

ORDINANCE NO. 2020-10

AN ORDINANCE REPEALING AND RECREATING CHAPTER 145, ALCOHOL BEVERAGES, OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT CHAPTER 145 BE RECREATED TO READ AS FOLLOWS:

SECTION 1.

§ 145-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

ALCOHOL BEVERAGES

Fermented malt beverages and intoxicating liquor. [§ 125.02(1), Wis. Stats.]

CIDER

In connection with a "Class A" cider license, any alcohol beverage obtained from fermentation of apple or pear juice that contains not less than 0.5% alcohol by volume and not more than 7.0% alcohol by volume, and includes flavored, sparkling and carbonated cider. [§ 125.51(2)(e)1, Wis. Stats.]

COMMON AREA

Any area within any building or other structure in which the area for the sale, offer for sale, or display for sale of any intoxicating liquor is not separated from the area for the sale, offer for sale, or display for sale of any non-related good, product, thing or service by a solid floor-to-ceiling wall which contains no door, window or other opening which is capable of allowing any person or thing to pass from either area to the other, unless the same is a secondary doorway which serves solely as a safety exit.

FERMENTED MALT BEVERAGES

Any beverage made by the alcohol fermentation of an infusion in potable water of barley malt and hops with or without unmalted grains or decorticated and degerminated grains or sugar containing 0.5% or more alcohol by volume. [§ 125.02(6), Wis. Stats.] Although fermented malt beverage licenses are commonly referred to as "beer" licenses, fermented malt beverages also include other beverages (e.g., wine coolers) that have a fermented malt beverage base.

INTOXICATING LIQUOR

All ardent, spiritous, distilled, or vinous liquors, liquids, or compounds, whether medicated, proprietary, patented, or not, and by whatever name called, containing 0.5% or more of alcohol by volume, which are beverages, but does not include fermented malt beverages. [§ 125.02(8), Wis. Stats.]

PEACE OFFICER

Includes sheriffs, undersheriffs, deputy sheriffs, law enforcement officers, constables, and any duly authorized employee of the Wisconsin Department of Revenue.

RESERVE RETAIL "CLASS B" LICENSE

~~A "Class B" license which the Village has been authorized to issue under § 125.51(4)(br), Wis. Stats. (as now existing and as the same may hereafter be amended), but which it has not granted or issued.~~

WINE

Products obtained from the normal alcohol fermentation of the juice or must of sound, ripe grapes, other fruits or other agricultural products, imitation wine, compounds sold as wine, vermouth, cider, perry (made from pears), mead (made

from fermented honey and water) and sake, if such products contain not less than 0.5% nor more than 21% of alcohol by volume. [§ 125.02(22), Wis. Stats.] Wine is classified as liquor in Wisconsin.

§ 145-2 **License required.**

A license is required whenever there is a direct or indirect charge for alcohol and/or when alcohol beverages are consumed in a public place.

§ 145-3 **Retail alcohol beverage licenses.**

A. Class "A" licensees may sell fermented malt beverages to consumers in original packages or containers for off-premises consumption and may also provide up to two free taste samples of not more than three fluid ounces not in the original package or container to customers and visitors of legal drinking age for on-premises consumption between the hours of 11:00 a.m. and 7:00 p.m. (§ 125.25, Wis. Stats.)

B. Class "B" licensees may sell beer to consumers for on-premises or off-premises consumption. [§ 125.26(1), Wis. Stats.] A Class "B" license issued to a person operating a hotel authorizes that person to furnish a registered guest who has attained the legal drinking age with a selection of beer in the guest's room which is not part of the Class "B" premises. [§ 125.26(2m), Wis. Stats.]

C. Temporary Class "B" picnic beer licensees may sell fermented malt beverages to consumers at a picnic or similar gathering of limited duration. Such licenses may be issued only to bona fide clubs and chambers of commerce, to county or local fair associations or agricultural societies, to churches, lodges or societies that have been in existence for at least six months, and to ~~posts of~~ veterans' organizations. [§ 125.26(6), Wis. Stats.]

D. "Class A" cider licensees may sell cider, as defined in § 125.51(2)(e)1, Wis. Stats., for consumption off premises and may not offer samples of intoxicating liquor. [§ 125.51(2)(e), Wis. Stats.]

E. "Class A" licensees may sell intoxicating liquor to consumers only in original packages or containers for off-premises consumption. [§ 125.51(2), Wis. Stats.] Although it is not authorized by the "Class A" license itself, "Class A" licensees may provide customers and visitors of legal drinking age no more than two free wine taste samples per person of not more than three fluid ounces each for consumption on the premises between the hours of 11:00 a.m. and 7:00 p.m. [§ 125.06(13), Wis. Stats.] Between 11:00 a.m. and 7:00 p.m., "Class A" licensees can also provide persons of legal drinking age no more than one taste sample not exceeding 0.5 fluid ounce of intoxicating liquor other than wine for consumption on the premises.

F. "Class B" licensees may sell intoxicating liquor to consumers by the glass for on-premises consumption, and may sell wine in original bottles or containers for consumption off the premises. § 125.51(3)(a), Wis. Stats. If the municipality enacts an ordinance under § 125.51(3)(b), Wis. Stats., sales of intoxicating liquor (including wine) may be sold in original packages or containers in any quantity for consumption off the premises where sold. ~~may also be made for off-premises consumption in quantities not exceeding four liters at any one time. Wine may be sold for consumption off premises in the original package or container in any quantity regardless of whether the municipality~~

has adopted an ordinance for carry-out liquor sales. ~~[§ 125.51(3)(b), Wis. Stats.]~~ A restaurant with a "Class B" license can sell one opened bottle of wine in the original container for consumption on the premises. A previously opened bottle of wine sold with food at a restaurant can only be taken from the restaurant if in compliance with § 125.51(3r), Wis. Stats.

A "Class B" license issued to a person operating a hotel authorizes that person to furnish a registered guest who has attained the legal drinking age with a selection of intoxicating liquor in the guest's room which is not part of the "Class B" premises. [§ 125.51(3)(bm), Wis. Stats.]

G. A "Class B" winery license authorizes the sale of wine to be consumed by the glass or in open containers on the premises and also authorizes the sale of wine in the original package or container to be consumed off the premises, but does not authorize the sale of fermented malt beverages or any intoxicating liquor other than wine. A "Class B" license issued to a winery does not count against a municipality's quota. A municipality cannot issue a "Class B" winery license unless the winery has been issued a permit by the Department of Revenue under § 125.53, Wis. Stats. [§ 125.51(3)(am), Wis. Stats.]

H. Reserve "Class B" licenses authorize the same sales as non-reserve "Class B" licenses but carry an additional initial issuance fee and are not eligible for transfer to another premise.

I. Temporary "Class B" (picnic) wine licensees may sell wine at a picnic, meeting, or similar gathering of limited duration. Such licenses may be issued only to bona fide clubs and chambers of commerce, to county or local fair associations or agricultural societies, to churches, lodges or societies that have been in existence for at least six months, and to posts of veterans' organizations. [§ 125.51(10), Wis. Stats.]

J. "Class C" wine licensees may sell wine by the glass or in an opened original container for consumption on the premises where sold. **The open container may be taken for consumption off the premises only if in compliance with § 125.51(3r), Wis. Stats.** "Class C" wine licensees may be granted to an applicant only if: (1) the applicant meets the qualifications set out in § 125.04(5), Wis. Stats., for other retail licensees; (2) the license is for a restaurant (see § 125.02(18), Wis. Stats.) in which the sale of alcohol beverages accounts for less than 50% of gross receipts; and (3) wine is the only intoxicating liquor sold in the barroom. [§ 125.51(3m), Wis. Stats.]

K. Provisional **retail** licenses may be issued to persons who have applied for a Class "A," Class "B," "Class A," "Class B" or "Class C" license and authorizes only the activities that the type of retail license applied for authorizes. A provisional retail license expires 60 days after its issuance or when the Class "A," Class "B," "Class A," "Class B" or "Class C" license is issued to the holder, whichever is sooner. [§ 125.185, Wis. Stats.]

No person may hold more than one provisional retail license for each type of license applied for by the holder per year. [§ 125.185(6), Wis. Stats.]

§ 145-4 License fees.

See Chapter **225**, Fees and Charges.

§ 145-5 **Number of licenses.**

A. The number of licenses granted by the Village Board for any license year shall not exceed the following:

(1)

Eight Seven retail Class "A" licenses for the sale of fermented malt beverages.

