), 420-119 C (4), 420-120 C (6) and 420-127.2 C (5) to specifically list indoor/outdoor flea markets in Unspecified Permitted Uses not allowed in the B-1, B-2, B-3, and PR-3 Zoning Districts.

THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME HOWEVER SEPARATE ACTION IS REQUIRED.

On September 26, 2011 the Village Plan Commission adopted Plan Commission Resolution #11-07 to direct the staff to re-evaluate and update as necessary, the zoning regulations related to convenient cash businesses, secondhand article dealers and secondhand jewelry dealers in the Village as a result of new State regulations and the re-writing of Chapter 246 of the municipal code relating to Secondhand Article and Secondhand Jewelry Dealers.

As a part of the Village staff's evaluation of all of the related ordinances, the staff is recommending that only certain secondhand dealers that meet the definition as provided below should be classified as a Convenient Cash Business and that the definition for a Convenient Cash Business be revised to read as follows:

CONVENIENT CASH BUSINESS: Also referred to as a payday loan business, title for cash business, check cashing business, deferred presentment service provider or similar enterprise licensed pursuant to §218.05, Wis. Stats., or a person licensed pursuant to §138.09, Wis Stats., who accepts a check or title, holds the check or title for a period of time before negotiating or presenting the check or title for payment, and pays to the issuer an agreed-upon cash, or who refinances or consolidates such a transaction, or a secondhand article dealer or secondhand jewelry dealer pursuant to ~~§134.71, Wis Stats~~ **Section 246-3 of the Village Municipal Code; except an establishment who meets all of the following requirements is exempted from the definition of Convenient Cash Business, even if the establishment purchases, receives or exchanges any secondhand article or secondhand jewelry pursuant to Chapter 246 of the Village Municipal Code:**

- (1) The primary business of the establishment is the retail sale of new merchandise;**
- (2) Forty percent (40%) or less of the establishment's inventory that is displayed and offered for sale in the store, determined by number of items, is secondhand articles and secondhand jewelry as defined in Chapter 246;**
- (3) Forty percent (40%) or less of the establishment's inventory that is displayed and offered for sale in the store, determined by the aggregate retail value of such items, is secondhand articles and secondhand jewelry as defined in Chapter 246;**
- (4) Forty percent (40%) or less of the establishment's floor space devoted to retail sales and display space is devoted to the display for**

sale of secondhand articles and secondhand jewelry as defined in Chapter 246; and

(5) Forty percent (40%) or less of the establishment's gross receipts each calendar month is attributable to the sale of secondhand articles and secondhand jewelry as defined in Chapter 246.

~~(1) a secondhand jewelry dealer for the purpose of this Chapter excludes the exchange of jewelry for different, new jewelry or where the primary business of a jewelry dealer is to sell new metals, minerals or gems customarily regarded as precious or semi-precious; and (2) secondhand jewelry includes, in whole or in part, any metals, minerals or gems customarily regarded as precious or semi-precious.~~

A convenient cash business will still only be allowed in the B-2, Community Business District with approval of a Conditional Use Permit, provided that the following standards are met:

1. A convenient cash business in the B-2 District that is proposed to be commenced or expanded shall not be less than 300 feet in a direct line from any lot on which any school, church or day-care center for children is located or has a vested right to locate, or from any lot (or from any portion of a lot) zoned residential, or at the time the application for site and operational plan approval for the commencement or expansion of such proposed convenient cash business use is decided by the Village Plan Commission.
2. No convenient cash business shall be located within 2,640 feet of another convenient cash business regardless of whether such other convenient cash business is located in the Village or an adjacent municipality.
3. Hours of operation. A convenient cash business shall not be open between the hours of 7:00 p.m. and 8:00 a.m. Monday through Friday; shall not be open on Saturdays except between the hours of 9:00 a.m. and 2:00 p.m.; and shall not be open on Sundays.

In addition, for clarification the following zoning definitions and other changes are also proposed to be amended:

1. **Section 420-152 related to the definition for Secondhand Article Dealer is hereby amended as follows:**

SECONDHAND ARTICLE DEALER: As defined in Section 246-3 of the Village Municipal Code. Some Secondhand Article Dealers are considered a Cash Convenient Business as defined in this chapter. ~~See definition for Cash Convenient Business.~~

2. **Section 420-152 related to definition for a Secondhand Jewelry Dealer is hereby amended as follows:**

SECONDHAND JEWELRY DEALER: As defined in Section 246-3 of the Village Municipal Code. Some Secondhand Jewelry Dealers are considered a Cash Convenient Business as defined in this chapter ~~See definition for Cash Convenient Business.~~

3. **Section 420-118 C (6) related to Unspecified Permitted Uses in the B-1 District is hereby amended as follows:**

(6) **Indoor/**Outdoor flea market.

4. **Section 420-119 C (4) related to Unspecified Permitted Uses in the B-2 District is hereby amended as follows:**
 - (4) **Indoor**/Outdoor flea market.
5. **Section 420-120 C (6) related to Unspecified Permitted Uses in the B-3 District is hereby amended as follows:**
 - (6) **Indoor**/Outdoor flea market.
6. **Section 420-127.2 C (5) related to Unspecified Permitted Uses in the PR-3 District is hereby amended as follows:**
 - (5) **Indoor**/Outdoor flea market.

In addition to the Zoning Text Amendments, the Village Board will also consider amendments to Chapter 246 of the Municipal Code (Ord. #11-31) related to Secondhand Article and Secondhand Jewelry Dealers.

Modifications to Chapter 246 of the Village Municipal Code are being made pursuant to being in compliance with the current requirements of Section 134-71 of the Wisconsin Statutes and some proposed changes related to holding and recording procedures for secondhand operations as recommended by the Village Police Department. Other staff recommended changes include the elimination of all references to a pawn broker's license since this use is not going to be allowed in any Village zoning district and the elimination of references to flea markets and secondhand flea markets since year-round indoor and outdoor flea markets are recommended to be prohibited with amendments to the B-1, B-2, B-3 and PR-3 Zoning Districts.

Recommendations:

Village staff recommends that the Village Board for the approval of the amended to Chapter 246 of the Village Municipal Code (Ord. #11-31) as presented.

Village staff recommends that the Village Board for the approval of the Zoning Text Amendments (Ord. #11-32) as presented.

dealer or recycler obtains the person's signature and records all of the following information:

- (a) The person's name and address.
- (b) One of the following identification numbers:
 1. The person's motor vehicle operator's license number.
 2. The person's state identification card number.
 3. The person's military identification card number.
 4. The person's U.S. passport number.
 5. The person's alien registration card number.
- (c) The registration plate numbers and the color, make, model and year of any motor vehicle delivering the used home furnishings to the antique dealer or recycler.
- (d) If known by the person, the address of the home or other building from which the used home furnishings were removed.

(3) An antique dealer or recycler shall maintain a record of the information provided under sub. (2) for not less than one year after the later of the dates on which the antique dealer or recycler purchases or receives the used home furnishings.

(4) Any person who violates this section shall forfeit not less than \$100 nor more than \$1,000 for the first offense and shall forfeit not less than \$500 nor more than \$3,000 upon conviction for a 2nd or subsequent offense.

History: 1997 a. 76.

134.71 Pawnbrokers and secondhand article and jewelry dealers. (1) DEFINITIONS. In this section:

(a) "Article" means any of the following articles except jewelry:

1. Audiovisual equipment.
2. Bicycles.
3. China.
4. Computers, printers, software and computer supplies.
5. Computer toys and games.
6. Crystal.
7. Electronic equipment.
8. Fur coats and other fur clothing.
9. Ammunition and knives.
10. Microwave ovens.
11. Office equipment.
12. Pianos, organs, guitars and other musical instruments.
- 12m. Video tapes or discs, audio tapes or discs, and other optical media.
13. Silverware and flatware.
14. Small electrical appliances.
15. Telephones.

(ag) "Auctioneer" means an individual who is registered as an auctioneer under ch. 480 and who sells secondhand articles or secondhand jewelry at an auction, as defined in s. 480.01 (1).

(am) "Charitable organization" means a corporation, trust or community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary or educational purposes or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(b) "Customer" means a person with whom a pawnbroker, secondhand article dealer or secondhand jewelry dealer or an agent thereof engages in a transaction of purchase, sale, receipt or exchange of any secondhand article or secondhand jewelry.

(c) "Jewelry" means any tangible personal property ordinarily wearable on the person and consisting in whole or in part of any metal, mineral or gem customarily regarded as precious or semi-precious.

(d) "Municipality" means a city, village or town.

(e) "Pawnbroker" means any person who engages in the business of lending money on the deposit or pledge of any article or jewelry, or purchasing any article or jewelry with an expressed or

implied agreement or understanding to sell it back at a subsequent time at a stipulated price.

(f) "Secondhand" means owned by any person, except a wholesaler, retailer or secondhand article dealer or secondhand jewelry dealer licensed under this section, immediately before the transaction at hand.

(g) "Secondhand article dealer" means any person, other than an auctioneer, who primarily engages in the business of purchasing or selling secondhand articles, except when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show or a convention.

2. Any transaction entered into by a person while engaged in a business for which the person is licensed under sub. (2) or (4) or while engaged in the business of junk collector, junk dealer or scrap processor as described in s. 70.995 (2) (x).

3. Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization.

4. Any transaction between a buyer of a new article and the person who sold the article when new which involves any of the following:

- a. The return of the article.

- b. The exchange of the article for a different, new article.

5. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

6. Any transaction as a seller of a secondhand article which the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

(h) "Secondhand jewelry dealer" means any person, other than an auctioneer, who engages in the business of any transaction consisting of purchasing, selling, receiving or exchanging secondhand jewelry, except for the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show or a convention.

2. Any transaction with a licensed secondhand jewelry dealer.

3. Any transaction entered into by a person while engaged in a business of smelting, refining, assaying or manufacturing precious metals, gems or valuable articles if the person has no retail operation open to the public.

4. Any transaction between a buyer of new jewelry and the person who sold the jewelry when new which involves any of the following:

- a. The return of the jewelry.

- b. The exchange of the jewelry for different, new jewelry.

5. Any transaction as a purchaser of secondhand jewelry from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

6. Any transaction as a seller of secondhand jewelry which the person bought from a charitable organization if the secondhand jewelry was a gift to the charitable organization.

(2) LICENSE FOR PAWNBROKER. No person may operate as a pawnbroker unless the person first obtains a pawnbroker's license under this section. A license issued to a pawnbroker by the governing body of a municipality authorizes the licensee to operate as a pawnbroker in that municipality.

(3) LICENSE FOR SECONDHAND ARTICLE DEALER. (a) Except as provided in par. (b), no person may operate as a secondhand article dealer unless the person first obtains a secondhand article dealer's license under this section. A license issued to a secondhand article dealer authorizes the licensee to operate as a secondhand article dealer anywhere in the state.

(b) A person who operates as a secondhand article dealer only on premises or land owned by a person having a secondhand dealer mall or flea market license under sub. (9) need not obtain a secondhand article dealer's license.

(4) LICENSE FOR SECONDHAND JEWELRY DEALER. No person may operate as a secondhand jewelry dealer unless the person first obtains a secondhand jewelry dealer's license under this section. A license issued to a secondhand jewelry dealer authorizes the licensee to operate as a secondhand jewelry dealer anywhere in the state.

