

Village of Sister Bay Code of Ordinances

Chapter 6

Alcoholic Beverages

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Amendment History

Major revisions Ordinance 177-101210

Ordinance 187-071211

Ordinance 189-080911

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1	ALCOHOLIC BEVERAGES	48	
		49	
2	Sec. 6.00 State Statutes Adopted.	50	(2) <u>Retail Class B Intoxicating Liquor License.</u>
		51	
3	The provisions of Wis. Stats., Chapter 125, defining	52	A retail Class B intoxicating liquor
4	and regulating the sale, procurement, dispensing and	53	license, when issued by the Village
5	transfer of alcoholic beverages, including provisions	54	Clerk-Treasurer under authority of the
6	relating to the penalty to be imposed or the punish-	55	Village Board, shall permit its holder
7	ment for violation of such Statutes, are adopted and	56	to sell, deal and traffic in intoxicating
8	made a part of this Chapter by reference. A violation	57	liquors to be consumed by the glass
9	of any of such provisions shall constitute a violation	58	on the premise so licensed. The Vil-
10	of this Chapter. Any future amendments, revisions, or	59	lage Board has elected to come under
11	modifications of the Statutory regulations in Chapter	60	the provisions of Wis. Stats.,
12	125 incorporated herein are intended to be made a	61	§125.51(3)(b), which authorizes the
13	part of this Chapter in order to secure, to the extent	62	holder of a Retail Class B Intoxicating
14	legally practicable, uniform statewide regulation of	63	Liquor License to sell intoxicating liq-
15	alcoholic beverages.	64	uor in multiples not to exceed 4 liters
		65	at any one time to be consumed off
16	Sec. 6.01 Definitions.	66	premise. Wine may be sold for con-
		67	sumption off premise in the original
17	The definitions contained in Wis. Stats., §125.02 are	68	package or otherwise in any quantity.
18	hereby adopted and made a part of this Chapter by	69	(3) <u>Class A Fermented Malt Beverage Re-</u>
19	reference. "Village Clerk-Treasurer" and "Village	70	<u>tailer's License.</u>
20	Board" refer to the Village Clerk-Treasurer and the		A Class A retailer's fermented malt
21	Board of Trustees of the Village of Sister Bay.	71	beverage license, when issued by the
		72	Village Clerk-Treasurer under the au-
22	Sec. 6.02 Licenses and Permits Required.	73	thority of the Village Board, shall enti-
		74	tle the holder thereof to possess, sell,
23	No person, except as authorized by this Chapter and	75	or offer for sale fermented malt bev-
24	Chapter 125 of the Wisconsin Statutes, shall, within	76	erages for consumption off the prem-
25	the Village of Sister Bay, serve, sell, distribute, vend,	77	ise where sold and in the original
26	offer, or keep for sale at retail or wholesale, deal or	78	packages, containers or bottles.
27	traffic in, or engage in any other activity for which a	79	
28	license or permit is authorized under this Chapter.	80	(4) <u>Class B Fermented Malt Beverage Re-</u>
		81	<u>tailer's License.</u>
29	Sec. 6.03 – Sec. 6.09 are reserved.		A Class B fermented malt beverage
30		82	retailer's license, when issued by the
		83	Village Clerk-Treasurer under the au-
31	Sec. 6.10 Classes of Licenses.	84	thority of the Village Board, shall enti-
		85	tle the holder thereof to possess, sell
32	(a) There shall be the following classes of licens-	86	or offer for sale fermented malt bev-
33	es, which, when issued by the Village Clerk-	87	erages, either to be consumed upon
34	Treasurer under the authority of the Village	88	the premises where sold or away from
35	Board, and after payment of the fees pre-	89	such premises. The holder may also
36	scribed in Sec. 6.11 of this Chapter, shall per-	90	sell beverages containing less than
37	mit the holder to sell, deal, or traffic in alco-	91	one-half of a percent of alcohol by
38	holic beverages as provided in Chapter 125 of	92	volume without obtaining a special
39	the Wisconsin Statutes.	93	license to sell such beverages.
40	(1) <u>Retail Class A Intoxicating Liquor Li-</u>	94	
41	<u>cence.</u>	95	(5) <u>Retail Class C Wine Licenses.</u>
42	A retail Class A intoxicating liquor li-	96	A Class C wine license authorizes the
43	cence, when issued by the Village	97	retail sale of wine by the glass or in
44	Clerk-Treasurer under the authority of	98	an opened original container for con-
45	the Village Board, shall permit its hold-	99	sumption on the premises where
46	er to sell, deal and traffic in intoxicating	100	sold. A Class C license may be issued
47	liquors only in original packages or	101	to a person qualified under Wis.