(2)

Fifteen Fourteen retail Class "B" licenses for the sale of fermented malt beverages.

(3)

Seven Six retail "Class A" licenses for the sale of intoxicating liquors.

(4)

Fourteen retail "Class B" licenses for the sale of intoxicating liquors.

(5)

One retail "Class A" cider license for the sale of cider.

(6)

One retail "Class B" winery license for the sale of wine.

(7)

Nine retail reserve "Class B" licenses for the sale of intoxicating liquors.

(8)

One retail "Class C" wine license for the sale of wine.

B. For the purposes of this section, any combination license granted by the Village Board shall be counted as one license for each class of license included in the combination license.

§ 145-6 **Application for license.**

The application for an original license or a renewal license to sell fermented malt beverages or intoxicating liquors shall be completed in writing on a form provided by the Wisconsin Department of Revenue and **sworn to by the applicant**. The application shall be filed with the Village Clerk-Treasurer and be accompanied by the cost of publication of notice of such application as provided by § 125.04, Wis. Stats. **All applications for licenses to sell alcohol beverages must be filed 15 days prior to the granting of the license. § 125.04(3)(f)1**

§ 145-7 **Requirements for license.**

~~No license shall be granted to any person or persons under the legal drinking age for the sale of any fermented malt beverages or intoxicating liquors, except that an operator's license may be issued to a person 18 years of age or older, or to any person who is not of good moral character and a full citizen of the United States and of the State of Wisconsin and who has not resided in this state continuously for at least 90 days prior to the date of filing application; no license shall be issued or granted to any person who has habitually been a petty law offender, or has been convicted of an offense against the laws of this state or any other state punishable by imprisonment in the state prison, unless the person so committed has been duly pardoned. Where the applicant is a corporation, the provisions of this section shall apply to the officers and directors of such corporation. The Village Board may also consider, but shall not be limited to, the applicant's financial~~

~~responsibility, the proposed location, the condition of the premises and the applicant's fitness for the trust to be reposed.~~

~~Individuals, all partners (including limited partners), the officers, directors, and agents of corporations, the members, managers and agents of limited liability companies and the officers, directors and agents of nonprofit organizations must be of legal drinking age, except that a person may obtain an operator's license if he or she is at least 18.~~

~~Individuals, all partners (including limited partners), the officers, directors, and agents of corporations, the members, managers and agents of limited liability companies and the officers, directors and agents of nonprofit organizations:~~

- ~~a. May not have an arrest or conviction record (subject to the Wisconsin Fair Employment Act).
 - ~~1. May not be a "habitual law offender". § 125.04(5)(b)~~
 - ~~2. May not have been convicted of a felony which substantially relates to the alcohol beverage licensing activity unless duly pardoned.~~~~

~~All applicants for retail licenses must provide proof that they are in good standing for sales tax purposes (hold a seller's permit). § 125.04(5)(a)4~~

~~Individuals, all natural persons in a partnership and the agents of corporations and limited liability companies are subject to the 90 day continuous residency requirement in this state prior to the date of application.~~

~~Individuals, partners and agents of corporations and limited liability companies must have successfully completed a DOR-approved responsible beverage server training course unless:~~

- ~~a. They are renewing a license; or~~
- ~~b. Within the past two years held a manager's or operator's license or held or was agent of a corporation or limited liability company that held a Class "A" beer, Class "B" beer, "Class A" liquor, "Class B" liquor, or "Class C" wine license; or~~
- ~~c. Within the past two years the person successfully completed such a training course.~~

§ 145-8 Time frame for action on applications.

All applications **for a permanent retail license** filed with the Village Clerk-Treasurer on or before April 15 must be granted or denied no later than June 15. This does not prevent applications from being filed at any other time and approved by the governing body. [§ 125.51(1)(c), Wis. Stats.]

§ 145-9 Issuance and duration of licenses.

A. Inspection of application and premises **for permanent retail licenses**. The Village Clerk-Treasurer shall notify the Directed Enforcement Officer, Fire Chief and the Building Inspector of all license applications. The Building Inspector and Fire Chief shall inspect each application and premises to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto and the applicant's fitness for the trust to be imposed. (Note: All outdoor fences and/or gates that are used to cordon off an exterior patio area of a bar/restaurant and will be located in the path of egress must meet all current building and fire code egress/exit path requirements.) The Fire Chief and Building Inspector shall furnish to the Village Clerk-

Treasurer, in writing, the information derived from such investigation. The Directed Enforcement Officer shall furnish a report to the Village Board concerning any law violations relating to the application and premises, including but not limited to Article II, Underage and Intoxicated Persons, of this chapter and other Wisconsin Statutes. No license provided for in this article shall be issued without the approval of the Village Board. The provisions of Ch. 125, Wis. Stats., and this article shall apply to the approval and/or nonrenewal of licenses subject to this article.

B. Search of licensed premises. It shall be a condition of any license issued hereunder that the licensed premises may be entered and inspected at any reasonable hour by any building inspector, fire inspector or other authorized officer of the Village without any warrant, and the application for a license hereunder shall be deemed a consent to this provision. Any refusal to permit such inspection shall be deemed a violation of this article.

C. Approval. Upon the approval of the application by the Village Board, the Village Clerk-Treasurer shall attest the license and, upon the filing by the applicant of a receipt showing the payment of the required license fee to the Village Clerk-Treasurer, issue the license to the applicant. Each license shall be numbered in the order in which issued and shall specifically state the name of the licensee, the premises for which issued under the date of issuance, and the fee paid. All such licenses shall remain in full force until July 1 next after the granting thereof, unless sooner revoked or suspended.

~~D. Temporary (picnic) class B beer and wine license applications must be on file in the Clerk's Office for 3 days before issuance. Applications for temporary Class B (picnic) beer and wine licenses must be on file with the Clerk-Treasurer for 3 business days. Clerk-Treasurer then has authority to issue a license for reoccurring events. New applicants require Village Board approval.~~

§ 145-10 Posting of licenses.

Licenses for the sale of alcohol beverages shall be enclosed in a frame having a transparent front which allows the license to be clearly read and shall be conspicuously displayed for public inspection at all times in the room or place where the activity subject to licensure is carried on.

§ 145-11 Transfer of licenses.

~~Every An alcohol beverage license may be transferred to another place or premises from place to place within the same municipality subject to completion of application (form AT-112), approval of the governing body and . Transfers shall be made by the issuing authority upon payment of a fee as provided in Chapter 225, Fees and Charges, to the issuing authority. No retail licensee is entitled to more than one transfer during the license year.~~

§ 145-12 Revocation or suspension of licenses.

~~A. A license may be suspended or revoked by a municipal governing body only if the procedure in § 125.12(2), Wis. Stats. is followed. The Village Board shall have the power to revoke or suspend any license issued under this article on the grounds designated in § 125.12, Wis. Stats., or for any other valid reason. The provisions found in § 125.12, Wis. Stats., are incorporated herein by reference and a part hereof and shall apply to any revocation or suspension of licenses by the Village Board, including but not limited to the~~

~~complaint, summons, procedure on hearing, effective revocation and judicial review.~~

~~**B.** The proceedings shall be commenced by a summons, signed by the Village Clerk-Treasurer, directed to any peace officer commanding that the licensee appear before the Village Board on a day certain and at a place named in such summons, not less than three days nor more than 10 days from the date of issuance, to show cause why his license or licenses should not be revoked or suspended. The summons and copy of the complaint shall be served on the licensee at least three days before the licensee is commanded to appear.~~

~~**C.** Procedure.~~

~~**(1)**~~

~~If the licensee does not appear, the allegations of the complaint shall be accepted as true and, if found sufficient by the governing body, the license shall be revoked. The Village Clerk-Treasurer shall give written notice of the revocation to the person whose license has been revoked.~~

~~**(2)**~~

~~If the licensee appears and denies the complaint, both the licensee and the complainant may be represented by counsel and produce and cross-examine witnesses. If the hearing is held before the governing body and the complaint is found to be true, the license shall be suspended for not less than 10 days nor more than 90 days or revoked. If a complaint under § 125.12(4)(ag)6, Wis. Stats., stating that the licensee does not possess the qualifications required under Ch. 125, Wis. Stats., to hold the license is found to be true with respect to a license issued pursuant to the quota exemptions under § 125.51(4)(v), Wis. Stats., the license must be revoked.~~

