



Legislation Details (With Text)

**File #:** 041785      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 4/12/2005      **In control:** LICENSES COMMITTEE

**On agenda:**      **Final action:** 5/20/2005

**Effective date:**

**Title:** A substitute ordinance relating to Class "B" tavern licenses.

**Sponsors:** ALD. D'AMATO

**Indexes:** ALCOHOL - REGULATION AND LICENSING, TAVERNS

**Attachments:** 1. Fiscal Note.pdf, 2. Notice Published on June 8, 2005.PDF

Date	Ver.	Action By	Action	Result	Tally
4/12/2005	0	COMMON COUNCIL	ASSIGNED TO		
4/28/2005	1	CITY CLERK	DRAFT SUBMITTED		
4/29/2005	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
5/3/2005	1	LICENSES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
5/5/2005	1	LICENSES COMMITTEE	HEARING NOTICES SENT		
5/10/2005	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
5/20/2005	1	COMMON COUNCIL	PASSED	Pass	15:0
5/26/2005	1	MAYOR	SIGNED		
6/8/2005	1	CITY CLERK	PUBLISHED		

041785  
SUBSTITUTE 1

ALD. D'AMATO  
A substitute ordinance relating to Class "B" tavern licenses.

- 90-4-2-c-1 am
- 90-4-2-c-2 rp
- 90-4-2-c-2 am
- 90-4-2-c-3 rp
- 90-4-2-c-4 rn
- 90-4-2-c-5 rn

This ordinance repeals provisions prohibiting businesses conducted under a Class "B" tavern license from displaying bottled intoxicating liquor on the licensed premises except behind the bar and from maintaining a separate counter from the bar for the sale of fermented malt beverages or intoxicating liquor for consumption off the licensed premises. In addition, this ordinance establishes that a patron shall be permitted to remove alcohol beverages in open containers from a Class "B" licensed tavern in the case where the licensed tavern premises is contiguous to another licensed tavern premises, both licensed tavern premises are contiguous to a recognized festival being held and at least one of the licensed tavern premises has been granted a temporary extension of licensed premises for special events.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 90-4-2-c-1 of the code is amended to read:

**90-4. Classification of Licenses.**

**2. CLASS "B" RETAILER'S INTOXICATING LIQUOR LICENSE.**

c. License Restrictions.

c-1. ~~[[There shall be no]]>>The licensee shall not cause the<< delivery of intoxicating liquors or fermented malt beverages from the licensed premises by truck or any other means.~~

Part 2. Section 90-4-2-c-2 and 3 of the code is repealed.

(Note: The provisions being repealed read as follows:

c-2. There shall be no display on the licensed premises of bottled intoxicating liquor except behind the bar.

c-3. No separate counter from the bar shall be maintained for the sale of fermented malt beverages or intoxicating liquor for consumption off the licensed premises.)

Part 3. Section 90-4-2-c-4 of the code is renumbered 90-4-2-c-2.

Part 4. Section 90-4-2-c-2 of the code is amended to read:

c-2. No patron shall be suffered or permitted by any person licensed under this chapter to remove intoxicants or fermented malt beverages in open containers, whether in bottles, cans, or glasses, from the Class "B" licensed tavern>>, expect in the case where the licensed tavern premises is contiguous to another licensed tavern premises, both licensed tavern premises are contiguous to a recognized festival being held and at least one of the licensed tavern premises has been granted a temporary extension of licensed premises for special events<<.

Part 5. Section 90-4-2-c-5 of the code is renumbered 90-4-2-c-3.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE

IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: \_\_\_\_\_

LRB05149-2

RGP

04/27/05