(5) LICENSE APPLICATION. A person wishing to operate as a secondhand article dealer or a secondhand jewelry dealer and have a principal place of business in a municipality shall apply for a license to the clerk of that municipality. A person wishing to operate as a pawnbroker in a municipality shall apply for a license to the clerk of the municipality. The clerk shall furnish application forms under sub. (12) that shall require all of the following:

(a) The applicant's name, place and date of birth, residence address, and all states where the applicant has previously resided.

(b) The names and addresses of the business and of the owner of the business premises.

(c) A statement as to whether the applicant has been convicted within the preceding 10 years of a felony or within the preceding 10 years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal ordinance violation in which the circumstances of the felony, misdemeanor or other offense substantially relate to the circumstances of the licensed activity and, if so, the nature and date of the offense and the penalty assessed.

(d) Whether the applicant is a natural person, corporation, limited liability company or partnership, and:

1. If the applicant is a corporation, the state where incorporated and the names and addresses of all officers and directors.

2. If the applicant is a partnership, the names and addresses of all partners.

2L. If the applicant is a limited liability company, the names and addresses of all members.

(e) The name of the manager or proprietor of the business.

(f) Any other information that the county or municipal clerk may reasonably require.

(6) INVESTIGATION OF LICENSE APPLICANT. The law enforcement agency of the county or municipality shall investigate each applicant for a pawnbroker's, secondhand article dealer's or secondhand jewelry dealer's license to determine whether the applicant has been convicted within the preceding 10 years of a felony or within the preceding 10 years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal ordinance violation described under sub. (5) (c) and, if so, the nature and date of the offense and the penalty assessed. The law enforcement agency shall furnish the information derived from that investigation in writing to the clerk of the municipality or county.

(7) LICENSE ISSUANCE. (a) The governing body of the county or municipality shall grant the license if all of the following apply:

1. The applicant, including an individual, a partner, a member of a limited liability company or an officer, director or agent of any corporate applicant, has not been convicted within the preceding 10 years of a felony or within the preceding 10 years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal ordinance violation in which the circumstances of the felony, misdemeanor or other offense substantially relate to the circumstances of being a pawnbroker, secondhand jewelry dealer, secondhand article dealer or secondhand article dealer mall or flea market owner.

2. With respect to an applicant for a pawnbroker's license, the applicant provides to the governing body a bond of \$500, with not less than 2 sureties, for the observation of all municipal ordinances relating to pawnbrokers.

(b) No license issued under this subsection may be transferred.

(c) 1. Each license for a pawnbroker, secondhand article dealer or secondhand jewelry dealer is valid from January 1 until the following December 31.

2. Each license for a secondhand article dealer mall or flea market is valid for 2 years, from May 1 of an odd-numbered year until April 30 of the next odd-numbered year.

(8) PAWNBROKER AND DEALER REQUIREMENTS. (a) *Identification.* No pawnbroker, secondhand article dealer or secondhand jewelry dealer may engage in a transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from a customer without first securing adequate identification from the customer. At the time of the transaction, the pawnbroker, secondhand article dealer or secondhand jewelry dealer shall require the customer to present one of the following types of identification:

1. A county identification card.

2. A state identification card.

3. A valid Wisconsin motor vehicle operator's license.

4. A valid motor vehicle operator's license, containing a picture, issued by another state.

5. A military identification card.

6. A valid passport.

7. An alien registration card.

8. A senior citizen's identification card containing a photograph.

9. Any identification document issued by a state or federal government, whether or not containing a picture, if the pawnbroker, secondhand article dealer or secondhand jewelry dealer obtains a clear imprint of the customer's right index finger.

(b) *Transactions with minors.* 1. Except as provided in subd. 2., no pawnbroker, secondhand article dealer or secondhand jewelry dealer may engage in a transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from any minor.

2. A pawnbroker, secondhand article dealer or secondhand jewelry dealer may engage in a transaction described under subd. 1. if the minor is accompanied by his or her parent or guardian at the time of the transaction or if the minor provides the pawnbroker, secondhand article dealer or secondhand jewelry dealer with the parent's or guardian's written consent to engage in the particular transaction.

(c) *Records.* 1. Except as provided in subd. 2., for each transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from a customer, a pawnbroker, secondhand article dealer or secondhand jewelry dealer shall require the customer to complete and sign, in ink, the appropriate form provided under sub. (12). No entry on such a form may be erased, mutilated or changed. The pawnbroker, secondhand article dealer or secondhand jewelry dealer shall retain an original and a duplicate of each form for not less than one year after the date of the transaction except as provided in par. (e), and during that period shall make the duplicate available to any law enforcement officer for inspection at any time that the pawnbroker's, secondhand article dealer's, or secondhand jewelry dealer's principal place of business is open to the public or at any other reasonable time.

2. For every secondhand article purchased, received or exchanged by a secondhand article dealer from a customer off the secondhand article dealer's premises or consigned to the secondhand article dealer for sale on the secondhand article dealer's premises, the secondhand article dealer shall keep a written inventory. In this inventory the secondhand article dealer shall record the name and address of each customer, the date, time and place of the transaction and a detailed description of the article which is the subject of the transaction, including the article's serial number and model number, if any. The customer shall sign his or her name on a declaration of ownership of the secondhand article identified in the inventory and shall state that he or she owns the secondhand article. The secondhand article dealer shall retain an original and a duplicate of each entry and declaration of ownership relating to the purchase, receipt or exchange of any secondhand article for not less than one year after the date of the transac-

tion except as provided in par. (e), and shall make duplicates of the inventory and declarations of ownership available to any law enforcement officer for inspection at any time that the secondhand article dealer's principal place of business is open to the public or at any other reasonable time.

3. Every secondhand article dealer shall on a weekly basis prepare a list that contains the name and address of each customer of the secondhand article dealer during the week for which the list was prepared, the date, time, and place of each transaction with each of those customers, and a detailed description of the secondhand article, including the secondhand article's serial number and model number, if any. The secondhand article dealer shall retain the list for not less than one year after the date on which the list was prepared. The secondhand article dealer shall make the list available to any law enforcement officer for inspection at any time that the secondhand article dealer's principal place of business is open to the public or at any other reasonable time.

(d) *Holding period.* 1. Except as provided in subds. 3m. and 5., any secondhand article or secondhand jewelry purchased or received by a pawnbroker shall be kept on the pawnbroker's premises or other place for safekeeping for not less than 30 days after the date of purchase or receipt, unless the person known by the pawnbroker to be the lawful owner of the secondhand article or secondhand jewelry recovers it.

2. Except as provided in subds. 3m. and 5., any secondhand article purchased or received by a secondhand article dealer shall be kept on the secondhand article dealer's premises or other place for safekeeping for not less than 21 days after the date of purchase or receipt.

3. Except as provided in subds. 3m. and 5., any secondhand jewelry purchased or received by a secondhand jewelry dealer shall be kept on the secondhand jewelry dealer's premises or other place for safekeeping for not less than 21 days after the date of purchase or receipt.

3m. If a pawnbroker, secondhand article dealer, or secondhand jewelry dealer is required to submit a report under par. (e) concerning a secondhand article or secondhand jewelry purchased or received by the pawnbroker, secondhand article dealer, or secondhand jewelry dealer and the report is required to be submitted in an electronic format, the secondhand article or secondhand jewelry shall be kept on the pawnbroker's, secondhand article dealer's, or secondhand jewelry dealer's premises or other place for safekeeping for not less than 7 days after the report is submitted.

4. During the period set forth in subd. 1., 2., 3., or 3m., the secondhand article or secondhand jewelry shall be held separate and apart and may not be altered in any manner. The pawnbroker, secondhand article dealer, or secondhand jewelry dealer shall permit any law enforcement officer to inspect the secondhand article or secondhand jewelry during this period. Within 24 hours after a written request of a law enforcement officer during this period, a pawnbroker, secondhand article dealer, or secondhand jewelry dealer shall make available for inspection any secondhand article or secondhand jewelry that is kept off the premises for safekeeping. Any law enforcement officer who has reason to believe any secondhand article or secondhand jewelry was not sold or exchanged by the lawful owner may direct a pawnbroker, secondhand article dealer, or secondhand jewelry dealer to hold that secondhand article or secondhand jewelry for a reasonable length of time that the law enforcement officer considers necessary to identify it.

5. Subdivisions 1. to 4. do not apply to any of the following:

a. A coin of the United States, any gold or silver coin or gold or silver bullion.

b. A secondhand article or secondhand jewelry consigned to a pawnbroker, secondhand article dealer or secondhand jewelry dealer.

(e) *Report to law enforcement agency.* Within 24 hours after purchasing or receiving a secondhand article or secondhand jewelry, a pawnbroker, secondhand article dealer or secondhand jewelry dealer shall make available, for inspection by a law enforcement officer, the original form completed under par. (c) 1. or the inventory under par. (c) 2., whichever is appropriate. Notwithstanding s. 19.35 (1), a law enforcement agency receiving the original form or inventory or a declaration of ownership may disclose it only to another law enforcement agency.

(f) *Exception for customer return or exchange.* Nothing in this subsection applies to the return or exchange, from a customer to a secondhand article dealer or secondhand jewelry dealer, of any secondhand article or secondhand jewelry purchased from the secondhand article dealer or secondhand jewelry dealer.

(9) SECONDHAND ARTICLE DEALER MALL OR FLEA MARKET. (a) The owner of any premises or land upon which 2 or more persons operate as secondhand article dealers may obtain a secondhand article dealer mall or flea market license for the premises or land if the following conditions are met:

1. Each secondhand article dealer occupies a separate sales location and identifies himself or herself to the public as a separate secondhand article dealer.

2. The secondhand article dealer mall or flea market is operated under one name and at one address, and is under the control of the secondhand article dealer mall or flea market license holder.

4. Each secondhand article dealer delivers to the secondhand article dealer mall or flea market license holder, at the close of business on each day that the secondhand article dealer conducts business, a record of his or her sales that includes the location at which each sale was made.

(b) The secondhand article dealer license holder and each secondhand article dealer operating upon the premises or land shall comply with sub. (8).

(10) LICENSE REVOCATION. A governing body of a county or municipality may revoke any license issued by it under this section for fraud, misrepresentation or false statement contained in the application for a license or for any violation of this section or s. 943.34, 948.62 or 948.63.

(11) FEES. The license fees under this section are:

(a) For a pawnbroker's license, \$210.

(b) For a secondhand article dealer's license, \$27.50.

(c) For a secondhand jewelry dealer's license, \$30.

(d) For a secondhand article dealer mall or flea market license, \$165.

(12) APPLICATIONS AND FORMS. The department of agriculture, trade and consumer protection shall develop applications and other forms required under subs. (5) (intro.) and (8) (c). The department shall make the applications and forms available to counties and municipalities for distribution to pawnbrokers, secondhand article dealers, and secondhand jewelry dealers at no cost. The department may make the applications and forms available to counties and municipalities by placing the applications and forms on an Internet Web site.

(13) PENALTY. (a) Upon conviction for a first offense under this section, a person shall forfeit not less than \$50 nor more than \$1,000.

(b) Upon conviction for a 2nd or subsequent offense under this section, a person shall forfeit not less than \$500 nor more than \$2,000.