~~**(3)**~~

~~If the governing body finds the complaint untrue, the proceedings shall be dismissed without cost to the licensee. The Village Clerk-Treasurer must give notice to the person whose license has been suspended or revoked. If the complaint is found to be malicious and without probable cause, the complainant must pay the costs.~~

~~**(4)**~~

~~If a license is revoked, no other alcohol beverage license may be granted to that person within 12 months of the date of revocation. No part of the license fee may be recovered.~~

~~**D.** Any license granted but not issued, or issued but not used, for a period in excess of six months during a licensing year is presumed invalid. Upon allegation, the Village Board may order a hearing to determine the validity of such license by ordering the licensee to show cause why such license should not be revoked.~~

§ 145-13 **Restrictions on issuance of licenses.**

A. No license under this article shall be issued to any person acting as agent for or in the employ of another.

B. No retail "Class B" intoxicating liquor license shall be issued to any person who does not have a retail Class "B" fermented malt beverage license.

C. No license for the sale of fermented malt beverages or intoxicating liquor shall be issued for premises less than 300 feet from any established public school, parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the boundary of such school, church or hospital to the closest entrance to such premises.

D. A license for the sale of fermented malt beverages or intoxicating liquor shall be issued only for premises located in a commercial or light industrial district.

E. No license shall be issued to any person until such person has obtained a valid federal special tax stamp appropriate to his business and provided proof to the Village that he holds a Wisconsin seller's permit.

F. No license shall be granted to any corporation when more than 50% of the ownership of such corporation, whether represented by stock or other beneficial control, is held by any person or persons not themselves individually eligible for a license under this article.

G. No license for the sale of fermented malt beverages or intoxicating liquors shall be issued until all delinquent municipal taxes, assessments or other fees have been paid by the applicant to the Allouez Clerk-Treasurer. This applies to all municipal licenses, not just alcohol beverage licenses.

§ 145-14 Operator's license.

A. The Village ~~Board Clerk must issue~~ ~~may issue a license known as~~ an "operator's license" ~~to any applicant who is qualified under state law which shall be granted upon application in writing filed with the Village Clerk-Treasurer.~~ An operator's license may be issued only ~~to natural persons who if:~~

(1) ~~Have attained the age of 18 years by~~ The applicant is at least 18 by the time of issuance;

(2) Subject to Wisconsin's Fair Employment Law, Ch. 111, Wis. Stats., ~~the applicant has may~~ not ~~have~~ been convicted of a felony or be a "habitual law offender".

(3) ~~Have~~ The applicant ~~has~~ completed a responsible beverage server training course. ~~Persons Applicants~~ are exempted from the training course requirement if they are renewing an existing operator's license, have completed the training course within the last two years, or have held a retail license or manager's or operator's license anywhere in the state within the last two years.

(4) Application must be in writing.

B.

~~There shall be upon the premises operated under a Class B license for fermented malt beverages or intoxicating liquor, at all times while such premises is open for business, the licensee or some person who has an operator's license and who is responsible for the acts of all persons serving any fermented malt beverages or intoxicating liquors to customers. For purposes of this subsection, any member of the licensee's immediate family who has attained the legal drinking age shall be considered the holder of an operator's license. No person, including underage members of the licensee's immediate family, other than the licensee, may serve fermented malt beverages or intoxicating liquors in any place~~

~~operated under a Class B license unless he or she has an operator's license or is at least 18 years of age and is under the immediate supervision of the licensee or a person holding an operator's license and who is on the premises at the time of the service.~~

~~C.~~(5) The fee for an operator's license shall be as outlined in Chapter 225, Fees and Charges.

DB.

The Clerk-Treasurer, ~~or the Deputy Clerk in the Clerk-Treasurer's absence, may~~ must issue a provisional operator's license ~~which shall be granted upon application in writing filed with the Village Clerk-Treasurer. A provisional operator's license may be issued only to natural persons to applicants~~ who have applied for an operator's license under Subsection A of this section and who meet the requirements of Subsection A(1) through ~~(3 4)~~.

EC.

A provisional license may not be issued to any person who has been denied a license under Subsection A by the Village Board.

FD.

The fee for a provisional operator's license shall be as outlined in Chapter 225, Fees and Charges.

GE.

A provisional operator's licenses will expire 60 days after its issuance or when a license under Subsection A is issued to the holder, whichever is sooner.

HF.