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Sec. 6.11 License Fees.

Sec. 6.12 Training Course Required Before an Operator's License Will Be Issued.

1 Stats., §125.04(5) for a restaurant in
2 which the sale of alcoholic beverages
3 accounts for less than fifty percent of
4 gross receipts and which does not have
5 a barroom. A Class C wine license
6 shall particularly describe the premise
7 for which it is issued.

8 (6) Temporary Class B Fermented Malt
9 Beverage or Wine or Picnic Licenses.

10 As provided in Wis. Stats., §125.26(1)
11 and §125.26(6), and notwithstanding
12 Wis. Stats., §125.68(3) temporary Class
13 B fermented malt beverage and wine
14 licenses may be issued to bona fide
15 clubs, county or local fair associations
16 or agricultural societies, churches,
17 lodges or societies that have been in
18 existence for at least six months before
19 the date of application and to posts of
20 veterans' organizations. Such licenses
21 are commonly referred to as Picnic Li-
22 censes. Each picnic license must au-
23 thorize the sale of fermented malt bev-
24 erages and/or wine containing not
25 more than six percent alcohol by vol-
26 ume in an original package, container
27 or bottle or by the glass if the wine is
28 dispensed directly from an original
29 package, container or bottle, at a par-
30 ticular picnic or similar gathering, at a
31 meeting of the post, or during a fair
32 conducted by the fair association or ag-
33 ricultural society.

34 (7) Site Specific Reserve Class B Liquor
35 Licenses.

36 The Village Board may, at its discretion
37 and as permitted by applicable law, is-
38 sue Reserve Class B liquor licenses to
39 the following applicants if such appli-
40 cants otherwise meet all lawful re-
41 quirements for obtaining a liquor li-
42 cense:

- 43 (a) Full-service restaurants with a
44 seating capacity of 300 or more
45 as licensed by the State, with at
46 least two-thirds of such seating
47 indoors, and with written evi-
48 dence from the State Building
49 Inspector that they meet all
50 State requirements; or
51 (b) Hotels with 100 or more rooms
52 with sleeping accommodations
53 with either an attached full-
54 service restaurant with a seating

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66 Sec. 6.11 License Fees.

- 67 (a) None of the previously mentioned licenses
68 will be issued unless all applicable licensing
69 fees have been paid in full. Except as other-
70 wise provided in this Chapter, the full license
71 fee shall be charged for the whole or fraction
72 of any year.
73 (1) Class A Intoxicating Liquor License
74 Fee: \$500 per year;
75 (2) Class B Intoxicating Liquor License
76 Fee: \$500 per year;
77 (3) Class A Fermented Malt Beverage Re-
78 tailer's License Fee: \$100 per year;
79 (4) Class B Fermented Malt Beverage Re-
80 tailer's License Fee: \$100 per year;
81 (5) Class B Reserve Liquor License Fee:
82 Initial \$10,000, renewal \$500 per
83 year;
84 (6) Class C Wine License Fee: \$100 per
85 year;
86 (7) Publication Fee: \$20 per publication;
87 (8) Temporary Class B Fermented Malt
88 Beverage and Class B Wine Picnic Li-
89 censes issued under Wis. Stats.,
90 §125.26(6) and §125.51(10): \$25 per
91 event;
92 (9) Operator's Licenses: \$10 per year.