(14) ORDINANCE. A county or municipality may enact an ordinance governing pawnbrokers, secondhand article dealers or secondhand jewelry dealers if that ordinance is at least as stringent as this section.

History: 1989 a. 257; 1991 a. 269; 1993 a. 102, 112, 246; 1995 a. 27; 1997 a. 252; 2005 a. 58; 2007 a. 191.

ORDINANCE NO. 11-31

**ORDINANCE TO AMEND CHAPTER 246 OF THE
THE VILLAGE MUNICIPAL CODE
RELATED TO SECONDHAND ARTICLE AND SECONDHAND JEWELRY DEALERS
IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN**

**THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE,
KENOSHA COUNTY, WISCONSIN, DO ORDAIN THAT CHAPTER 246 OF THE VILLAGE
MUNICIPAL CODE IS HEREBY AMENDED AS FOLLOWS:**

**Chapter 246. ~~PAWNBROKERS AND SECONDHAND DEALERS~~ SECONDHAND ARTICLE
AND SECONDHAND JEWELRY DEALERS**

246-1. Statutory authority.

This chapter is adopted pursuant to authority granted by Section 134.71 and Section 61.34, Wis. Stats.

246-2. Purpose.

The purpose of this chapter relates to the regulation of secondhand article and secondhand jewelry dealers. ~~The purpose of this chapter relates to the regulation of pawnbrokers, secondhand article and jewelry dealers.~~

246-3. Definitions. ~~Adoption of statute.~~

~~The Village of Pleasant Prairie adopts § 134.71, Wis. Stats., in total, and this chapter shall be enforced as provided for therein.~~ The following definitions set out below shall apply to this chapter with respect to secondhand article and secondhand jewelry dealers. In the event of any inconsistency between such definitions and the definitions set out in any other chapters of the municipal code, these shall apply.

A. **ARTICLE:** Any of the following items except jewelry:

- (1) Audiovisual equipment.
- (2) Bicycles.
- (3) China.
- (4) Computers, printers, software and computer supplies.
- (5) Computer toys and games, including video toys and games.
- (6) Crystal.
- (7) Electronic equipment.
- (8) Furniture.
- (9) Fur coats and other fur clothing.
- (10) Ammunition and knives.
- (11) Microwave ovens.
- (12) Office equipment.
- (13) Pianos, organs, guitars and other musical instruments.
- (14) Silverware and flatware.
- (15) Small electrical appliances.
- (16) Telephones.

- B. **CHARITABLE ORGANIZATION:** A corporation, trust or community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary or educational purposes or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.
- C. **CUSTOMER:** A person with whom a secondhand article dealer or secondhand jewelry dealer or an agent thereof engages in a transaction of a purchase, sale, receipt or exchange of any secondhand article or secondhand jewelry.
- D. **JEWELRY:** Any tangible personal property ordinarily wearable on the person and consisting in whole or in part of any metal, mineral or gem customarily regarded as precious or semiprecious.
- E. **PAWNBROKER:** Any person who engages in the business of lending money on the deposit or pledge of any article or jewelry or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price.
- F. **PERSON:** Any person, firm, partnership, association, corporation, limited liability company or organization of any kind.
- G. **SECONDHAND:** Owned by any person, except a wholesaler, retailer or secondhand article dealer or secondhand jewelry dealer licensed under this chapter, immediately before the transaction at hand.
- H. **SECONDHAND ARTICLE DEALER:** Any person who primarily engages in the business of consigning, purchasing or selling secondhand articles, except when engaging in any of the following:
 - (1) Any transaction at an occasional garage or yard sale, estate sale, antique show, or auction.
 - (2) Any transaction entered into by a person while engaged in a business for which the person is licensed under Section 246-4 B of this chapter or while engaged in the business of junk collector, junk dealer, auctioneer or scrap processor as described in Section 70.995(2) (x), Wis. Stats.
 - (3) Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization.
 - (4) Any transaction between a buyer of a new article and the person who sold the article when new, which involves any of the following:
 - (a) The return of the article.
 - (b) The exchange of the article for a different, new article.
 - (5) Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.
 - (6) Any transaction as a seller of a secondhand article which the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

- I. **SECONDHAND JEWELRY DEALER:** Any person who engages in the business of any transaction consisting of consigning, purchasing, selling, receiving or exchanging secondhand jewelry, except for the following:
- (1) Any transaction at an occasional garage or yard sale, estate sale, or antique show, or auction.
 - (2) Any transaction with a licensed secondhand jewelry dealer.
 - (3) Any transaction entered into by a person while engaged in a business of smelting, refining, assaying or manufacturing precious metals, gems or valuable articles if the person has no retail operation open to the public.
 - (4) Any transaction between a buyer of new jewelry and the person who sold the jewelry when new, which involves any of the following:
 - (a) The return of the jewelry.
 - (b) The exchange of the jewelry for different, new jewelry.
 - (5) Any transaction as a purchaser of secondhand jewelry from a charitable organization if the secondhand jewelry was a gift to the charitable organization.
 - (6) Any transaction as a seller of secondhand jewelry which the person bought from a charitable organization if the secondhand jewelry was a gift to the charitable organization.
- J. **TEMPORARY EVENT:** A sale, trade show or convention scheduled for a limited and prescribed time period, as set forth in Section 246-8 E, wherein secondhand articles or secondhand jewelry are being purchased or sold by a secondhand article dealer or secondhand jewelry dealer.

246-4. License Required for a Secondhand Article Dealer or Secondhand Jewelry Dealer.

- A. Except as provided in Section 246-4 C, no person may operate as a secondhand article dealer unless the person first obtains a secondhand article dealer's license under this chapter.
- B. No person may operate as a secondhand jewelry dealer unless the person first obtains a secondhand jewelry dealer's license under this chapter.

246-5. Pawnbroker Prohibited.

Any person who engages in the business of lending money on the deposit or pledge of any article or jewelry or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price is hereby prohibited.

246-6. License Application.

A person wishing to operate as a secondhand article dealer or secondhand jewelry dealer in the Village of Pleasant Prairie shall make application to the Village Clerk for said license, accompanied by the required fee. The Village Clerk shall furnish application forms, which, at a minimum, shall require the following:

- A. The applicant's name, place and date of birth and residence address.
- B. The names and addresses of the business and the owner of the business premises.

- C. A statement as to whether the applicant has been convicted within the preceding 10 years of a felony or within the preceding five years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal Ordinance violation in which the circumstances of the felony, misdemeanor or other offense substantially relate to the circumstances of the licensed activity and if so, the nature and date of the offense and the penalty assessed.
- D. Whether the applicant is a natural person, corporation, partnership or a limited liability company, and:
 - (1) If the applicant is a corporation, the site where incorporated and the names and addresses of all officers and directors.
 - (2) If the applicant is a partnership, the names and addresses of all partners.
 - (3) If the applicant is a limited liability company, the names and addresses of all members and managers.
- E. The name of the manager or proprietor of the business at the location the license is being used.
- F. Any other information that the Police Department, Community Development Department, Building Inspection Department or Village Clerk may reasonably require.

246-7. Investigation of License Applicant. Upon receipt of an application, the Village Clerk shall send copies thereof to the Community Development Department and the Police Department. The Community Development Department shall verify that the use is allowed and if any building or zoning permits/approvals are required for said use to commence and shall submit a written report to the Village Clerk. The Police Department shall investigate each applicant for a secondhand article dealer's or secondhand jewelry dealer's license to determine whether the applicant complies with Section 246-8 A (1) and (2). The Police Department shall furnish the information derived from that investigation in writing to the Village Clerk. The Village Clerk shall make a determination based thereon as to whether or not the license should be granted, denied or other such action as may be appropriate within 20 days of the receipt of the application.

246-8. License Issuance.

- A. The Village Clerk shall grant the license if all of the following apply:
 - (1) The applicant, including an individual, a partner or an officer, director or agent of any corporate applicant, member or managers of any limited liability company, and the manager or proprietor of the business at the location the license is being used, has not been convicted of a felony crime within the past 10 years or a misdemeanor crime, statutory violation punishable by forfeiture or county or municipal Ordinance violation within the past five years wherein any of the following apply:
 - (a) Weapons of any kind were used, displayed or threatened.
 - (b) Physical violence was used or threatened.
 - (c) The incident giving rise to the conviction involved robbery, burglary, theft or other misappropriation of property or money.
 - (d) The incident giving rise to the conviction involved the possession or receiving of stolen property or goods.

- (e) The incident giving rise to the conviction involved fraud or fraudulent dealing.
- (2) The applicant, including an individual, a partner, an officer, director or agent of any corporate applicant, member or manager of any limited liability company, and the manager or proprietor of the business at the location the license is issued has not been in violation of a previous license for a secondhand article dealer or secondhand jewelry dealer issued by the Village Clerk.
- B. No license issued under this chapter shall be transferred.
- C. Each license for a secondhand article dealer or secondhand jewelry dealer is valid from January 1 until the following December 31, unless a license issued is for a Temporary Event.
- D. The Licensee must display the valid license in a conspicuous place on the premises.
- E. A secondhand article dealer or secondhand jewelry dealer is required to obtain a separate license for each Temporary Event. Each applicant, including an individual, a partner or an officer, director or agent of any corporate applicant and the manager or member of any limited liability company application, and the manager or proprietor of the business at the location for which the licenses issued, is allowed a maximum of four such licenses per calendar year and each event shall not exceed four consecutive calendar days.

246-9. Fees. The license fees under this chapter are:

- A. For a Secondhand Article Dealer's License, \$75.00.
- B. For a Secondhand Jewelry Dealer's License, \$75.00.
- C. For a Temporary Event Secondhand Article Dealer's License, \$35.00 per event.
- D. For a Temporary Event Secondhand Jewelry Dealer's License, \$35.00 per event.

246-10. Appeals

Any person aggrieved by any determination made by the Village Clerk pursuant to this chapter may appeal such determination to the Village Board by filing with the Village Clerk or the Village Clerk's designee, a notice of appeal specifying with particularity the grounds for believing that the Clerk's determination is erroneous. Any such notice of appeal shall be filed within 30 days after the date of mailing to the appellant of the Clerk's written determination along with a fee of \$25.00 to help defray the costs of appeal. The appellant shall be given not less than 10 days advance written notice of the date, time and place of the hearing. The appellant may be represented by counsel at the hearing, may present evidence and arguments relevant to the issues raised by the notice of appeal, and may question witnesses called to support the Clerk's determination. The Village Board may reverse, affirm or modify the determination of the Clerk, and the Board's decision shall be final. The Village Board shall promptly notify the appellant of its findings in writing.

246-11. License Revocation.

The Village Board may revoke any license issued by the Village Clerk under this chapter for fraud, misrepresentation or false statement contained in the application for a license or for any violation of this chapter, of Section 943.34 (receiving stolen property), Section 948.62 (receiving stolen property from a child) or of Section 948.63 (receiving property from a child), Wis. Stats.