A provisional operator's license may be revoked by the Clerk-Treasurer if the application of the license holder contains any false statements. The Clerk-Treasurer may issue the license before receipt of the applicant's record check but shall immediately revoke the license if the record check indicates the applicant has failed to meet any of the requirements under Subsection A.

G.

~~The Clerk-Treasurer, or the Deputy Clerk in the Clerk-Treasurer's absence, may issue a temporary operator's license for temporary (picnic) events. The fee for a temporary operator's license shall be as outlined in Chapter 225, Fees and Charges.~~

I.H.

Any violation of the terms of this article, or any of the laws of the State of Wisconsin applicable to the sale of fermented malt beverages and intoxicating liquors, by any person holding an operator's license shall be cause for revocation of said license.

§ 145-15 **Violations and penalties.**

A. Any person who, either personally or by his agents or employees, shall violate any of the provisions of this article shall, upon conviction thereof, be punished as follows:

(1) If for selling intoxicating liquor without a license, by a forfeiture of not less than \$25 nor more than \$1,000 plus the costs of prosecution, and in the event of the failure to pay such forfeiture, such person shall be imprisoned in the county jail for a period not to exceed 90 days.

(2) If for a violation of any other provision of this article, by a forfeiture of not more than \$1,000.

B. Any license issued under this article shall, upon conviction of the licensee of a violation of the provisions of this article or any of the laws of the State of Wisconsin applicable to the sale of fermented malt beverages or intoxicating liquors, be subject to revocation by the court which tries the violation or as provided by § **145-12**. In the event of a conviction for a second offense during any one license year for a violation of this article or Ch. 125, Wis. Stats., any license which may have been issued by the Village shall, without notice, be forthwith forfeited by the licensee.

C. Any person who violates a provision of Ch. 125, Wis. Stats., for which a penalty is not specified shall be subject to § 125.11, Wis. Stats.

§ 145-16 **Other licenses.**

This article shall not be construed as prohibiting, limiting, or restricting the Village Board from granting any other type or class of fermented malt beverage or intoxicating liquor license which it is, or may be, authorized to grant by the laws of the State of Wisconsin.

§ 145-17 **Closing hours.**

A. No licensee of a retail Class "A" fermented malt beverage licensed premises shall remain open for the sale of fermented malt beverages between 10:00 p.m. and 8:00 a.m.

B. No licensee of a Class "B" fermented malt beverage licensed premises shall remain open between the hours of 2:00 a.m. and 6:00 a.m. on weekdays and between 2:30 a.m. and 6:00 a.m. on Saturdays and Sundays, except that said premises may remain open on January 1.

C. No licensee of a retail "Class A" liquor licensed premises shall remain open for the sale of intoxicating liquors between 9:00 p.m. and 8:00 a.m.

§ 145-18 **Display and sale.**

A.

No person, firm or corporation which holds, or is acting for or on behalf of the holder of, a Class A, Class B or Class C license shall:

(1) Allow or permit a person who is not of legal drinking age to lawfully purchase an intoxicating liquor to enter and/or remain in an area where an intoxicating liquor is sold, offered for sale or displayed for sale, unless such person is accompanied by an adult parent or legal guardian.

(2) Allow or permit a person to purchase a fermented malt beverage or an intoxicating liquor if that person is not of legal drinking age to lawfully make such purchase.

(3) Allow or permit a person who has purchased any good, product or thing in an area where intoxicating liquors are sold, offered for sale or displayed for sale to exit such area without first paying for the same and having all such goods, products and things (except for fermented malt beverages) in a bag, carton or other container furnished by the seller and which is separate from any container

furnished by the manufacturer or distributor.

B. In the interest of limiting juvenile access to alcohol beverages at retail establishments, and in the interest of promoting effective, unhampered, and efficient enforcement of such provisions as they relate to juveniles, no "Class A" (liquor) license shall be granted for any premises where the principal business conducted thereon is other than the sale of alcohol beverages unless the establishment has:

(1) Twenty-four-hour surveillance camera with recordings available to law enforcement at their request; and

(2) Signage informing minors that they must be 21 to purchase alcohol.

C. Intoxicating liquors (wine excluded) sold at a gas station will be kept in an area locked off from the public at all times.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 15th day of December, 2020.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk-Treasurer

DATE OF PUBLICATION: _____