93 Sec. 6.12 Training Course Required Before an 94 Operator's License Will Be Issued.

- 95 (a) Except as provided in (b) below, the Village
96 Clerk-Treasurer may not issue an Operator's
97 License unless the applicant has successfully
98 completed a responsible beverage server
99 training course that is offered by a Vocational,
100 Technical and/or Adult Education District
101 and conforms to curriculum guidelines
102 specified by the Board of Vocational, Tech-
103 nical and Adult Education, or a comparable
104 training course that is approved by the Edu-

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Sec. 6.13 – Sec. 6.19 are reserved.

Sec. 6.20 License **Requirements and Restrictions.**

1 cational Approval Board, or fulfills one of the
2 following requirements:
3 (1) The person is renewing an Operator's
4 License.
5 (2) Within the past two years the person
6 held a Class A, Class B, or Class C Li-
7 cense or Permit or a Manager's or Op-
8 erator's License.
9 (3) Within the past two years the person
10 has completed such a training course.
11 (b) The Village Clerk-Treasurer may issue a Provi-
12 sional Operator's License to a person who is
13 enrolled in a training course under (a) above
14 and shall revoke that license if the applicant
15 fails to successfully complete the course in
16 which he or she enrolls.

17 **Sec. 6.13 – Sec. 6.19 are reserved.**

19 **Sec. 6.20 License Requirements and** 20 **Restrictions.**

21 (a) Form of Application.
22 (1) Applications for a license to sell or deal
23 in intoxicating liquor or fermented malt
24 beverages shall be made in writing on
25 forms prescribed by the State Depart-
26 ment of Revenue, or, for operators' li-
27 censes, on forms prescribed by the Vil-
28 lage of Sister Bay, and filed with the Vil-
29 lage Clerk-Treasurer. The applicant
30 shall also prepare a drawing of the
31 premises to be covered by the license
32 and, if applicable, outdoor seating,
33 outdoor serving locations, picnic areas
34 and beer gardens. Only those areas or
35 spaces as approved by the Village
36 Board shall be permitted for sales or
37 consumption.
38 (2) Applications shall be signed and sworn
39 to by the applicant as provided in Wis.
40 Stats., §887.01.
41 (b) Filing of Application.
42 All applications shall be filed with the Village
43 Clerk-Treasurer. At the time of filing the appli-
44 cant shall pay to the Village Clerk-Treasurer
45 the cost of publication of the application as
46 well as the fee for the license and provide all
47 required documentation as established in this
48 Chapter. All applications must be on file with
49 the Village Clerk-Treasurer at least thirty (30)
50 calendar days before the Village Board may
51 grant or deny the application.

52 (c) Application for Reserve Class B Liquor Li-
53 cence:
54 Applications for a Reserve Class B liquor li-
55 cense must provide the following infor-
56 mation upon application to the Village:
57 (1) The applicant must demonstrate to
58 the Village's satisfaction that the applicant
59 meets the following criteria:
60 (a) He or she does own or is the
61 agent for a full-service restaur-
62 ant with a seating capacity of
63 300 or more as licensed by
64 the State, with at least two-
65 thirds of such seating indoors,
66 and provide written evidence
67 from the State Building Inspec-
68 tor that they meet all State re-
69 quirements; or,
70 (b) He or she does own or is the
71 agent for a hotel with 100 or
72 more rooms with sleeping ac-
73 commodated with either an
74 attached full-service restaurant
75 with a seating capacity of 150
76 or more, or an attached ban-
77 quet facility providing full-
78 service meals with a seating
79 capacity of 400 or more.
80 (2) If the application is for a new estab-
81 lishment or an establishment to be
82 constructed, the applicant shall pro-
83 vide the following:
84 (a) A schematic site and facility
85 plan;
86 (b) Estimated value of land and
87 improvements upon comple-
88 tion;
89 (c) Number of full-time, part-
90 time and seasonal employees;
91 (d) Estimated annual payroll;
92 and,
93 (e) An architect's rendering of the
94 facility.
95 (3) Applicants for Reserve Class B liquor
96 licenses shall also submit all infor-
97 mation required by applicants for tra-
98 ditional Class B liquor licenses.
99 (d) Qualifications of Applicants.
100 (1) All individuals, partners, and all offic-
101 ers and directors of Wisconsin corpo-
102 rations applying for licenses under
103 this Chapter must satisfy all of the fol-
104 lowing qualifications:

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1	(a)	They must have attained the	55	Liberty Grove Fire Inspector for a written up-
2		legal drinking age; and,	56	date on the status of the premise and the ap-
3	(b)	They must have continuously	57	plicant. These officials shall inspect or cause
4		been a Wisconsin resident for at	58	to be inspected each applicant and premise
5		least ninety (90) days immedi-	59	to determine whether the applicant and the
6		ately prior to the date of the fil-	60	premise sought to be licensed comply with
7		ing of the application, except no	61	the regulations, ordinances, and laws appli-
8		residency requirements shall ex-	62	cable thereto, as well as the applicant's fit-
9		ist for officers and directors of	63	ness for the trust to be approved. The Door
10		corporations and non-profit or-	64	County Sheriff's Department and Sister Bay
11		ganizations.	65	Liberty Grove Fire Department shall furnish
12	(2)	All officers and directors of foreign	66	to the Village Board in writing the infor-
13		corporations must meet the qualifica-	67	mation derived from such investigation.
14		tions of (1) (a) and (b) above.	68	(g) <u>Delinquent Taxes, Assessments and Claims.</u>
15	(3)	All corporations must designate an	69	No license shall be granted for any premises
16		agent pursuant to Wis. Stats.,	70	for which taxes, (real or personal property),
17		§125.04(6). The agent must also satisfy	71	assessments, or other claims of the Village
18		the previously mentioned qualifica-	72	are delinquent and unpaid, or to any person
19		tions, and must, with respect to charac-	73	delinquent in payment of such claims to the
20		ter, record, and reputation be satisfacto-	74	Village.
21		ry to the Department of Revenue. Each	75	(h) <u>Location of Premises.</u>
22		corporate agent must have full written	76	(1) <u>Prohibitions on Close Proximity to</u>
23		authority and control of the premises.	77	<u>Schools, Hospitals or Churches.</u>
24	(e)	<u>Qualifications for Renewal of Licenses.</u>	78	No retail Class A or Class B fermented
25	(1)	All applicants for renewal of Retail	79	malt beverage license or liquor li-
26		Class A, Class B or Class C licenses	80	cence, or Class C wine license shall
27		shall, before such application(s) is/are	81	hereafter be issued for premises less
28		approved by the Village Board, furnish	82	than 300 feet from any established
29		to the Board proof of operation of a	83	public or parochial school, hospital,
30		business by the applicant requiring	84	or church, except that this prohibition
31		such a license. The minimum period of	85	may be waived by a majority vote of
32		operation of such business during a li-	86	the Village Board. Such distance shall
33		cence year shall be 150 days of eight	87	be measured by the shortest route
34		(8) hours per day.	88	along the highway from the closest
35	(2)	In the situation where the applicant has	89	point of the boundary of such school,
36		held the license for a period of time	90	church, or hospital to the closest en-
37		less than the license year, the applicant	91	trance to such premises. The prohibi-
38		shall be entitled to all eight (8) hour	92	tion in this paragraph does not apply
39		days of operation during the licensing	93	to any of the following:
40		year, whether such days of operation	94	(a) Premises covered by a license
41		were by the applicant or predecessor in	95	or permit on June 30, 1947.
42		title to the applicant's license.	96	(b) Premises covered by a license
43	(3)	This subsection shall become effective	97	or permit prior to the occupa-
44		for all renewal licenses to be issued on	98	tion of real property within
45		July 1, 1985.	99	300 feet thereof by any school,
46	(f)	<u>Inspection of Application and Premises.</u>	100	hospital or church building.
47		No license or renewal of license provided for	101	(2) <u>Issuance For Sales In Dwellings Pro-</u>
48		in this Chapter shall be issued without an in-	102	<u>hibited.</u>
49		spection or re-inspection of the premises and a	103	No license shall be issued to any per-
50		satisfactory report being issued as herein re-	104	son for the purpose of possessing,
51		quired. If the applicant does not submit cur-	105	selling or offering for sale any alco-
52		rent inspection status or inspection report the	106	holic beverages in any dwelling,
53		Village Clerk-Treasurer shall notify the Door	107	house, flat, residential apartment, or
54		County Sheriff's Department and the Sister Bay	108	other building, which is not a tavern,