246-12. Dealer Requirements:

A. Identification.

- (1) No secondhand article dealer or secondhand jewelry dealer may engage in a transaction of consignment, purchase, receipt or exchange of any secondhand article or secondhand jewelry from a customer without first securing adequate identification from the customer.
- (2) At the time of the transaction, the secondhand article dealer or secondhand jewelry dealer shall require the customer to present one of the following types of identification:
 - (a) A valid County identification card.
 - (b) A valid State identification card.
 - (c) A valid Wisconsin motor vehicle operator's license.
 - (d) A valid motor vehicle operator's license, containing a picture, issued by another state.
 - (e) A valid military identification card.
 - (f) A valid passport.
 - (g) A valid alien registration card.
 - (h) A senior citizen's identification card containing a photograph.
 - (i) Any identification document issued by a state or federal government, whether or not containing a picture, if the, secondhand article dealer or secondhand jewelry dealer obtains a clear imprint of the customer's right index finger.
- (3) Transactions with Minors (under the age of 18 years).
 - (a) Except as provided in Section 246-12 A (3) (b), no secondhand article dealer or secondhand jewelry dealer may engage in a transaction of purchase, receipt or exchange of any secondhand article or secondhand jewelry from any minor.
 - (b) A secondhand article dealer or secondhand jewelry dealer may engage in a transaction described under Section 246-12 A (3) (a), if the minor is accompanied by his or her parent or guardian at the time of the transaction or if the minor provides the secondhand article dealer or secondhand jewelry dealer with the parent's or guardian's written and notarized consent to engage in the particular transaction.

B. Records. For each transaction of purchase, consigned, receipt or exchange of any secondhand article or secondhand jewelry from a customer, secondhand article dealer or secondhand jewelry dealer shall:

- (1) Require the customer to complete and sign, in ink, the appropriate form provided by the Village. No entry on such form may be erased, mutilated or changed. The secondhand article dealer or secondhand jewelry dealer shall retain an original and a duplicate of each form for not less than one year after the date of the transaction except as provided in Section 246-12 D and during that period shall make the duplicate available to any law enforcement officer for inspection at any reasonable time.

- (2) For every secondhand article consigned to the secondhand article dealer for sale on the secondhand article dealer's premises, the secondhand article dealer shall keep a written inventory. In this inventory the secondhand article dealer shall record the name and address of each customer, the date, time and place of the transaction and a detailed description of the article which is the subject of the transaction. The customer shall sign his or her name, address and telephone number on a declaration of ownership of the secondhand article identified in the inventory and shall state that he or she owns the secondhand article. The secondhand article dealer shall retain an original and a duplicate of each entry and declaration of ownership relating to the purchase, receipt or exchange of any secondhand article for not less than one year after the date of the transaction except as provided for in Section 246-12 D, and shall make duplicates of the inventory and declarations of ownership available to any law enforcement officer for inspection at any reasonable time.
- (3) Take a color photograph, a digital image or a video recording of:
- (a) Each customer involved in a billable transaction.
 - (b) Every item purchased or sold.
 - (c) The Licensee must inform the person that he or she is being photographed and/or videotaped by displaying a sign of sufficient size in a conspicuous place on the premises.
 - (d) Requirements:
 - (i) If a photograph is taken, it must be at least two inches in length by two inches in width and must be maintained in such a manner that the photograph can be readily matched and correlated with all other records of the transaction to which they relate. Such photographs must be available to the Police Chief, or the Chief's designee, upon request. The major portion of the photograph must include an identifiable facial image of the person who sold the item. Items recorded by digital image must be accurately depicted.
 - (ii) If a digital image is taken, it must be in a format specified by the Police Department, electronically cross-referenced to the reportable transaction they are associated with. Such images must be available to the Police Chief, or the Chief's designee, upon request. The major portion of the image must include an identifiable facial image of the person who sold the item. Items recorded by digital image must be accurately depicted.
 - (iii) If a video photograph is taken, the video camera must focus on the person selling the item so as to include an identifiable image of that person's face. Video recordings must be available to the Police Chief or the Chief's designee, upon request. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate.

- (e) Photographs, digital images and video recordings shall be retained by the secondhand article dealer or secondhand jewelry dealer for not less than one (1) year after the date of the transaction.

C. Holding Period.

- (1) Except as provided in Section 246-12 C (2) and (3), any secondhand article or secondhand jewelry consigned, purchased or received by a secondhand dealer shall be kept on the secondhand dealer's premises or other place for safekeeping for not less than 21 days after the date of purchase or receipt, unless the person is known by the secondhand dealer to be the lawful owner of the secondhand article or secondhand jewelry recovers it.
- (2) If a secondhand article dealer or a secondhand jewelry dealer is required to submit a report under Section 246-12 D concerning a secondhand article or secondhand jewelry consigned, purchased or received by the secondhand article dealer or secondhand jewelry dealer and the report is required to be submitted in an electronic format, the secondhand article or secondhand jewelry shall be kept on the secondhand article dealer's or secondhand jewelry dealer's premises or other place for safekeeping for not less than 10 days after the report is submitted in addition to the requirements of Section 246-12 C (1).
- (3) During the period set forth in Section 246-12 C (1) and (2) the secondhand article or secondhand jewelry shall be held separate and apart and may not be altered in any manner. The secondhand article dealer or secondhand jewelry dealer shall permit any law enforcement officer to inspect the secondhand article or secondhand jewelry during this period. Within 24 hours of a written request of a police officer during this period, a secondhand article dealer or secondhand jewelry dealer shall make available for inspection any secondhand article or secondhand jewelry which is kept off the premises for safekeeping. Any law enforcement officer who has reason to believe any secondhand article or secondhand jewelry was not sold or exchanged by the lawful owner may direct a secondhand article dealer or secondhand jewelry dealer to hold that secondhand article or secondhand jewelry for a reasonable length of time which the law enforcement officer considers necessary to identify it.
- (4) Section 246-12 C (1), (2) and (3) does not apply to any of the following:
 - (a) A coin of the United States, any gold or silver coin or gold or silver bullion.
 - (b) A secondhand article or secondhand jewelry consigned, purchased or received at a Temporary Event.

D. Report to Village of Pleasant Prairie Police Department.

- (1) Within 24 hours after purchasing or receiving a secondhand article or secondhand jewelry, secondhand article dealer or secondhand jewelry dealer shall make available for inspection by a Police Officer, the original form completed under Section 246-12 B (1) or the inventory under Section 246-12 B (2), whichever is appropriate.
- (2) Every secondhand article dealer or secondhand jewelry dealer shall, within seven days after receiving the secondhand article or secondhand jewelry, send to the Police Chief, or the Chief's designee, a photocopy of the original form completed under Section 246-12 B (1).

- (3) Notwithstanding Section 19.35(1), Wis. Stats., the Police Department receiving the original form or inventory or a declaration of ownership may disclose it only to another law enforcement agency.
 - (4) Effective no later than 60 days after the Police Department provides a secondhand article dealer or secondhand jewelry dealer with the current version of the software utilized by the Police Department, a secondhand article dealer or secondhand jewelry dealer must submit every reportable transaction daily to the Police Department by transferring it electronically in the manner designated by the Police Department. All required records must be transmitted completely and accurately after the close of business each day in accordance with the standards and procedures established by the Police Department. A secondhand article dealer or secondhand jewelry dealer at a Temporary Event is exempt from this requirement.
 - (5) The secondhand article dealer or secondhand jewelry dealer must display a sign of sufficient size in a conspicuous place on the premises, which informs all patrons that all transactions are reported daily to the Police Department.
 - (6) If a secondhand article dealer or secondhand jewelry dealer is unable to successfully transfer the required reports electronically, the secondhand article dealer or secondhand jewelry dealer shall provide the Police Department with printed copies of all reportable transactions by 12:00 noon the next business day. A secondhand article dealer or secondhand jewelry dealer at a Temporary Event is exempt from this requirement.
 - (7) If the problem is determined to be in the secondhand article dealer's or secondhand jewelry dealer's system and is not corrected by the close of the first business day following the failure, the secondhand article dealer or secondhand jewelry dealer must provide the required reports as required by this chapter, and shall be charged a daily reporting failure fee of \$10.00 until the error is corrected; or, if the problem is determined to be outside the secondhand article dealer's or secondhand jewelry dealer's system, the secondhand article dealer or secondhand jewelry dealer must provide the required reports pursuant to this chapter and resubmit all such transactions electronically when the error is corrected.
 - (8) Regardless of the cause or origin of the technical problems that prevented the secondhand article dealer or secondhand jewelry dealer from uploading the reportable transactions, upon correction of the problem, the secondhand article dealer or secondhand jewelry dealer shall upload every reportable transaction from every business day the problem has existed.
 - (9) The provisions of this section notwithstanding, the Police Department may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.
- E. Exception for Customer Return or Exchange. Nothing in this chapter applies to the return or exchange, from a customer to a secondhand article dealer or secondhand jewelry dealer, of any secondhand article or secondhand jewelry purchased from the secondhand article dealer or secondhand jewelry dealer.
- F. Altered Serial Number. No secondhand article dealer or secondhand jewelry dealer may receive any item of property that possesses an altered or obliterated serial number or operation identification number or any item of property that has had its serial number removed.

G. Business at Only One Place.

- (1) A License under this chapter, except as provided in Section 246-4 (2) authorizes the Licensee to carry on its business only at the permanent place of business designated in the License. However, upon written request, the Police Chief, or the Chief's designee, may approve an off-site locked and secured storage facility. The Licensee shall permit an inspection of the facility in accordance with this chapter. All provisions of this chapter regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the Village Municipal Code. The Licensee shall either own the building in which the business is conducted and any approved off-site storage facility, or have a lease on the business premises that extends for more than six months.
- (2) A Temporary Event License under this chapter authorizes the Licensee to carry on its business only at the place of business designated in the License. The Licensee shall permit an inspection of the facility in accordance with this chapter. All provisions of this chapter regarding record keeping and reporting apply for articles associated with the Temporary Event. The Licensee, if not the owner of the building shall have written permission from the owner to conduct said Temporary Event on the premise.

H. Payment.

- (1) All payments of more than \$25.00 made by a secondhand article dealer for the purchase of any secondhand article shall be made by check or automated clearing house.
- (2) All payments made by a secondhand jewelry dealer for the purchase of any jewelry shall be made by check or automated clearing house.

246-13. Violations and penalties.

In addition to the suspension or revocation of a license issued under this chapter, any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided by Section 1-4 of the Code of the Village of Pleasant Prairie.

