



Legislation Text

File #: 020127, Version: 1

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