

ORDINANCE NO.: _____

AN ORDINANCE to amend Sections 4-72(a) and 4-142(a) and create Sections 4-72(c), 4-142(c), 4-21 and 4-146 of the Code of Ordinances of the City of La Crosse regarding alcohol regulations, licensing requirements and municipal sales in City parks.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 4-72(a) is hereby amended and Section 4-72(c) is hereby created to read as follows

Sec. 4-72. – License Requirements.

- (a) *License required.* No person shall vend, sell, deal or traffic in or, for the purpose of evading any law or ordinance, give away any intoxicating liquor in any quantity whatsoever, or cause the same to be done, without having procured a license therefor, nor without complying with all the provisions of this Code, and all statutes, ordinances and regulations applicable thereto. ~~Such license shall be posted in a conspicuous place in the room or place where the licensed beverages are drawn or removed for sale or service. A separate license shall be required for each stand, place, room or enclosure where intoxicating liquor is kept, sold or offered for sale; except that only one license shall be required when a suite of rooms or enclosures are in direct connection and contiguous to each other, Only one license shall be required for a premise; all areas to be licensed of which must be in the same building on one land parcel, and operated by the licensee as one premises. All areas where intoxicating liquors are sold, served, consumed or stored must be described on the license.~~
- (c) *Renewal applications.* All applications for renewal of licenses are subject to the qualifications, eligibility, inspection and granting provided in this chapter and the Wisconsin Statutes.
- (1) *Renewal application deadline.* Renewal applications will be sent to all licensed entities on or before March 15 and are due to the City Clerk's Office on or before April 15 of each year. If April 15 falls on a non-business day, the deadline will be extended to the next business day. The Common Council shall grant or deny each timely-filed application no later than June 15 for the ensuing license year. If a renewal application is received after April 15, notice of Council's intent to grant or deny the renewal application, as well as notice of any accompanying hearing, may not be available before the license expires on June 30.
 - (2) *Late application fee.* Renewal applications received after the April 15 deadline shall be subject to a late filing fee in the amount established by resolution. Said late fee is imposed to recover the cost of processing the late application. Applications filed after May 15 will not be granted until after July 1.

SECTION II: Section 4-142(a) is hereby amended and Section 4-142(c) is hereby created to read as follows:

Sec. 4-142. – License Requirements.

- (a) *License required.* No person shall vend, sell, deal or traffic in or, for the purpose of evading any law or ordinance, give away any fermented malt beverage in any quantity whatsoever, or cause the same to be done, without having procured a license therefor, nor without complying with all the provisions of this Code, and all statutes, ordinances and regulations applicable thereto. ~~Such license shall be posted in a conspicuous place in the room or place where the licensed beverages are drawn or removed for sale or service. A separate license shall be required for each stand, place, room or enclosure where intoxicating liquor is kept, sold or offered for sale; except that only one license shall be required when a suite of rooms or enclosures are in direct connection and contiguous to each other, Only one license shall be required for a premise; all areas to be licensed of which must be in the same building on one land parcel, and operated by the licensee as one premises. All areas where fermented malt beverages are sold, served, consumed or stored must be described on the license.~~
- (c) Renewal applications. All applications for renewal of licenses are subject to the qualifications, eligibility, inspection and granting provided in this chapter and the Wisconsin Statutes.
- (1) Renewal application deadline. Renewal applications will be sent to all licensed entities on or before March 15 and are due to the City Clerk's Office on or before April 15 of each year. If April 15 falls on a non-business day, the deadline will be extended to the next business day. The Common Council shall grant or deny each timely-filed application no later than June 15 for the ensuing license year. If a renewal application is received after April 15, notice of Council's intent to grant or deny the renewal application, as well as notice of any accompanying hearing, may not be available before the license expires on June 30.
- (2) Late application fee. Renewal applications received after the April 15 deadline shall be subject to a late filing fee in the amount established by resolution. Said late fee is imposed to recover the cost of processing the late application. Applications filed after May 15 will not be granted until after July 1.

SECTION III: Section 4-21 is hereby created to read as follows:

Sec. 4-21. – Violation by agent or employee

A violation of this article by a duly authorized agent or employee of the licensee shall constitute a violation of the licensee. Violations of the provisions of this article or the provisions of Wis. Stat. ch. 125 may be grounds for immediate revocation by the Common Council.

SECTION IV: Section 4-146 is hereby created to read as follows:

Sec. 4-146. – Municipal sales in parks; license not required.

Pursuant to Wis. Stats. 125.06(6), officers and employees of the City are authorized to sell fermented malt beverages in any public park operated by the City without the necessity of obtaining a license therefore. Requirements pertaining to licenses imposed by this chapter shall not apply to such sales, but these sales must comply with all other general regulations of Wis. Stat. ch. 125.

SECTION V: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION VI: This ordinance shall take effect and be in force from and after its passage and publication.

Shaundel Washington-Spivey, Mayor

Nikki M. Elsen, City Clerk

Passed:
Approved:
Published: