



## Legislation Details (With Text)

**File #:** 020127 **Version:** 1

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

**File created:** 4/23/2002 **In control:** LICENSES COMMITTEE

**On agenda:** **Final action:** 5/14/2002

**Effective date:**

**Title:** A substitute ordinance relating to possession of alcohol beverages by an underage person.

**Sponsors:** ALD. D'AMATO

**Indexes:** ALCOHOL - REGULATION AND LICENSING

**Attachments:** 1. Fiscal Note.pdf

Date	Ver.	Action By	Action	Result	Tally
4/23/2002	0	COMMON COUNCIL	ASSIGNED TO		
4/25/2002		LICENSES COMMITTEE	REFERRED TO		
4/25/2002	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
4/25/2002	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
4/25/2002	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
4/26/2002	1	CITY CLERK	DRAFT SUBMITTED		
4/30/2002	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
5/14/2002	1	COMMON COUNCIL	PASSED	Pass	17:0
5/23/2002	1	MAYOR	SIGNED		
5/31/2002	1	CITY CLERK	PUBLISHED		

020127

SUBSTITUTE 1

ALD. D'AMATO

A substitute ordinance relating to possession of alcohol beverages by an underage person.

90-18-2 am

The Milwaukee code of ordinances, consistent with s. 125.07(4), Wis. Stats., currently prohibits the consumption of alcohol beverages by underage persons, with certain narrow exceptions. This ordinance, consistent with state law, clarifies the current code by deleting language suggesting that prohibited consumption would have to take place in public or in a public place to violate the Milwaukee code.

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

Part 1. Section 90-18-2 of the code is amended to read:

**90-18. Sale to an Underage Person Prohibited.**

2. ~~[[POSSESSION OF ALCOHOL BEVERAGES; CONSUMPTION IN PUBLIC PLACES; PENALTY]]~~  
>>POSSESSION OF ALCOHOL BEVERAGES BY UNDERAGE PERSONS; PROHIBITIONS;  
PENALTY<<. Any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age, who knowingly possesses or who consumes ~~[[in public]]~~ any alcohol beverages is subject to the penalties provided by s. 125.07(4) Wis Stats. This subsection does not apply to an underage person processing alcohol beverage in the course of employment during his or her working hours if he or she is employed by a brewer, a fermented malt beverage wholesaler, a permittee other than a Class "B" fermented malt beverage or intoxicating liquor permittee, a facility for the production of alcohol fuel, a retail licensee under conditions specified in s. 90-19-1-i or for the delivery of unopened containers to the home or vehicle of a customer, or a campus, if the underage person is at least 18 years of age, and is under the immediate supervision of a person who has attained the legal drinking age.

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:\_\_\_\_\_

LRB02211-1  
jro  
04/26/02