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Sec. 6.21 Prohibited Activities.

Sec. 6.22 Restrictions on Temporary Class B Fermented Malt Beverage and/or Wine Picnic Licenses.

1 restaurant, supper club, store, or other
2 type of building where alcoholic bev-
3 erages are normally sold or consumed
4 by the public.

5 (i) Reserved. (Amended Ordinance 187-
6 071211).

8 (j) Restrictions on Outdoor Sales during Festivals.

9 Each year the Village approves a schedule of
10 public festivals that occur on Village property
11 or Village rights-of-ways. The sale of alcohol
12 during those festivals shall be subject to such
13 restrictions as the Village Board shall establish
14 and approve in a uniform manner for all li-
15 cense and permit holders including picnic li-
16 censes for those festival events. The additional
17 restrictions may include, but not be limited to:

- 18 (1) Section 6.22(a)(3) Fencing, Security
19 and Operations
- 20 (2) Section 6.22(a)(4) Underage Persons
21 Prohibited
- 22 (3) Section 6.30(e) Closing Hours
- 23 (4) Section 6.30(d) Safety and Sanitation
- 24 (5) The sale of alcoholic beverages in non-
25 breakable disposable containers and or
26 a limit the size of the containers in flu-
27 id ounces.

28 **Sec. 6.21 Prohibited Activities.**

29 (a) Nude Dancing Prohibited.

30 (1) It is unlawful for any person to perform
31 or engage in, or for any licensee or
32 manager or agent of the licensee to
33 permit any person, employee, enter-
34 tainer or patron to perform or engage
35 in any live act, demonstration, dance
36 or exhibition on the premise of a Class
37 A or Class B fermented malt beverage
38 or liquor or Class C wine licensed es-
39 tablishment which:

- 40 (a) Shows his or her genitals, pubic
41 area, vulva, anus, anal clef or
42 cleavage with less than a fully
43 opaque covering; or,
- 44 (b) Shows any portion of the female
45 breast below a point immediate-
46 ly above the top of the areola;
47 or,
- 48 (c) Shows the covered male geni-
49 tals in a discernibly turgid state.

50 (2) The provisions of this section do not
51 apply to the following licensed estab-
52 lishments: theaters, performing arts cen-
53 ters, civic centers and dinner theaters
54 where live dance, ballet, music and
55 dramatic performances of serious artis-
56 tic merit are offered on a regular basis
57 and in which the predominate business
58 or attraction is not the offering to cus-
59 tomers of entertainment which is in-
60 tended to provide sexual stimulation or
61 sexual gratification to such customers,
62 and where the establishment is not dis-
63 tinguished by an emphasis on, or the
64 advertising or promotion of employees
65 engaging in nude erotic dancing.

66 **Sec. 6.22 Restrictions on Temporary Class B 67 Fermented Malt Beverage and/or Wine Picnic 68 Licenses.**

69 (a) It shall be unlawful for any person or organi-
70 zation on a temporary basis to sell or offer to
71 sell any alcoholic beverage upon any Village-
72 owned or privately-owned property within
73 the Village of Sister Bay, except through the
74 issuance of a Picnic License issued by the Vil-
75 lage in accord with the Wisconsin Statutes
76 and as set forth in this section. A Picnic Li-
77 cense authorizing the sale and consumption
78 of beer and/or wine on Village-owned prop-
79 erty or privately-owned property may be au-
80 thorized by the Village Board or the Village
81 Clerk-Treasurer provided the following re-
82 quirements are met:

83 (1) Compliance with Eligibility
84 Standards.