Adopted this 24th day of October, 2011.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk
Posted: _____

31-Chapter 246 Secondhand License.docx

ORD. NO. 11-32

ORDINANCE TO AMEND SECTION 420-152
THE VILLAGE ZONING ORDINANCE
RELATED TO DEFINITIONS FOR A CASH CONVENIENT BUSINESS,
SECONDHAND ARTICLE DEALER AND SECONDHAND JEWELRY DEALER AND
PROHIBITING BOTH INDOOR AND OUTDOOR FLEA MARKETS
IN THE VILLAGE OF PLEASANT PRAIRIE,
KENOSHA COUNTY, WISCONSIN

THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE,
KENOSHA COUNTY, WISCONSIN, DO ORDAIN THE FOLLOWING AMENDMENTS TO
SECTION 420-152 OF THE VILLAGE ZONING ORDINANCE:

1. Section 420-152 related to the definition of Convenience Cash Store is hereby amended as follows:

CONVENIENT CASH BUSINESS: Also referred to as a payday loan business, title for cash business, check cashing business, deferred presentation service provider or similar enterprise licensed pursuant to §218.05, Wis. Stats., or a person licensed pursuant to §138.09, Wis Stats., who accepts a check or title, holds the check or title for a period of time before negotiating or presenting the check or title for payment, and pays to the issuer an agreed-upon cash, or who refinances or consolidates such a transaction, or a secondhand article dealer or secondhand jewelry dealer pursuant to ~~§134.71, Wis Stats~~ **Section 246-3 of the Village Municipal Code, except an establishment who meets all of the following requirements is exempted from the definition of Convenient Cash Business, even if the establishment purchases, receives or exchanges any secondhand article or secondhand jewelry pursuant to Chapter 246 of the Village Municipal Code:**

(1) The primary business of the establishment is the retail sale of new merchandise;

(2) Forty percent (40%) or less of the establishment's inventory that is displayed and offered for sale in the store, determined by number of items, is secondhand articles and secondhand jewelry as defined in Chapter 246;

(3) Forty percent (40%) or less of the establishment's inventory that is displayed and offered for sale in the store, determined by the aggregate retail value of such items, is secondhand articles and secondhand jewelry as defined in Chapter 246;

(4) Forty percent (40%) or less of the establishment's floor space devoted to retail sales and display space is devoted to the display for sale of secondhand articles and secondhand jewelry as defined in Chapter 246; and

(5) Forty percent (40%) or less of the establishment's gross receipts each calendar month is attributable to the sale of secondhand articles and secondhand jewelry as defined in Chapter 246.

~~(1) a secondhand jewelry dealer for the purpose of this Chapter excludes the exchange of jewelry for different, new jewelry or where the primary business of a jewelry dealer is to sell new metals, minerals or gems customarily regarded as precious or semi-precious; and (2) secondhand jewelry includes, in whole or in part, any metals, minerals or gems customarily regarded as precious or semi-precious.~~

2. **Section 420-152 related to definition for Secondhand Article Dealer is hereby amended as follows:**

SECONDHAND ARTICLE DEALER: As defined in Section 246-3 of the Village Municipal Code. Some Secondhand Article Dealers are considered a Cash Convenient Business as defined in this chapter. ~~See definition for Cash Convenient Business.~~

3. **Section 420-152 related to definition for a Secondhand Jewelry Dealer is hereby amended as follows:**

SECONDHAND JEWELRY DEALER: As defined in Section 246-3 of the Village Municipal Code. Some Secondhand Jewelry Dealers are considered a Cash Convenient Business as defined in this chapter ~~See definition for Cash Convenient Business.~~

4. **Section 420-118 C (6) related to Unspecified Permitted Uses in the B-1 District is hereby amended as follows:**

(6) **Indoor/**Outdoor flea market.

5. **Section 420-119 C (4) related to Unspecified Permitted Uses in the B-2 District is hereby amended as follows:**

(4) **Indoor/**Outdoor flea market.

6. **Section 420-120 C (6) related to Unspecified Permitted Uses in the B-3 District is hereby amended as follows:**

(6) **Indoor/**Outdoor flea market.

7. **Section 420-127.2 C (5) related to Unspecified Permitted Uses in the PR-3 District is hereby amended as follows:**

(5) **Indoor/**Outdoor flea market.

Adopted this 24th day of October, 2011.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk
Posted: _____

Village of Pleasant Prairie

For the Twelve Months Ending December 31, 2009

	<u>Actual 09</u>	<u>Actual 10</u>	<u>2011 Amend</u>	<u>Actual 11</u>	<u>Estimate 11</u>	<u>Dept Request 12</u>	<u>Admin Request 12</u>
Revenues							
Property Tax	\$5,390,744.53	\$5,476,832.22	\$5,504,726.00	\$5,504,719.77	\$5,504,726.00	\$6,489,699.00	\$7,147,328.00
Departmental Revenue	2,388,329.05	1,916,848.53	1,899,142.00	1,296,410.48	1,910,813.00	1,904,333.20	1,904,333.20
Other Revenue	4,075,070.84	3,420,097.31	4,350,894.00	1,343,674.39	4,460,918.00	3,374,391.00	3,374,391.00
Total Revenue	<u>11,854,144.42</u>	<u>10,813,778.06</u>	<u>11,754,762.00</u>	<u>8,144,804.64</u>	<u>11,876,457.00</u>	<u>11,768,423.20</u>	<u>12,426,052.20</u>
Operating Expenses							
Village Board	92,776.25	86,548.83	91,247.00	63,193.17	88,019.48	90,493.60	90,493.60
Municipal Court	160,899.94	169,792.10	150,531.00	105,043.67	149,094.00	148,958.94	148,958.94
Administration	381,488.84	285,063.49	282,776.00	224,874.57	261,898.00	319,914.04	319,914.04
Human Resources	101,338.71	123,539.89	135,876.00	95,997.57	131,675.00	134,058.70	134,058.70
Information Technologies	485,312.01	505,979.31	618,508.00	407,686.24	614,722.00	644,142.26	644,142.26
Finance	287,195.82	393,588.91	434,816.00	296,485.76	426,192.00	420,313.43	420,313.43
Assessing	508,802.95	561,793.29	624,118.00	368,885.14	612,343.92	595,470.01	595,470.01
Village Hall	77,609.32	86,839.24	86,538.00	61,508.92	91,302.00	93,438.23	93,438.23
Roger Prange	183,071.20	229,998.95	227,520.00	170,100.71	229,071.00	226,992.57	226,992.57
Police	3,082,188.49	3,084,970.80	3,409,649.00	2,354,939.30	3,391,938.00	3,404,181.89	3,404,181.89
Fire & Rescue	2,372,564.57	2,410,227.20	2,598,244.00	1,658,375.57	2,620,664.00	2,645,066.01	2,645,066.01
Inspection	317,348.22	266,042.77	264,084.00	166,300.75	242,634.43	234,383.87	234,383.87
Public Safety Communications	354,805.32	367,687.09	417,438.00	291,872.93	400,207.00	405,073.72	405,073.72
Engineering	274,840.28	274,041.43	307,614.00	176,748.77	251,521.23	263,773.63	263,773.63
Public Works	1,529,370.77	1,430,784.76	1,502,949.00	1,122,066.23	1,440,180.00	1,289,786.27	1,289,786.27
Street Lighting	198,277.27	234,721.80	227,484.00	175,130.51	247,794.00	237,705.21	237,705.21
Parks/Recreation	408,314.20	348,307.44	384,199.00	207,490.79	320,522.31	351,397.51	351,397.51
Community Development	430,986.89	358,997.98	380,236.00	236,407.38	360,071.29	367,927.15	367,927.15
Total Operating Expenses	<u>11,247,191.05</u>	<u>11,218,925.28</u>	<u>12,143,827.00</u>	<u>8,183,107.98</u>	<u>11,879,849.66</u>	<u>11,873,077.05</u>	<u>11,873,077.05</u>
New Programs						1,031,083.56	578,449.38
Revenue Enhancers						(12,965.00)	(12,965.00)
Program Reductions						(260,236.00)	(12,510.00)
Transfers							
In	<u>25,476.00</u>	<u>805,297.00</u>					
Total Other Expenses	<u>(25,476.00)</u>	<u>(805,297.00)</u>				<u>757,882.56</u>	<u>552,974.38</u>
Net Income	632,429.37	400,149.78	(389,065.00)	(38,303.34)	(3,392.66)	(862,536.41)	0.77
FUND BALANCE							
Beginning of Year	2,482,312.00	3,114,743.00	3,514,893.00	3,514,893.00	3,514,893.00	3,511,500.00	3,511,500.00
End of Year	3,114,741.37	3,514,892.78	3,125,828.00	3,476,589.66	3,511,500.34	2,648,963.59	3,511,500.77
Reserved	666,612.00	722,226.00	750,000.00	750,000.00	750,000.00	750,000.00	750,000.00
Unreserved Fund Balance	2,448,129.37	2,792,666.78	2,375,828.00	2,726,589.66	2,761,500.34	1,898,963.59	2,761,500.77
15% of Revenue Available	1,778,121.66	1,622,066.71	1,763,214.30	1,221,720.70	1,781,468.55	1,765,263.48	1,863,907.83
	670,007.71	1,170,600.07	612,613.70	1,504,868.96	980,031.79	133,700.11	897,592.94

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		Actuals 2009	Actuals	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request	Admin Req 12
411100000	General Property Tax	5,390,745	5,476,832	5,504,726	5,504,720	5,504,726	540,811	6,489,699	7,147,328
XTOTPROPTAX	Total General Property Taxes	5,390,745	5,476,832	5,504,726	5,504,720	5,504,726	540,811	6,489,699	7,147,328
411102000	Property taxes - miscellaneous	-1,644	-1,085	-277	-21	-277	-608	-7,120	-7,120
411103000	Property taxes - billed in err	1,119	1,667	0	0	0	0	0	0
411105000	Ag use penalty	30,135	0	0	0	0	0	0	0
411400000	Mobile home tax/village share	147,811	137,880	138,000	20,716	133,904	11,261	135,000	135,000
412100000	Hotel/motel taxes	45,854	45,472	45,865	27,689	43,020	3,747	44,920	44,920
413100000	Utility tax equivalent	699,941	0	717,000	0	822,727	68,567	822,727	822,727
418000000	Property tax penalty	54,644	76,132	50,000	45,695	46,000	3,837	46,000	46,000
419001000	Other taxes	15,105	16,220	16,000	16,908	16,908	1,424	17,000	17,000
XTOTTAXREV	Total Taxes	992,966	276,288	966,588	110,987	1,062,282	88,228	1,058,527	1,058,527
434100000	Income Tax from State	1,979,079	1,941,660	1,938,266	290,740	1,949,406	157,379	1,888,427	1,888,427
434200000	Fire Insurance Dues from State	72,710	75,150	75,150	76,484	76,484	76,484	76,484	76,484
435210000	Law Enforcement Grant	35,416	23,449	20,500	15,493	20,500	1,250	15,000	15,000
435211000	Grants	0	0	0	0	0	0	0	0
435280000	Emergency Government Grant	14,704	0	105,648	0	105,648	0	0	0
435291000	Ambulance service grant	0	6,512	6,500	5,687	5,687	5,687	5,687	5,687
435310000	Road Grant from State	699,546	804,477	911,954	683,902	911,869	0	0	0
435350000	Exempt Computer Aid	25,629	23,102	23,126	23,126	23,126	1,750	21,000	21,000
436100000	State Pymt for Municipal Services	1,675	1,509	1,500	1,327	1,327	100	1,200	1,200
XTOTINTGOVRE	Total Intergovernmental Revenues	2,828,759	2,875,861	3,082,644	1,096,758	3,094,047	242,650	2,007,798	2,007,798
441000000	Liquor licenses	11,694	20,928	12,000	11,215	11,215	1,000	12,000	12,000
441001000	Bartender licenses	6,665	7,257	6,500	5,060	5,720	549	6,500	6,500
441002000	Cabaret licenses	300	0	300	0	0	0	0	0
441003000	Cigarette licenses	1,500	1,400	1,400	1,100	1,100	100	1,200	1,200
441004000	Theatre licenses	300	300	300	300	300	25	300	300
441005000	Other general licenses	2,670	2,396	2,435	1,602	3,030	230	2,540	2,540
442001000	Dog licenses	7,166	6,684	6,255	1,948	6,600	550	6,600	6,600
443001000	Single Family Building Permits	102,796	153,207	136,875	90,445	132,000	10,750	129,000	129,000
443002000	Two Family Building Permits	915	218	7,920	15	0	1,500	18,000	18,000
443003000	Multi-Family Building Permits	50	386	4,496	0	0	0	0	0
443004000	Fire Dept Permits	82,571	44,058	20,397	44,927	46,000	10,500	10,500	10,500
443005000	Commercial/Industrial Permits	484,965	57,304	10,863	72,673	81,373	5,000	60,000	60,000
443006000	Miscellaneous Permits	1,533	4,653	2,600	3,835	4,000	250	3,000	3,000
443007000	Commercial Electrical Permits	60,611	13,932	3,000	17,151	17,200	1,337	16,000	16,000
443008000	Electrical Licenses	4,100	3,850	2,700	3,620	3,750	300	3,600	3,600
443009000	Application Fees	50	270	500	80	160	24	200	200
443010000	Weights & Measures	6,119	5,669	6,000	0	6,000	525	6,300	6,300
443011000	Inspection Services	3,200	0	300	0	0	24	200	200
444002000	Application Fees	39,369	51,929	40,000	44,959	55,000	55,000	55,000	55,000
444003000	Development Fees	0	10	0	0	0	0	0	0
444004000	Tax Exemption Form Fee	0	420	0	0	0	35	420	420
444005000	Single Family Zoning Permits	13,030	15,790	16,000	9,890	14,600	15,000	15,000	15,000
444006000	Two Family Zoning Permits	80	0	330	0	855	0	0	0
444007000	Multi-Family Zoning Permits	0	40	310	0	0	0	0	0
444008000	Comm/Industrial Zoning Permits	4,625	5,345	4,000	4,250	4,000	4,000	4,000	4,000
444009000	Misc Zoning Permits/Fees	4,899	4,418	5,000	4,690	5,000	5,000	5,000	5,000
445001000	Property Record Maintenance Fee	24,391	-4,682	35,000	23,815	40,000	44,000	44,000	44,000

