



Legislation Details (With Text)

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On agenda: **Final action:** 7/30/2008

Effective date:

Title: A substitute ordinance relating to dispensing single-service alcohol beverages on extended licensed premises.

Sponsors: ALD. BOHL, ALD. HINES JR.

Indexes: ALCOHOL - REGULATION AND LICENSING

Attachments: 1. Fiscal Note, 2. hearing notice list, 3. Notice Published on 8-15-08

Date	Ver.	Action By	Action	Result	Tally
7/1/2008	0	COMMON COUNCIL	ASSIGNED TO		
7/9/2008	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
7/15/2008	1	LICENSES COMMITTEE	RECONSIDERED	Pass	4:0
7/15/2008	1	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
7/15/2008	1	LICENSES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
7/15/2008	0	LICENSES COMMITTEE	SUBSTITUTED	Pass	4:0
7/30/2008	1	COMMON COUNCIL	PASSED	Pass	14:0
8/6/2008	1	MAYOR	SIGNED		
8/15/2008	1	CITY CLERK	PUBLISHED		

080452
SUBSTITUTE 1

ALD. BOHL, HINES AND MURPHY

A substitute ordinance relating to dispensing single-service alcohol beverages on extended licensed premises.

90-4-7.8-g am

The code provides for the temporary extension of alcohol beverage premises for special events. The code further limits the sale of alcohol beverages on extended premises to single-service cups and prohibits the sale of alcohol and non-alcohol beverages in bottles, cans and glass containers.

This ordinance provides an exception to this limitation, allowing a licensee to serve beverages in single-service bottles or cans, but not in glass containers, when permitted by the chief of police upon application of a licensee or a sponsor of the special event.

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

Part 1. Section 90-4-7.8-g of the code is amended to read:

90-4. Classification of Licenses.

7.8. TEMPORARY EXTENSION OF LICENSED PREMISES FOR SPECIAL EVENTS.

g. On-premises Sale. >>g-1.<<A licensee granted a temporary extension of licensed premises for special events may not sell any alcohol or non-alcohol beverages for consumption in bottles, cans and glass containers in the location of the temporary extension of the licensed premises. Beverages may only be sold in single-service cups for on premises consumption in the location of the temporary extension of the licensed premises.

>>g-2. An exception to the limitation on sale of alcohol beverages to single-service cups in subd. 1 may be permitted by the chief of police upon application of an event sponsor or the licensee of the extended premise made at least 60 days prior to the special event. No exception shall be permitted allowing glass containers upon extended premises. The applicant shall include a copy of the application and permit, if issued, and information identifying the sponsor or sponsors of the special event, if any, the reason or reasons for which an exception is sought, the security plan proposed for the event including a specific description of the procedures and policies for assuring the safety of the public, a description of the entertainment or amusement to be provided during the special event, the type and estimated quantity of single-service beverage containers proposed for sale or possession upon the extended premises, and any other information the chief of police may require. The chief of police may permit beverage containers other than single-service cups when, in his or her discretion, considering information in the application and other factors consistent with the health, safety and welfare of the public and of police officers, it is determined that the exception poses no appreciable risk. These factors may include, but are not limited to, past experience with the same or similar special events, the estimated number of participants in the special event, and neighborhood circumstances. The chief of police may, upon cause clearly shown in the application, waive the requirement that an application be made at least 60 days prior to the event.

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: _____

LRB08341-6
RLW
7/10/2008