85 The organization shall meet the eligi-
86 bility requirements of a bona fide
87 club, association, lodge or society as
88 set forth in Wis. Stats., §125.26(6),
89 and shall fully comply with the re-
90 quirements of this section. Members
91 of an organization which is issued a
92 Picnic License and who are issued
93 operator's licenses for the event shall
94 attend a pre-event informational
95 meeting to learn what rules and regu-
96 lations apply and what the responsi-
97 bilities of the bartenders and organi-
98 zation will be.

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Sec. 6.23 – Sec. 6.29 are reserved.

Sec. 6.30 Regulation of Licensed Premises and Licenses.

- 1 (2) Posting of Signs and Licenses.
2 All organizations issued a Picnic Li-
3 cense shall post in a conspicuous loca-
4 tion at the main point of sale and at all
5 remote points of sale a sufficient num-
6 ber of signs stating that no fermented
7 malt beverages or wine will be served
8 to any under-age person without prop-
9 er identification.
- 10 (3) Fencing, Security and Opera-
11 tions.
12 (a) If necessary, due to the physical
13 characteristics of the site, the
14 Village Board may require that
15 organizations install a double
16 fence around the main point of
17 sale to control ingress and
18 egress and continually station a
19 licensed operator, security guard
20 or other competent person at
21 the entrance for the purpose of
22 checking age identification.
23 Where possible there shall be
24 only one point of ingress and
25 egress. When required, the
26 double fence shall be a mini-
27 mum of four feet high and there
28 shall be a minimum of six feet
29 between fences.
- 30 (b) In lieu of or in addition to the
31 fencing, the Village Board may
32 require the organization to pro-
33 vide some physical means of
34 identifying individuals who are
35 of legal age, such as through the
36 use of wrist bands.
- 37 (c) The Village Board may require
38 organizations to provide on-site
39 security provided by the Door
40 County Sheriff's Department.
- 41 (d) The Village Board may require
42 the sale of alcoholic beverages
43 in non-breakable disposable
44 containers and or limit the size
45 of the containers in fluid ounce-
46 es.
- 47 (4) Underage Persons Prohibited.
48 No underage persons as defined by the
49 Wisconsin Statutes shall be allowed to
50 assist in the sale of fermented malt bev-
51 erages or wine at any point of sale, nor
52 shall they be allowed to loiter or linger
53 in the area of any point of sale.

- 54 (5) Licensed Operators Requirement.
55 A licensed operator shall be sta-
56 tioned on the premise at all times.
- 57 (6) Waiver.
58 The Village Board may waive or
59 modify the requirements of this sec-
60 tion due to the physical characteristics
61 of the licensed site.
- 62 (7) Insurance.
63 The applicant for a Picnic License
64 may be required to indemnify, defend
65 and hold the Village and its employ-
66 ees and agents harmless against all
67 claims, death of any person or any
68 damage to property caused by or re-
69 sulting from the activities for which
70 the permit is granted. As evidence of
71 the applicant's ability to perform the
72 conditions of the license, the appli-
73 cant may be required to furnish a Cer-
74 tificate of Comprehensive General Li-
75 ability Insurance with the Village of
76 Sister Bay. The applicant may also be
77 required to furnish a performance
78 bond prior to being granted the li-
79 cense.

80 **Sec. 6.23 – Sec. 6.29 are reserved.**

81

82 **Sec. 6.30 Regulation of Licensed Premises and** 83 **Licenses.**

- 84 (a) Posting Licenses: Licenses issued under this
85 Chapter shall be posted and displayed as
86 provided in Wis. Stats., §125.04(10). Failure
87 to post a license as required therein shall be a
88 presumption of operating without a license.
- 89 (b) Disorderly Conduct Prohibited. Each li-
90 censed premises shall at all times be con-
91 ducted in an orderly manner, and no disor-
92 derly, riotous or indecent conduct shall be al-
93 lowed at any time or on any such premises.
- 94 (c) Employment of Underage Persons. No retail
95 Class B licensee shall employ any person to
96 serve, sell, dispense, or give away any alco-
97 holic beverage who has not attained 18 years
98 of age.
- 99 (d) Safety and Sanitation Requirements. Each
100 licensed premises shall be maintained and
101 conducted in a sanitary manner and shall be
102 a safe and proper place for the purpose for
103 which it is used.