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		Actuals 2009	Actuals	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request	Admin Req 12
445003000	Parcel Creation Maintenance Fee	0	0	0	0	0	0	0	0
XTOTLICPERRE	Total Licenses and Permits	863,599	395,781	325,481	341,574	437,903	155,699	399,360	399,360
451001000	Municipal Court Revenue	186,948	225,748	275,000	176,777	257,000	260,000	260,000	260,000
451002000	Parking Ticket Revenue	5,849	14,108	5,000	10,033	14,000	1,174	14,000	14,000
XTOTFFREV	Total Fines and Forfeitures	192,797	239,856	280,000	186,810	271,000	261,174	274,000	274,000
461001000	Publication Fees	500	1,146	700	347	350	31	350	350
461002000	Impact Fees	0	0	0	0	0	0	0	0
461004000	Prequalification Fees	3,620	2,690	1,700	1,560	2,000	174	2,000	2,000
461006000	Administrative Fees	8,896	4,848	5,750	1,024	4,200	400	4,800	4,800
461007000	Special Assessment Letters	5,902	6,562	5,500	3,186	5,500	462	5,500	5,500
461010000	Co Location Services	0	0	0	0	0	0	0	0
461011000	Franchise Fee	247,591	262,736	250,000	137,647	276,500	280,000	280,000	280,000
462100000	Police Department Earnings	5,513	9,906	5,500	3,522	5,000	424	5,000	5,000
462200000	Fire Department Earnings	29,165	44,750	22,300	12,953	20,000	20,000	20,000	20,000
462300000	Rescue Squad Earnings	357,790	334,479	383,795	195,593	314,210	345,936	345,936	345,936
463100000	Highway Dept Earnings	23,674	2,718	500	7,614	8,000	250	3,000	3,000
463101000	Engineering Dept Services	233,350	192,387	178,000	75,960	122,800	10,424	125,000	125,000
463102000	ROW Permits	6,820	8,850	3,000	2,550	4,000	337	4,000	4,000
463103000	IT Department Services	2,405	2,530	3,280	3,355	3,355	3,280	3,280	3,280
463210000	Street Lighting	99,520	127,884	152,801	87,385	134,621	11,250	135,000	135,000
464401000	Weed & Nuisance Control	2,290	7,387	1,500	-75	5,000	1,000	12,000	12,000
464402000	Public Works Compliance Rev	6,194	2,493	1,000	0	0	0	0	0
467520000	Pleasant Prairie Days Revenue	0	0	0	0	0	0	0	0
467530000	PFD - Raffle Ticket Sales	0	0	0	0	0	0	0	0
XTOTPUBCHRE	Total Public Charges for Service	1,033,232	1,011,367	1,015,326	532,622	905,536	673,968	945,866	945,866
473210000	School Liaison Officer	58,850	46,157	64,932	29,654	64,932	5,401	64,790	64,790
473600000	Utility Lease Pmt for V Hall	59,976	59,976	57,457	0	59,976	4,998	59,976	59,976
473601000	Auditorium Rental	0	0	0	0	0	0	0	0
473901000	Assessing Cotracts	278,284	285,966	304,894	222,305	296,407	293,356	293,356	293,356
XTOTSFREV	Total Special Fund Activity	397,110	392,099	427,283	251,959	421,315	303,755	418,122	418,122
481101000	Interest on Investments	65,235	45,079	65,000	29,402	53,900	3,750	45,000	45,000
481103000	Penalty on General Invoice	7,892	7,725	8,050	3,004	7,300	612	7,300	7,300
482001000	Tower Leases	71,478	71,673	73,064	53,931	76,601	6,388	76,601	76,601
484401000	Insurance Award	0	0	0	5,310	5,310	424	5,000	5,000
485001000	Donations	400	850	0	2,300	2,300	87	1,000	1,000
485005000	Media Communications	2,175	15,125	2,000	510	7,000	587	7,000	7,000
489001000	Miscellaneous Receipts	4,533	3,088	2,600	23,421	25,237	2,605	31,150	31,150
489005000	Miscellaneous Sales	1,932	1,771	2,000	1,508	2,000	174	2,000	2,000
489009000	Cash Overages/Shortages	1,292	383	0	-11	0	0	0	0
XTOTMSGREV	Total Miscellaneous Rev	154,938	145,695	152,714	119,376	179,648	14,627	175,051	175,051
492001000	Operating Transfer In	25,476	0	0	0	0	0	0	0
492002000	Transfer In - Tax Equivalent	0	805,297	0	0	0	0	0	0

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		Actuals 2009	Actuals	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request	Admin Req 12
XTOTREV	Total Revenue	11,879,620	11,619,075	11,754,762	8,144,805	11,876,457	2,280,912	11,768,423	12,426,052

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		Actuals 2009	Actuals	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request	Admin Req 12
110	Salaries	5,657,783	5,524,000	5,426,437	3,736,988	0	479,500	5,737,815	5,737,815
111	Part - time salaries	575,821	541,223	566,292	437,079	0	47,939	573,293	573,293
112	Overtime salaries	192,044	231,881	492,437	211,061	0	16,735	200,815	200,815
113	Elected salaries	52,000	52,283	52,000	39,040	0	4,333	52,000	52,000
114	Poc salaries	98,079	76,317	89,356	45,387	0	5,688	89,356	89,356
115	Commissioned Services	0	0	0	0	0	0	0	0
120	Snow removal wages	47,786	0	0	0	0	0	0	0
121	Part time Snow Removal Wages	3,632	0	0	0	0	0	0	0
122	Snow removal overtime wages	112,654	0	0	0	0	0	0	0
123	Village board mileage reimbursemer	6,400	6,400	6,400	4,800	0	533	6,400	6,400
124	Village Board per Diem	700	600	1,000	0	0	83	1,000	1,000
128	Park commission salaries	0	0	0	0	0	0	0	0
129	School commission salaries	0	0	0	0	0	0	0	0
151	Social security	508,107	484,148	506,771	335,795	0	42,443	509,541	509,541
152	Wisconsin retirement	830,174	850,161	915,325	601,526	0	63,294	759,017	759,017
153	Worker's compensation	95,581	102,902	174,171	123,699	0	14,613	176,134	176,134
154	Health & life benefits	1,146,793	1,210,868	1,558,623	1,075,210	0	123,509	1,482,102	1,482,102
156	Life Insurance	0	0	0	0	0	0	0	0
157	Vision insurance	1,234	1,157	2,303	890	0	192	2,303	2,303
158	Long - term disability insurance	10,525	12,864	15,517	9,141	0	1,311	15,672	15,672
197	Vacant Positions not filled	0	0	-76,703	0	-36,147	0	0	0
198	TID Hours Charge Out	0	-61,810	-60,000	0	0	-5,000	-60,000	-60,000
199	Personnel Transfer	-747,909	-598,254	-619,291	-405,899	1,750	-51,822	-620,313	-620,313
CYESTSB	Current Year Estimated Salaries & B	0	0	0	0	8,858,766	0	0	0
XTOTPS	Total Personnel Services	8,591,403	8,434,740	9,050,638	6,214,716	8,824,369	743,352	8,925,134	8,925,134
200	Temporary help	26,127	0	0	0	0	0	0	0
201	Unemployment	2,024	30,974	88,011	58,673	88,011	6,282	72,843	72,843
202	Occupational health evaluatns	11,859	22,756	37,605	11,123	35,921	30,549	34,487	34,487
204	Recording fees	419	0	0	0	0	0	0	0
205	Publication of notices/agendas	9,481	8,929	12,450	5,481	8,464	10,037	10,950	10,950
206	Contractual printing	32,844	26,842	42,885	12,915	30,548	36,366	39,160	39,160
207	Janitorial services	40,642	54,249	54,300	39,250	54,300	55,399	58,050	58,050
209	A/r collection service	25,363	26,547	28,166	10,600	22,242	20,906	22,457	22,457
210	Attorney fees	141,810	159,653	121,900	27,381	124,758	102,832	111,500	111,500
211	Accounting/audit fees	38,071	54,682	61,000	42,479	61,000	5,087	61,000	61,000
212	Engineering fees	141	3,343	1,350	259	1,350	1,350	1,350	1,350
213	Network consultants	1,928	0	0	0	0	0	0	0
214	Consultant/contractual service	56,534	118,734	160,620	177,528	221,634	58,548	100,700	100,700
215	Commission/pollworker services	14,710	19,540	16,150	19,438	21,429	39,489	39,940	39,940
216	Attorney fees - personnel svc	10,149	10,026	19,000	4,552	14,000	14,000	14,000	14,000
217	Land use/plan consultants	0	0	5,000	0	0	0	0	0
219	Manufacturing Assessment Fee	23,385	22,134	22,500	18,452	18,452	17,000	17,000	17,000
220	Electric	292,065	318,402	314,350	225,941	316,850	107,642	322,450	322,450
221	Natural gas	54,718	53,072	79,350	31,339	66,350	58,130	69,350	69,350
222	Municipal sewer	4,969	5,263	5,013	4,038	5,913	4,819	5,963	5,963
223	Municipal water	15,076	15,389	14,880	13,065	17,080	14,414	17,340	17,340
224	Telephone service	38,422	48,176	47,462	31,013	47,842	91,750	112,914	112,914
224A	Allocation to Departments	0	0	0	0	0	-65,232	-65,232	-65,232
225	Cellular telephone	32,777	25,247	16,425	10,960	17,181	12,653	16,206	16,206

