

VILLAGE OF WEYERHAEUSER
ORDINANCE NO. 82-1

AN ORDINANCE REGULATING TAVERNS AND THE SALE OF INTOXICATING LIQUORS
AND FERMENTED MALT BEVERAGES

The Village Board of the Village of Weyerhaeuser, Wisconsin do
ordain as follows:

SECTION ONE: The provisions of Chapter 66 and 176 of the Wisconsin
Statutes relating to the sale of intoxicating liquors and fermented
malt beverages are hereby adopted as part of this ordinance as far
as applicable, except as otherwise provided by this ordinance.

SECTION TWO: Licenses and Fees. There shall be the following
classes of licenses:

(A) A Class "A" Retail License for the sale of intoxicating
liquors and fermented malt beverages in original containers only
for consumption ONLY away from the premises where sold. It shall
require a fee of \$50.00 for the fermented malt beverage license,
and \$100.00 for the intoxicating liquor license.

(B) A Class "B" Retail License for the sale of intoxicating
liquors and fermented malt beverages shall permit its holder to sell
intoxicating liquor for consumption on the premises so licensed,
and for consumption off the premises in the original package or
container in not more than one gallon at any one time. Wine may
be sold for off premise use in any quantity. This license shall
require a fee of \$300.00 each year.

(C) A Class "B" Retail License for the sale of fermented malt
beverage shall permit its holder to sell fermented malt beverages
either to be consumed on or off the premises. This license shall
require a fee of \$50.00 each year.

(D) Licenses for Class "A" Intoxicating Liquor and Class "A"
Fermented Malt Beverage; and Class "B" Intoxicating Liquor and
Class "B" Fermented Malt Beverage may be issued in combination form.
A holder of a Class "A" Intoxicating Liquor License shall also hold
a Class "A" Fermented Malt Beverage License.

(E) A Special Class "B" license may be issued by the Village
Board for a period of two days or less, for the sale of Fermented
Malt Beverages during a celebration, picnic, ball game or similar
gathering, to any non-profit fraternal, religious, veteran,
agricultural, athletic or similar organization that is duly organized
and has officers and holds regular meetings each year and has been
in existance for at least one year prior to application date. The
fee for such license shall be \$1.00.

SECTION THREE: No license shall be granted to any person, firm or
corporation for the sale of intoxicating liquors or fermented malt
beverage in any building or premise which in the opinion of the
Village Board does not conform to sanitary and safety regulations
as set out by the State Board of Health and the State Public
Service Commission.

SECTION FOUR: No license shall be granted to any person for the sale of intoxicating liquor or fermented malt beverage who is under 18 years of age and is not a citizen of the United States and the State of Wisconsin, and has not resided in the State of Wisconsin for at least one year prior to the date of application.

SECTION FIVE: No license shall be granted to any person for the sale of intoxicating liquor and fermented malt beverage who has been convicted of a felony, unless pardoned, nor shall any such license be granted to any person who has been convicted of more than three misdemeanors in one year. The provisions of this section and Section Four shall apply to all partners or officers and directors of any corporation applying for a license hereunder.

SECTION SIX: No license for the sale of intoxicating liquor or fermented malt beverage shall be granted to any person, firm or corporation for premises upon which there are delinquent taxes or special assessments, or delinquent water or sewer bills of more than 3 months duration.

SECTION SEVEN: No license issued hereunder is transferable by the licensee from one premise to another except by authorization of the Village Board.

SECTION EIGHT: It shall be a condition of obtaining a license hereunder that the licensed premises may be entered and inspected at any time by the Village Constable or members of the Village Board during business hours, and at any other time upon notice to the licensee.

SECTION NINE: The licensed premises shall be closed from 1:00 AM to 8:00 AM on all days except that during Daylight Savings Time they shall be closed from 2:00 AM to 8:00 AM. Premises may be opened on January 1 in conformance with Wisconsin Statutes.

SECTION TEN: There shall be upon the premises operated under a Class "B" license when open for business, the licensee or a person holding an "Operator's License" issued by the Village Board. No person other than the licensee or a licensed operator shall serve intoxicating liquor or fermented malt beverages unless such person is under the direct and immediate supervision of the licensee or a licensed operator.

SECTION ELEVEN: Operator's License. Such license shall be issued by the Village Board upon written application, only to persons 18 years of age or older who are citizens of the United States, and who are of good moral character, and who have not been convicted of a felony, unless pardoned, and who have not been convicted of more than three misdemeanors in one year. The fee for this license shall be \$5.00.

SECTION TWELVE: Every license granted shall remain in force from the date of granting such license through June 30th next ensuing, unless sooner revoked. All applications for renewal of any license hereunder shall be made to the Village Board before May 1 preceding the license period.

SECTION THIRTEEN: Every license in force hereunder shall be posted in a conspicuous place upon the licensed premises. If the original has been lost a duplicate may be issued for a fee of \$2.00.

SECTION FOURTEEN: If any portion of this ordinance for any reason is held invalid, such decision shall not affect the validity of the remaining portions of the ordinance. Previous ordinances adopted by the Village Board that are in conflict with this ordinance are hereby cancelled. The 'Open Container' Ordinance number 2.27 shall remain in force.

SECTION FIFTEEN: Application to be published. Applications for Class "B" Intoxicating Liquor and Fermented Malt Beverage License shall be made on forms approved by the State Department of Revenue. No license shall be granted until after the expiration of 15 days from the filing of the application with the Village Clerk, and before any such license may be granted there shall be published in the official paper a notice of such application, containing the name of the applicant, the kind of license applied for, and the location of the premises to be licensed. The fee for such publication shall be paid for by the applicant.

SECTION SIXTEEN: Penalties. (A) Any person, firm or corporation found violating the provisions of this ordinance shall, upon conviction, forfeit not less than \$25.00 nor more than \$500.00, together with costs of prosecution, or upon failure to pay such forfeitures and costs, be confined to the County Jail until paid, not to exceed six months.

(B) Any licensee convicted twice in one licensing period of a violation of this ordinance or of State Statutes relative to the sale of intoxicating liquor or fermented malt beverages to minors, or of violating the provisions of this ordinance with regard to closing hours, in addition to all other penalties, shall have said license revoked.

SECTION SEVENTEEN: This Ordinance shall be effective upon passage by the Village Board at a legal meeting and upon publication in the official paper.

Passed at a regular monthly meeting of the Village Board on ~~January 13~~, 1982.

Feb- 10

Dick Koehler, President

Attest: Chester J. Bush, Clerk