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- 1 (e) Closing Hours. (Amended Ordinance 187-
2 071211):
- 3 (1) Class "A" fermented malt beverage li-
4 censed premises may not sell ferment-
5 ed malt beverages be-tween the hours
6 of 12:00 a.m. and 8:00 a.m.
- 7 (2) Class "A" intoxicating liquor licensed
8 premises may not sell liquor between
9 the hours of 9:00 p.m. and 8:00 a.m.
- 10 (3) Class "B" fermented malt beverage li-
11 censed premises must be closed be-
12 tween 2:00 a.m. and 6:00 a.m. Mon-
13 days through Fridays and between 2:30
14 a.m. and 6:00 a.m. on Saturday and
15 Sunday. On January 1st, the premises
16 are not required to close.
- 17 (4) Class "B" intoxicating liquor licensed
18 premises must be closed between 2:00
19 a.m. and 6:00 a.m. Mondays through
20 Fridays and between 2:30 a.m. and
21 6:00 a.m. on Saturday and Sunday. On
22 January 1st, the premises are not re-
23 quired to close.
- 24 (5) Class "C" wine licensed premises must
25 be closed between 2:00 a.m. and 6:00
26 a.m. Mondays through Fridays and be-
27 tween 2:30 a.m. and 6:00 a.m. on Sat-
28 urday and Sunday. On January 1st, the
29 premises are not required to close.
- 30 (6) Class "B" fermented malt beverage or
31 "Class B" intoxicating liquor licensed
32 premises may not sell package, con-
33 tainer or bottle sales between 12:00
34 a.m. and 8:00 a.m. at for off-premises
35 consumption.
- 36 (7) Hotels and restaurants whose principal
37 business is the furnishing of food or
38 lodging to patrons and bowling alleys
39 and golf courses may remain open for
40 the conduct of their regular business,
41 but no intoxicating liquors or fermented
42 malt beverages shall be sold during
43 prohibited hours as required by their
44 specific license.
- 45 (8) No premise shall be permitted to sell
46 alcoholic beverages outdoors between
47 the hours of 10:30 p.m. and 9:00 a.m.
48 The location where alcoholic beverage
49 s may be consumed outdoors shall be
50 approved as part of the permit applica-
51 tion. (Amended Ordinance 189-
52 080911)

- 53 (f) Violations by Agents. A violation of this
54 Chapter by an authorized agent of a licensee
55 shall constitute a violation by the licensee.

56 Sec. 6.31 Quotas.

- 57 (a) Class B License: The number of persons and
58 places that may be granted a retail Class B
59 liquor license under this Chapter in the Vil-
60 lage is limited as provided in Wis. Stats.,
61 §125.51(4).

62 Sec. 6.32 Form and Expiration of Licenses.

63 All licenses shall be numbered in the order in which
64 they are issued and shall clearly state the specific
65 premises for which granted, the date of issuance, the
66 fee paid, and the name of the licensee, and, unless
67 sooner revoked, shall expire on June 30 thereafter,
68 except as otherwise provided. The Village Clerk-
69 Treasurer shall affix the Clerk's Affidavit as required
70 by Wis. Stats., §125.04(4).

71 Sec. 6.33 Transfer of Licenses.

- 72 (a) From Place to Place. Every alcoholic beverage
73 license may be transferred to another
74 place or premises within the Village. Trans-
75 fers shall be approved by the Village Board
76 upon application on blanks furnished by the
77 State Department of Revenue and the pay-
78 ment of the fee prescribed by Wis. Stats.,
79 §125.04(12)(a). Proceedings considering
80 such transfer shall be conducted in the same
81 manner and form as the original application.
82 No retail licensee is entitled to more than
83 one transfer during the license year.
- 84 (b) From Person to Person. Licenses issued under
85 this Chapter may be transferred to another
86 person only under the terms and conditions
87 of Wis. Stats., §125.04(12)(b).