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	Actuals 2009	Actuals	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request	Admin Req 12	
226	Data/voice communications	30,882	43,567	52,875	27,359	52,160	47,196	59,560	59,560
228	Garbage/Recycling	2,512	2,382	2,430	1,588	2,430	2,023	2,430	2,430
229	Clean Water	27,890	35,078	38,602	26,257	40,542	37,794	40,632	40,632
230	Equipment rental	5,527	655	2,000	2,655	3,500	2,000	2,000	2,000
231	Equipment leases	28,482	0	0	0	0	0	0	0
240	Office equipment maintenance	1,239	0	0	0	0	0	0	0
241	Software maintenance agreemt	118,153	145,161	221,469	151,314	219,202	189,854	256,239	256,239
242	Contracted Equipment maintenance	1,197	55,617	64,105	45,363	61,901	60,535	72,624	72,624
243	Contracted Maintenance agreement	40,401	0	0	0	0	0	0	0
244	Contracted Building maintenance	60,077	90,860	71,988	61,512	79,738	71,868	86,509	86,509
245	Communications maintenance	14,799	0	0	0	0	0	0	0
246	Vehicle maintenance	22,842	98,083	94,875	45,544	94,975	65,091	95,330	95,330
260	Travel	13,568	12,890	13,791	5,923	14,058	14,266	16,664	16,664
261	Meals & lodging	23,280	18,538	19,293	9,856	19,857	16,830	23,012	23,012
262	Conferences/seminars/training	57,585	64,033	78,080	59,368	92,952	52,172	82,400	82,400
270	Attorney fees - litigation	0	0	0	0	0	0	0	0
271	Attorney fees - outside counsel	0	0	0	0	0	0	0	0
272	Attorney fees - consortium	0	0	4,000	0	2,000	4,000	4,000	4,000
273	Land use plan consultants	2,250	0	0	0	0	0	0	0
274	Weights & measures	4,000	0	0	0	0	0	0	0
275	Fire sprinkler plan review	43,750	23,601	19,201	20,024	23,000	7,900	7,900	7,900
276	Stray animal care	19,125	14,213	13,500	10,300	16,360	1,367	16,360	16,360
277	Aerobics expenses	0	0	0	0	0	0	0	0
278	Fire equipment maintenance	1,927	0	0	0	0	0	0	0
279	Rescue equipment maintenance	206	0	0	0	0	0	0	0
280	Fire vehicle maintenance	61,760	0	0	0	0	0	0	0
281	Rescue vehicle maintenance	24,232	0	0	0	0	0	0	0
282	Beach/shoreline maintenance	1,417	0	0	0	0	0	0	0
285	Code enforcement	0	0	0	0	0	0	0	0
286	Credit Card Processing Fee	0	519	1,500	706	1,200	1,200	1,200	1,200
299	It department allocation	0	0	0	0	0	0	0	0

XTOTCS	Total Contractual Services	1,480,614	1,629,156	1,846,126	1,212,257	1,897,200	1,196,117	1,829,288	1,829,288
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300	Memberships & subscriptions	24,383	22,718	27,972	21,450	26,344	15,696	28,093	28,093
310	Office supplies	27,047	13,452	24,375	7,494	19,550	14,490	21,750	21,750
311	Copying/Printing	0	42,609	43,114	24,742	44,287	34,648	47,265	47,265
312	Mailing	46,024	52,896	68,944	31,396	58,127	67,861	82,007	82,007
330	Election Supplies	2,658	2,273	2,900	439	2,500	7,925	7,925	7,925
332	Fire supplies & equipment	4,117	5,256	15,939	1,759	15,900	15,845	15,845	15,845
333	Rescue supplies & equipment	18,205	17,266	30,165	13,487	30,000	29,574	29,574	29,574
334	Police evidence	3,690	3,408	2,100	2,486	3,500	299	3,500	3,500
336	Village board of review exp	106	31	100	18	50	100	100	100
350	Minor equipment/tool replacemt	56,218	61,426	89,860	51,389	98,154	47,933	56,370	56,370
351	Repair/maintenance supplies	842	0	0	0	0	0	0	0
352	Uniform services & uniforms	37,818	41,761	36,998	18,343	34,057	19,058	35,448	35,448
353	Safety equipment	11,815	10,562	21,645	2,188	21,645	22,423	22,555	22,555
354	Medical supplies	1,594	0	0	0	0	0	0	0
355	Janitorial/cleaning supplies	7,359	7,673	7,694	3,308	7,694	6,099	7,694	7,694
357	Fuel	82,116	98,214	100,550	74,476	115,625	47,861	111,100	111,100
358	Squad materials	4,339	0	0	0	0	0	0	0

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		Actuals 2009	Actuals	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request	Admin Req 12
359	Snow plow related expenses	2,551	0	0	0	0	0	0	0
362	Equipment maintenance supplies	0	8,035	22,558	8,561	22,200	30,816	34,017	34,017
364	Building maintenance supplies	0	15,393	17,250	5,183	10,593	9,854	12,780	12,780
366	Vehicle Maintenance supplies	0	13,652	10,165	3,910	6,925	4,837	6,300	6,300
370	Landscaping supplies	13,765	14,260	15,200	14,257	15,700	14,900	14,900	14,900
371	Signs	12,283	6,592	4,600	4,074	4,867	4,600	4,600	4,600
372	Gravel/crushed stone	30,104	34,624	20,000	9,915	20,000	20,000	20,000	20,000
373	Pavement materials	53,380	47,044	30,000	18,782	30,000	30,000	30,000	30,000
374	Salt	227,868	222,354	234,250	150,505	160,000	13,337	160,000	160,000
375	Culvert installation	0	0	0	0	0	0	0	0
399	Miscellaneous expense	10,831	11,650	11,660	6,572	10,595	7,817	12,085	12,085
XTOTSM	Total Supplies and Maintenance	679,114	753,148	838,039	474,735	758,313	465,973	763,908	763,908
510	Property & liability insurance	93,297	89,963	91,371	73,266	89,177	98,963	99,469	99,469
515	Co Location Expenses	350	0	0	0	0	0	0	0
710	Merchandise	0	0	0	0	0	0	0	0
900	Contingency	0	0	0	0	0	0	0	0
901	Non Personnel Transfer	-96,987	-184,900	-235,000	-156,667	-235,000	-25,197	-235,000	-235,000
905	Internal Service Fund	499,400	484,167	552,653	349,760	530,749	431,582	490,278	490,278
910	Settlements	0	12,650	0	15,041	15,041	0	0	0
XSUBTOT	Department Subtotal	11,247,191	11,218,925	12,143,827	8,183,108	11,879,850	2,910,789	11,873,077	11,873,077
990	New program requests	0	0	0	0	0	29,447	-179,707	-153,302
991	New program requests - Personnel	0	0	0	0	0	100,897	1,210,791	731,751
993	Revenue Enhancer	0	0	0	0	0	4,968	12,965	12,965
994	Program Reductions	0	0	0	0	0	-48,178	-260,236	-12,510
995	Program reductions	0	0	0	0	0	0	0	0
XGT	Grand Total	11,247,191	11,218,925	12,143,827	8,183,108	11,879,850	2,987,987	12,630,960	12,426,051

**Village of Pleasant Prairie
2012 General Fund Budget
New Programs**

Priority	Department	Name of Program	% in Dept	Link to Capital	Amount of Program	Cumulative
<u>Recommended</u>						
1	Fire & Rescue	4 in Station: Option A - 7 Full-time Firemedics	100%		539,787	539,787
2	Public Safety Communications	Adjust and increase dispatch staffing	100%		31,950	571,737
3	Public Works	Increase Part-time starting wage	100%		4,215	575,952
4	Parks	Replace rotten wood in park benches	100%		2,500	578,452
<u>Not Recommended</u>						
	Engineering	Promote Part-time Clerical to Full-time Admin Assistant	100%		30,752	609,204
	Fire & Rescue	4 in Station: Option B - 4 FT Firemedics & Part-time	100%		404,562	1,013,766
	Public Safety Communications	Hire Dedicated IT Person	100%	M-1	17,315	1,031,081

**Village of Pleasant Prairie
2012 General Fund Budget
Program Reductions**

Priority	Department	Name of Program	Amount of Program	Cumulative
<u>Recommended</u>				
	Information Technology	Reduce Maintenance Contracts for Cisco Hardware	12,000	12,000
	Human Resources	Discontinue Data/Voice Communication device	510	12,510
<u>Not Recommended</u>				
	Fire & Rescue	Option B - Fill 4 Vacant FT FM with 1 FT FM and 3 Contracted	7,227	19,737
	Fire & Rescue	Option A - Fill 4 Vacant FT FM with Contracted Firemedics	9,637	29,374
	Parks	Landscaping	11,000	40,374
	Police	Eliminate One Police Officer	77,972	118,346
	Public Safety Communications	Eliminate One Dispatcher	44,900	163,246
	Public Works	Change Public Works Staffing to 4 - 10 hr Days	3,576	166,822
	Public Works	Eliminate Snow Plow OT /DT Hours on Subdivision Roads	42,954	209,776
	Public Works	Reduction in salt and MagChl Use	50,460	260,236

**Village of Pleasant Prairie
2012 General Fund Budget
Revenue Enhancements**

Priority	Department	Name of Program	Amount of Program	Cumulative
<u>Recommended</u>				
	Community Development	Increase Zoning Permit Fees	1,333	1,333
	Community Development	Increase Development / Application Fees	1,312	2,645
	Engineering	Raise Small work in right-of-way permit fee to \$40	520	3,165
	Engineering	Raise large work in right-of-way permit fee to \$175	1,200	4,365
	Fire & Rescue	Annual Fire Alarm (NFPA 72) Inspection Permits	2,500	6,865
	Inspection	Fee for Life Safety Inspection	3,750	10,615
	Inspection	Life Safety Re-inspection fee	1,200	11,815
	Inspection	Low Voltage Sign Permit Fee	750	12,565
	Inspection	Increase residential fire inspection fee	400	12,965

