

# Town of Schley

## **Ordinance: O-2009-2.3-R Alcohol Beverages**

**1.1 PURPOSE.** The Town board of supervisors of the Town of Schley, Lincoln County, Wisconsin finds that by adopting Wis. Statute Chapter 125 to regulate the sale and use of alcohol beverages within the town is in the best interests of the public. Further, the adoption of this ordinance for such regulation will promote government and good order of the town for its commercial benefit, and for the health, safety, welfare and convenience of the public. Further, the adoption of this ordinance supersedes all prior alcohol beverage ordinances enacted by the Town of Schley.

**1.2 STATUTORY AUTHORITY.** This ordinance is enacted pursuant to Sec.125.10 of the Wisconsin Statutes and the general police power of the Town Board.

**1.3 DEFINITIONS.** The definitions contained in Sec. 125.02 of the Wisconsin Statutes are hereby adopted and made a part of this ordinance by reference.

**1.4 LICENSES AND PERMITS REQUIRED.** No person except as authorized by this ordinance and Chapter 125.04 of the Wisconsin Statutes shall within the Town of Schley, serve, sell, distribute, vend, offer or keep for sale at retail or wholesale, deal or traffic in or engage in any other activity for which a license or permit is authorized under this ordinance.

**1.5 LICENSE CLASSES AND FEES.** The following classes of licenses are the more frequently used. For a complete description of all licenses and permits available see Wis. Statute Chapter 125, subchapter two. All licenses are issued by the Town Clerk under the authority of the town Board. After the payment of the appropriate fees, the holder is permitted to sell, deal, or traffic in alcohol beverages as provided in Chapter 125 of the Wisconsin Statutes. The full license fee shall be charged for the whole or fraction of any year. The license fees shall be set by the Schley Town Board in accordance with Wis. Statute Chapter 125.

- (1) RETAIL CLASS "A" FERMENTED MALT BEVERAGE LICENSE: see section 125.25 (4)
- (2) RETAIL CLASS "B" FERMENTED MALT BEVERAGE LICENSE: see section 125.26 (4)
- (3) RETAIL CLASS "A" INTOXICATING LIQUOR LICENSE: see section 125.51 (2) (d)
- (4) RETAIL CLASS "B" INTOXICATING LIQUOR LICENSE: see section 125.51 (3) (3)
- (5) CLASS "B" PICNIC LICENSE FOR FERMENTED MALT BEVERAGE LICENSE FOR BONA FIDE CLUBS, STS, COUNTY, OR LOCAL FAIR ASSOCIATIONS, OR AGRICULTURAL SOCIETIES, LODGES, OR SOCIETIES, ETC: see section 125.26 (6).

**1.6 LICENSE REQUIREMENTS AND RESTRICTIONS.** All applications shall be filed with the Town Clerk. At the time of filing, the applicant shall pay to the Town Clerk the costs of the required publication of the applicant and the fee of the license. For all other requirements and restrictions see Chapter 125 of the Wis. Statutes.

**1.7 REGULATION OF LICENSED PREMISES AND LICENSES.** See Chapter 125 of the Wis. Statutes.

**1.8 FORM AND EXPIRATION OF LICENSES.** All licenses shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee and, unless sooner revoked, shall expire on June 30 thereafter except as otherwise provided. The Town Clerk shall affix his or her affidavit as required by Sec. 125.04 (4) of Wis. Statutes.

**1.9 TRANSFER OF LICENSES. FROM PLACE TO PLACE:** see Sec. 125.04 (12) (a). **FROM PERSON TO PERSON:** see Sec. 125.04 (12) (b).

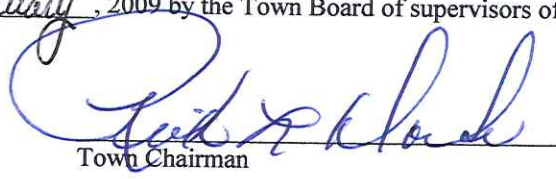
**1.10 REVOCATION AND SUSPENSION OF LICENSES.** A license issued under this ordinance may be suspended or revoked by the Town Board under the procedures described in Sec. 125.12 (2) upon the finding of a violation of this ordinance or chapter 125 of the Wis. Statutes.

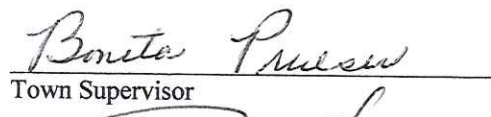
**1.11 COMPLIANCE WITH CHAPTER 125** To the extent Chapter 125 of Wisconsin Statutes is modified or amended, the provisions of this Ordinance that are affected shall incorporate such modification or amendments.

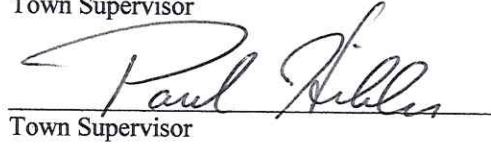
**1.12 SEPARABILITY OF PROVISIONS:** Should any section or provisions of this ordinance be declared invalid, such decisions shall not effect the validity of the remaining portions of this ordinance.

**1.13 EFFECTIVE DATE:** This ordinance shall take effect from and after its passage and posting as provided by law.

Adopted this 3<sup>rd</sup> day of February, 2009 by the Town Board of supervisors of the Town of Schley, Lincoln County

  
Town Chairman

  
Town Supervisor

  
Town Supervisor

Date Ordinance Offered 02-03-2009

Motion Made By (Board Member) Paul Hubler

Motion Seconded By (Board Member) Rick Dorn

Voting "AYE" (Board Members) Paul Hubler

Bonita Gruesser

Rick Dorn

Voting "NAY" (Board Members) \_\_\_\_\_

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Date ordinance filed 02-18-2009

Town Clerk

Diana Ostrzycki, Clerk

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