88 Sec. 6.34 – 6.39 are reserved.

90 Sec. 6.40 Revocation and Suspension of 91 Licenses.

- 92 (a) Grounds for Revocation, Suspension or Re-
93 fusal to Renew. The Village Board may re-
94 voke, suspend or refuse to renew any license
95 issued under this Chapter under the proce-
96 dures described herein upon the finding of a
97 violation of this Chapter or Chapter 125 of
98 the Wisconsin Statutes. Consideration for the
99 granting or denial of a license will be based
100 on:

Village of Sister Bay Code of Ordinances

- 1 (1) The arrest and conviction record of the
2 applicant, subject to the limitations im-
3 posed by Wis. Stats., §111.321,
4 §111.322 and §111.335;
- 5 (2) The financial responsibility of the ap-
6 plicant regarding their wholesale ven-
7 dors;
- 8 (3) The appropriateness of the location
9 and the premises where the licensed
10 business is to be conducted;
- 11 (4) The type and number of complaints
12 associated with public nuisance or dis-
13 orderly behavior on or near the li-
14 censed premise, including but not lim-
15 ited to noise, fighting, loitering and ac-
16 tivity which is further described in Sec-
17 tion §30.2 of the Municipal Code; and,
- 18 (b) An application may be denied based upon the
19 applicant's arrest and conviction record if the
20 applicant has been convicted of a felony (un-
21 less duly pardoned), if the applicant has habit-
22 ually been a law offender, or if the applicant
23 has falsified the application. For purposes of
24 this licensing procedure, "habitually been a
25 law offender" is generally considered to be an
26 arrest or conviction of at least two (2) offenses
27 which are substantially related to the licensed
28 activity within the five (5) years immediately
29 preceding the license application. Because a
30 license is a privilege, the issuance of which is
31 a right granted solely to the Village Board, the
32 Village Board reserves the right to consider the
33 severity, and the facts and circumstances of the
34 offense when making the determination to
35 grant, deny or not renew a license. Further, the
36 Village Board, at its discretion, may, based up-
37 on an arrest or conviction record of two (2) or
38 more offenses which are substantially related
39 to the licensed activity within the five (5) years
40 immediately preceding, act to suspend such
41 license for a period of one (1) year or more.
- 42 (c) Procedure. A license may be revoked or sus-
43 pended pursuant to Wis. Stats., §125.12(2).
44 The Village Board may refuse to renew a li-
45 cense pursuant to Wis. Stats., §125.12(3).
- 46 (d) Revocation. Any license issued under this
47 Chapter may be revoked or suspended, or not
48 renewed if a licensee or employee, agent or
49 representative thereof violates any applicable
50 provision of this Chapter or of Chapter 125 of
51 the Wisconsin Statutes, or any other applicable
52 state or federal alcohol beverage law. Proceed-
53 ings for revocation, suspension or non-
54 renewal shall be governed by Wis. Stats.,
55 §125.12.

- 56 (e) Effect of Revocation of License. When a li-
57 cense is revoked under this section, the revo-
58 cation shall be recorded by the Village Clerk-
59 Treasurer. No other license issued under this
60 Chapter may be granted within twelve (12)
61 months of the date of revocation to the per-
62 son whose license was revoked, and no part
63 of the fee for any license so revoked may be
64 refunded.
- 65 (f) Repossession of License. Whenever any li-
66 cense under this section is revoked or sus-
67 pended, the licensee shall surrender the li-
68 cense to the Village Clerk-Treasurer. The Vil-
69 lage Clerk-Treasurer shall have the right to
70 take physical possession of the suspended or
71 revoked license wherever it may be found
72 and file it in his or her office.

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