		PACT 2009	PACT 2010	AMEND 2011	ACTUAL 2011	EST2011	DEPT2012	DEPTREQ12	
	ACCOUNT	Label	Actuals 2009	Actuals 2010	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request
	411100000	Property Taxes	2,256,368	2,205,230	1,716,033	797,896	1,716,033	139,347	1,672,153
	411101000	Property Tax	0	0	0	0	0	0	0
	420001000	Special Assessments	11,546	267,984	56,172	10,890	47,877	2,988	35,856
	481101000	Interest on Investments	6,594	6,310	5,000	518	1,000	250	3,000
	481301000	Interest on Special Assessments	18,522	16,816	42,227	4,404	28,190	1,414	16,847
=	TOTREV	Total Revenue	2,293,030	2,496,341	1,819,432	813,708	1,793,100	143,999	1,727,856
	491001000	Proceeds on GO Debt	0	0	0	0	0	0	0
	491002000	Premium on GO Debt	90,835	106,285	0	0	0	0	0
	492001000	Operating Transfer In	0	0	0	0	0	0	0
	583000630	Issuance Expense	0	0	0	0	0	0	0
=	OTHFIN	Other Financing Sources	90,835	106,285	0	0	0	0	0
	581000610	Principal on Long Term Notes	1,933,910	1,921,186	1,501,274	568,671	1,501,274	118,781	1,425,317
	582900620	Interest on Long Term Notes	441,850	386,904	318,158	183,635	357,533	25,218	302,539
=	TOTEXP	Total Expenses	2,375,760	2,308,090	1,819,432	752,306	1,858,807	143,999	1,727,856
=	EXCESS	Excess (Deficiency)	8,105	294,536	0	61,402	(65,707)	1	1
	BFB	Beginning Fund Balance	416,153	424,258	718,794	718,794	718,794	54,434	653,087
=	EFB	Ending Fund Balance	424,258	718,794	718,794	780,196	653,087	54,434	653,087

Village of Pleasant Prairie
Fund 301 - General Government
Debt Service as of December 31,

2012

Outstanding Issue Information									
Issue #	Total Bond Amount	Type	Issued	Due	Interest Rates		Principal Payment	Callable	Years
8	\$ 4,385,000	G.O.	10/15/02	10/01/12	2.50% -	3.50%	10/1	Not Callable	
10	\$ 3,375,000	G.O. Refunding	03/23/05	03/01/15	3.25% -	5.00%	3/1		
11	\$ 1,240,000	G.O. Refunding	09/29/05	10/01/15	3.63% -	3.60%	10/1		
12	\$ 2,235,000	G.O.	02/19/08	02/01/18	3.00% -	4.00%	2/1		
13	\$ 2,940,000	G.O. Refunding	06/16/08	09/01/15	4.00% -	4.00%	9/1		
14	\$ 2,015,000	G.O. Refunding	09/03/08	09/01/12	4.00% -	4.00%	9/1		
15	\$ 1,900,000	G.O. Note	02/19/09	09/01/18	4.00% -	5.00%	9/1		
16	\$ 2,025,000	G.O. Note	04/27/10	04/01/20	3.00% -	4.50%	4/1		

Account Balances		
Account #	Description	Balance
301-581000-610	Principal Payments	1,425,317.00
301-582900-620	Interest Payments	302,538.60

Activity Summary				
	Beginning	Additions	Subtractions	Ending
Principal	7,832,185.00	-	1,425,317.00	6,406,868.00
Issuance	126,484.72	-	26,209.48	100,275.25
Premium	268,396.64	-	44,533.63	223,863.01

Debt Service Schedule							
Years	By Year			5-Year Totals			Average Interest Rate
	Principal	Interest	Total	Principal	Interest	Total	
2013	1,219,127.00	244,289.48	1,463,416.48				3.81%
2014	1,218,189.00	197,966.25	1,416,155.25				3.82%
2015	1,284,552.00	150,769.50	1,435,321.50				3.80%
2016	725,000.00	103,950.00	828,950.00				3.87%
2017	725,000.00	74,962.50	799,962.50	5,171,868.00	771,937.73	5,943,805.73	3.82%
2018	735,000.00	45,325.00	780,325.00				3.67%
2019	275,000.00	16,312.50	291,312.50				3.26%
2020	225,000.00	5,062.50	230,062.50				2.25%
2021	0.00	0.00	0.00				
2022	0.00	0.00	0.00	1,235,000.00	66,700.00	1,301,700.00	
2023	0.00	0.00	0.00				
2024	0.00	0.00	0.00				
2025	0.00	0.00	0.00				
2026	0.00	0.00	0.00				
2027	0.00	0.00	0.00	0.00	0.00	0.00	
2028	0.00	0.00	0.00	0.00	0.00	0.00	
	6,406,868.00	838,637.73	7,245,505.73	6,406,868.00	838,637.73	7,245,505.73	3.54%

			ADMINREQ12
	ACCOUNT	Label	Administrator's Request
+	411100000	General property taxes	372,026
	434100000	Income tax from state	0
	435210000	Road Grants from State	820,682
+	435211000	Grants	45,000
	435212000	Wi dept of trans reimbursement	0
	435213000	Inter - governmental - reimbursemt	0
	461002000	Impact Fees (Collection)	100,000
	481101000	Interest on investments	10,000
	483011000	Sale - Law Enforcement Prop/ Equip	17,500
	483091000	Sale of village property/equip	0
+	484401000	Insurance award/refund village	0
	485001000	Donations	0
+	489001000	Miscellaneous receipts	0
	492002000	Operating Transfer In	0
=	TOTREV	Total Revenue	1,365,208
	CAPOUTLAY	Capital outlay	1,799,575
	491001000	Proceeds on g.o. Debt	0
	491002000	Premium on g.o. Debt	0
	583000630	Issuance expense	0
	970930900	Transfer Out	0
=	OTHFIN	Other Financing Sources (Uses)	0
=	EXCESS	Excess (Deficiency)	(434,367)
	BFB	Beginning Fund Balance	1,786,697
=	EFB	Ending Fund Balance	1,352,330
+	491003000	Impact Fees (Use)	515,071
	IFB	Impact Fee Balance	922,384
	VBB	Village Borrowing Balance	0
=	UFB	Unrestricted Fund Balance	429,946

		PACT 2009	PACT 2010	AMEND 2011	ACTUAL 2011	EST2011	DEPT2012	DEPTREQ12	
	ACCOUNT	Label	Actuals 2009	Actuals 2010	Amended Budget 2011	Actuals 2011	Estimate 2011	Non HR Request	Total Department Request
+	411100000	General property taxes	846,287	1,144,562	1,850,337	1,850,337	1,850,337	85,811	1,029,655
	434100000	Income tax from state	0	0	0	0	0	0	0
	435210000	Road Grants from State	0	0	0	0	0	68,392	820,682
+	435211000	Grants	0	125,597	125,000	0	0	3,750	45,000
	435212000	Wi dept of trans reimbursement	41,942	0	0	0	0	0	0
+	435213000	Inter - governmental - reimbursemt	987,224	323,518	0	0	49,800	0	0
	461002000	Impact Fees (Collection)	142,875	106,997	50,000	66,332	100,000	8,337	100,000
	481101000	Interest on investments	24,472	6,976	10,000	5,794	11,000	837	10,000
	483011000	Sale - Law Enforcement Prop/ Equip	20,538	33,991	17,500	0	17,500	1,462	17,500
	483091000	Sale of village property/equip	0	1,305	0	0	0	0	0
+	484401000	Insurance award/refund village	17,200	0	0	7,186	7,186	0	0
	485001000	Donations	5,443	0	0	0	0	0	0
+	489001000	Miscellaneous receipts	780	85,036	0	3,000	3,000	0	0
	492002000	Operating Transfer In	4,962	0	0	0	0	0	0
=	TOTREV	Total Revenue	2,091,723	1,827,981	2,052,837	1,932,650	2,038,823	168,589	2,022,837
	CAPOUTLAY	Capital outlay	3,659,934	2,479,502	2,425,032	1,927,010	3,456,558	251,690	3,020,258
	491001000	Proceeds on g.o. Debt	1,900,000	2,025,000	1,639,000	0	0	0	0
	491002000	Premium on g.o. Debt	30,305	37,847	0	0	0	0	0
	583000630	Issuance expense	30,305	37,847	32,000	0	0	0	0
	970930900	Transfer Out	0	83,669	0	0	0	0	0
=	OTHFIN	Other Financing Sources (Uses)	1,900,000	1,941,331	1,607,000	0	0	0	0
=	EXCESS	Excess (Deficiency)	331,789	1,289,810	1,234,805	5,640	(1,417,735)	(83,101)	(997,421)
	BFB	Beginning Fund Balance	1,582,833	1,914,622	3,204,432	3,204,432	3,204,432	148,896	1,786,697
=	EFB	Ending Fund Balance	1,914,622	3,204,432	4,439,237	3,210,072	1,786,697	65,795	789,276
+	491003000	Impact Fees (Use)	0	0	226,235	0	50,000	515,071	515,071
	IFB	Impact Fee Balance	1,264,128	1,287,455	1,233,660	1,338,326	1,337,455	76,869	922,384
	VBB	Village Borrowing Balance	315,214	1,437,993	0	1,077,075	0	0	0
=	UFB	Unrestricted Fund Balance	335,280	478,984	3,205,577	794,671	449,242	(11,074)	(133,108)

**Village of Pleasant Prairie
2012 Budget
Capital Requests**

Project Number	Project Name	Dept Name	2011
<u>Recommended</u>			
A-01	Voting Equipment	Administration	56,000
FR-28	Rescue Equipment Trailer	Fire & Rescue	11,363
FR-14	Haz-Mat Equipment	Fire & Rescue	25,468
FR-20	Station 2 Building Maintenance	Fire & Rescue	27,282
FR-30	Protective Clothing	Fire & Rescue	54,160
FR-37	Fire Radio Repeater Conversion	Fire & Rescue	71,000
IT-01	Replacement Servers	IT	26,900
IT-03	Storage	IT	10,000
IT-05	Network Backbone Replacements	IT	4,000
IT-08	CCTV and Security Systems Replacements	IT	22,000
IT-10	Utilities CCTV & Security Systems	IT	3,000
IT-20	Data Center Maintenance	IT	15,000
IT-26	Microsoft SharePoint	IT	12,000
IT-34	Engineering Databases & Applications	IT	6,000
IT-35	Finance Databases & Applications	IT	7,231
IT-37	IT Databases & Applications	IT	1,100
C-02	Inspection vehicles	Inspection	18,000
P-11-02	Village Green Neighborhood Park	Parks	30,000
P-12-03	Ingram Park Improvements	Parks	38,000
P-13-06	Creekside Neighborhood Park	Parks	20,000
P-15-01	Prairie Farms Trail Improvements	Parks	100,000
PO-01	Vehicle Fleet Replacements	Police	130,000
PO-02	Add Unmarked Squad	Police	26,000
PO-03	Police Department Expansion	Police	427,071
PO-04	Purchase Multi-purpose Canine	Police	15,000 (1)
M-2	Upgrade/Reprogram Radio System	Public Safety Communications	10,000
PW-12-01RPC	Paint Roger Prange Building	Roger Prange	15,000
R-13-01	ROAD MNT-Reconstr 116th St, 39th Ave to Sheridan	Roads	600,000
A-03	Rooftop HVAC	Village Hall	18,000
			1,799,575
<u>Not Recommended</u>			
P-13-05	North Ballfields -Construct Pavillion and Pave lot	Parks	40,000
M-1	911 System Purchase/Install	Public Safety Communications	350,000

**Village of Pleasant Prairie
2012 Budget
Capital Requests**

Project Number	Project Name	Dept Name	2011
			<u>390,000</u>
<u>Road Projects that Could use Unused Debt Issued after 7/1/2005</u>			
R-11-01	Microsurface	Roads	346,767
R-11-02	Micropave	Roads	304,756
R-11-03	Pulverize and relay asphalt	Roads	46,200
R-11-04	Mill and relay	Roads	<u>147,960</u>
			<u>845,683</u>
Grand Total			<u>3,035,258</u>

(1) Carryover from 2011