

ORDINANCE 153—VILLAGE OF STETSONVILLE

AN ORDINANCE REGULATING THE SALE OF INTOXICATING LIQUOR AND MALT BEVERAGES

The Village Board of the Village of Stetsonville do ordain as follows:

1.01 a. ADOPTION OF STATUTES. The provisions of section 176.01 and section 66.054 (1) of the Wisconsin Statutes of 1953 are hereby adopted as a part of this ordinance with the same force and effect as if fully set out herein.

1.01 b The provisions of section 66.054 (8(1), (9), and (11), section 176.05 (6(a), (8), (9), (10), (13) and (14) of the Wisconsin Statutes of 1953 are hereby adopted as a portion of this ordinance with the same force and effect as if fully set out herein.

1.02 LICENSES- FEES. The classes of licenses and fees therefore shall be as follows:

A. Intoxicating Liquors.

1. Retail Class A. The fee shall be \$10.00

2. Retail Class B. The fee shall be \$50.00 and shall permit the holder to deal in and sell intoxicating liquor to be consumed on the premises and in the original package or container in quantities and in quantities of not more than one quart at any time and to be consumed off the premises so licensed, except that wine may be sold in the original package or otherwise in any quantity to be consumed off the premises. The fee for such license shall be pro-rated on a monthly basis for any license issued after July 1 of any license year.

3. Pharmacist's permit. The permit shall be _____.

B. Fermented Malt Beverages

1. Wholesaler's License. The fee shall be \$10.00.

2. Retail Class A. The fee shall be \$5.00.

3. Retail Class B. The fee shall be \$10.00

4. Retail Class B (picnic). The fee shall be \$1.00.

C. Operator's license. The fee shall be \$3.00.

1.03 REGULATIONS All licenses shall be granted subject to the following:

A. Health Rules. All licensed premises shall be kept sanitary and shall be conducted in compliance with whatever health rules the health officer may prescribe.

B. Inspection and Search. Every licensee consents upon issuance of the license to the inspection and search by the Police Department of the licensed premises during business hours, and further consents to the removal of all articles found in violation of law or ordinance and their subsequent introduction into the evidence in any prosecution arising therefrom.

C. Employees. No proprietor of any premises operated under a Class B License, except hotels, restaurants, and bona fide clubs, shall employ any person for work in or upon such licensed premises who is under twenty-one (21) year of age.

D. Conduct. Every licensed premises shall be operated in compliance and ordinance and law.

E. No premises for such which a Class B Intoxicating Liquor License has been issued shall be permitted to remain open for the sale of liquor.

1. Between 1:00 AM and 8:00 AM, except on January 1 when the closing hour shall be between 3:00 AM and 8:00 AM.

2. On and election day during the hours as the polls shall be open and as provided in Section 176.34, except as provided in Subsection 3.

3. Hotels and restaurants whose principal business is the furnishing of food and/or lodging to patrons shall be permitted to remain open for the conduct of their regular business but shall not be permitted to sell intoxicating liquors or fermented malt beverages during the hours mentioned in Subsection 1 and 2 of this Section.

F. Advertising Liquor. No Class B licensee shall advertise any intoxicating liquor or display the same except on wall advertising or back bar. In no event shall the original container bear a price tag or price label.

1.04 PRESENCE IN PLACES OF SALE PROHIBITED. Every keeper of any place, of any nature or character, whatsoever, for the sale of intoxicating liquor, who shall either directly or indirectly suffer or permit any person of either sex under the age of 21 years, unaccompanied by his or her parent, guardian or spouse, of whom one shall be 21 years of age, or suffer or permit any person to whom the sale of any such liquors has been forbidden in the manner provided by law, who is not a resident, employee, or a bona fide lodger or boarder on the premises of such licensed person, to enter or be on such licensed premises for any purpose, excepting the transaction of bona fide business other than amusement or the purchase, receiving or consummation of edibles or beverages, shall, for every violation, shall be liable for a forfeiture not exceeding \$250 together along with the costs of action and in default of the payment of such forfeiture and the costs to be imprisoned in the county jail of Taylor County until such forfeiture and cost be paid not to exceed 60 days, and any such person so remaining aforesaid, who is not a resident, employee, or a bona fide ledger or boarder on the premises, or who is not accompanied by his or her parent, guardian or spouse, of whom shall be 21 years of age, shall be liable for a forfeiture of not more than \$20.00 together with the costs of action, and in default of payment of said forfeiture and costs, to be imprisoned in the county jail of Taylor county until such forfeiture and costs to be paid but not to exceed 30 days. This section shall not apply to hotels, drug stores, grocery stores, bowling alleys, cars operated on any railroad, regular established athletic fields or stadiums nor to premises operated under both a "Class B" license and a restaurant permit, that the principal business conducted therein is that of the sale of intoxicating liquor, until such presumption is rebutted by competent evidence.

1.05 PENALTIES

A. Any person convicted of violating any provision of this ordinance under which any provision of the Wisconsin Statutes is adopted by reference shall forfeit not to exceed the sum of \$500.00 together with the costs of action, and in default of the payment of said forfeiture and costs to be imprisoned in the county jail or Taylor County until such forfeiture and costs be paid but not to exceed 60 days.

B. Any person convicted of violating any other provision of this ordinance for which is a specific penalty is not otherwise provided herein shall forfeit not to exceed \$20.00, together with the costs of action, and in default of the payment and said forfeiture and costs to be imprisoned in the county jail of Taylor County until such forfeiture and costs be paid but not to exceed 30 days.

1.06 CONFLICTING ORDINANCES REPEALED. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

1.07 SEVERABILITY. The several provisions of this ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid, and if provision of this ordinance or the application thereof to any person or circumstances is held invalid, and if any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

1.08 EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage and posting.

Dated December 8, 1953.

/s/ Harold Hauser, Village President

Attest:

/s/ Frederick Amacher, Village Clerk