

ORDINANCE NO. O-2022-03

TOWN OF LEDGEVIEW, BROWN COUNTY, WISCONSIN

AN ORDINANCE TO AMEND CHAPTER 5 SECTIONS 19, ARTICLE II, SECTIONS 20 AND 21 OF TOWN CODE PERTAINING TO ALCOHOLIC BEVERAGES, FEE SCHEDULE AND BEER GARDEN LICENSES

Section 1: An ordinance to amend Chapter 5, Section 19, Article II, Sections 20 and 21 Pertaining to Alcoholic Beverages, Fee Schedule and Beer Garden Licenses of the Town of Ledgeview Municipal Code is hereby AMENDED to read as follows:

§ 5-19. Fee schedule.

[Amended 2-4-2013 by Ord. No. 2013-001; 8-5-2013 by Ord. No. 2013-005]

- A. The following fee schedule shall apply to all alcohol beverage licenses issued by the Town of Ledgeview except for Reserve "Class B" licenses calculated under **§ 5-12B**.

License	Fee
Class "A" fermented malt beverage retailer's license	\$300
Class "B" fermented malt beverage retailer's license	\$100
Retail "Class A" liquor license	\$325
Retail "Class B" liquor license	\$425
Retain "Class C" wine license	\$100
Temporary "Class B"	\$10
Beer Garden Permit	\$100
Transfer of license	\$10
Operator's license	\$20, 1 year; \$30, 2 years
Provisional operator's license	\$15

Article II. Beer Garden Licenses

[Adopted 5-20-2008 by Ord. No. 2008-010]

§ 5-20. Required for outdoor consumption.

No licensee shall permit the consumption of alcohol beverages on any part of the licensed premises not enclosed within the building, except under permit granted by the Town Board. The permits are a privilege in which no rights vest and therefore may be revoked by the Town Board pursuant to state statutes, or shall otherwise expire on June 30 of each year. No person shall consume or have in his or her possession alcohol beverages on any **unenclosed** part of a licensed premises which is not described in a valid beer garden permit.

§ 5-21. Limitations on issuance of beer garden permits.

Each applicant for a beer garden permit shall accurately describe the area intended for use as a beer garden and shall indicate the nature of fencing or other measures intended to provide control over the operation of the beer garden. ~~It is~~ The purpose ~~of proper fencing in the beer garden area is~~ to prohibit or significantly restrict the ease in which alcoholic beverages may be passed from within the beer garden area to anyone outside the beer garden.

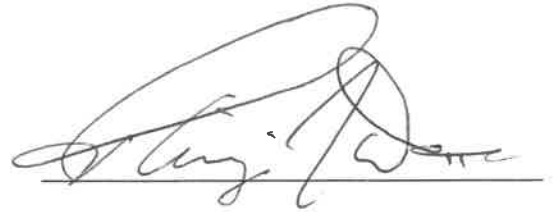
- A. No permit shall be issued for a beer garden if any part of the beer garden is within 150 feet of a structure used for residential purposes, except residential uses located in the same structure as the licensed premises. This requirement may be waived at the discretion of the Town Board.
- ~~B. No permit shall be issued for a beer garden if the beer garden area is greater than 50% of the gross floor area of the adjoining licensed premises.~~
- C. Every beer garden shall be ~~completely~~ surrounded by ~~an attractive wall, fence or barrier~~ fencing not less than ~~six-four (4)~~ feet in height ~~or other measures intended to provide control over the operation of the beer garden~~. For open decks, lattice will be required from the deck floor to the railing. The gate(s) or exit(s) shall be three feet wide and the same height as that required of the beer garden fence, shall swing to egress, and shall swing free and clear of public sidewalks. The beer garden fence shall comply with all regulations regarding vision clearance along with required distance from corner. The beer garden fence shall contain the required fire exit(s) and shall be equipped with a locking system that meets fire codes.
- D. Lighting of the area must be shielded and not be of intensity or brilliance to create glare which is distracting to adjoining property owners or can become a hazard or danger to vehicular traffic. No more than 5% of the light can leave the property.
- E. No open flames may be displayed unless approved by the Town of Ledgeview Fire Department.
- ~~F. Amplified sound or music is permitted within the enclosed licensed premises only, not within the beer garden.~~
- ~~G. Use of the beer garden is prohibited after 10:00 p.m., at which time all access must be secured.~~
- H. There shall be a licensed operator within the beer garden at all times the beer garden is in operation.
- ~~I. The beer garden shall be attached to the main business premises and access to the outdoor premises shall only be allowed through the main building.~~
- J. All other Town ordinances, including those relating to littering, noise or drinking of intoxicants, where prohibited, shall be observed.

Section 2: Repeal of inconsistent ordinances. All existing town ordinances, parts of ordinances, and amendments thereto in conflict with any of the provisions of this ordinance are hereby repealed.

Section 3: Severability. If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provision shall not be affected hereby.

Section 4: Effective date. This ordinance shall take effect upon passage, postage, and publication.

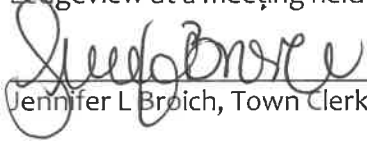
APPROVED this 7th day of March, 2022.



Philip J. Danen, Town Board Chairperson
Town of Ledgeview, Brown County, WI

ATTEST:

I, Jennifer L Broich, Clerk of the Town of Ledgeview, do hereby certify that this is a true and correct copy of the original ordinance required by law to be in my custody and which was adopted by the Town of Ledgeview at a meeting held Monday, March 7, 2022.



Jennifer L Broich, Town Clerk

VOTE:

Yes:

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No:

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Adopted:

3/7/2022

Published: March 7, 2022

Posted: March 4, 2022