

**CITY OF WEST ALLIS
ORDINANCE O-2024-0024**

**ORDINANCE TO INCORPORATE FULL-SERVICE RETAIL OUTLETS INTO
ALCOHOL LICENSING LAWS**

AMENDING SECTIONS 6.03, 9.47, AND 9.60

WHEREAS, 2023 Wis. Act 73 created full-service retail outlets to allow breweries, wineries, distilleries, and rectifiers to engage in retail sales of fermented malt beverages or intoxicating liquor, for on-premises or off-premises consumption, or the provision of taste samples of fermented malt beverages or intoxicating liquor, or any combination of these activities from locations other than the place of manufacturer; and

WHEREAS, the common council intends to treat full-service retail outlets similar to Class B licensed premises;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **AMENDMENT** “6.03 Public Welfare And Peace” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

6.03 Public Welfare And Peace

1. Destruction of Property.

- a. Fences, Walls, Trees, etc. No person shall willfully, maliciously or wantonly destroy, remove, throw down or injure any fence, hedge or wall enclosing any orchard, garden or any field whatever on land belonging to or lawfully occupied by another, or to open or leave open, throw down, injure, remove or destroy any gate or bars in such fence, hedge or wall, or cut down, root up, sever, injure, destroy or carry away, when severed, any fruit, shade, ornamental or other tree or any shrub, root, plant, fruit, flower, grain or other vegetable production in the City.
- b. Park Property, Statues, etc. No person shall break or otherwise injure any tree, shrub or plant; break, soil or deface any fountain, statue or other ornamental structure; damage any grass plot; or, in any way, injure, soil or deface any square, sidewalk or ground in the City or any public property in any public park or any other public place, which has been declared to be a public park and under the control of the City, whether the same shall be owned, leased or held in trust by the City, or held in trust for the use of the City.
- c. Gardens, Crops, etc. No person shall enter any enclosed or unenclosed garden or orchard located within the City, without the consent of the owner, tenant,

lessee or his or her agent and there cut down, injure, damage, destroy, pull out, eat or carry away any portion of the garden, including any growing thing, crop, seed, soil, fertilizer, water supply, tools, implements, racks, support or any other protective device or any other thing useful for the development, cultivation, maintenance and use of the garden.

2. Posting Signs, Advertisements or Displays. No person shall put up, erect, fasten, post, paint or maintain any sign, picture, poster, advertisement, symbol, structure, display or any other item of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, structure or building of any kind placed upon any street, alley, public way or public ground. **[Ord. O-2008-0003, 2/5/2008]**
3. Open Air Meetings.
 - a. Where Prohibited. No person shall hold any open air meetings for any purpose whatsoever on West Greenfield Avenue between South 69th Street and South 76th Street or on any side street or in any alley abutting thereon, within one hundred twenty (120) feet on either side of West Greenfield Avenue.
 - b. Permit Required. Any person properly qualified may secure a permit for use of the park located at South 70th Street and West National Avenue for such purpose, providing permission is first obtained from the Park Board of the City.
4. Disorderly Conduct with a Motor Vehicle.
 - a. No person shall, within the City of West Allis, on public or private property, by or through the use of a motor vehicle, motorcycle, snowmobile, minibike, all-terrain vehicle or any other motorized vehicle, engage in violent, dangerous, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary, deliberate or intentional: spinning of wheels, squealing of tires, revving of the engine, blowing of the horn, causing the engine to backfire, causing the vehicle in motion to raise one or more of its wheels off the ground or causing the vehicle to otherwise be operated in an erratic or dangerous manner under circumstances which tend to cause or provoke a disturbance.
 - b. Any person who shall violate this subsection shall upon conviction be subject to a forfeiture in the amount of \$300.00 for each offense.
5. Diseased and Infected Trees, Hedges, etc.
 - a. Inspection by Superintendent of Forestry and Public Grounds; Notice; Removal. The Superintendent of Forestry and Public Grounds (hereafter "the Superintendent") may inspect trees, vines, hedges, plants, logs and branches within the City right-of-way and those trees, vines, hedges, plants, logs, and branches as the Superintendent determines may pose a danger to persons using the City right-of-way in order to determine whether they are healthy or diseased. If any such tree, vine, hedge, plant, log or branch is found dead, diseased, infected or infested and, in the opinion of the Superintendent, is likely to spread any disease or is found to harbor destructive insects or, if any tree, vine, hedge, plant, log or branch is dangerous to the public, the Superintendent shall give a written order to the owner, agent or occupant of

such premises of such condition and direct that the owner, agent or occupant to remove and destroy the tree, vine, hedge, plant, log or branch. The owner, agent, or occupant of such premises of such condition will have thirty (30) days from the date of the order to correct the defect. The owner, agent, or occupant may request an extension to correct the defects which will only be granted for good cause at the discretion of the Superintendent of Forestry and Public Grounds. The owner, agent, or occupant who received the order may appeal the order to the Administrative Appeals Review Board (hereafter “the Board”) by submitting a written objection to the City Clerk’s Office within 30 days of the order. Upon receipt of a timely appeal, the Board shall hold a hearing on the appeal, during which the Board may review any pertinent information and may accept oral and written statements from any person. In the event the owner, agent or occupant shall fail to comply with the orders within the time specified, the Superintendent may enter upon and remove or contract for the removal of the diseased, infected or infested trees, vines, hedges, plants, logs or branches or any part thereof.

- b. Transportation Permit Required. No person, firm or corporation shall carry or transport in, out of or through the City, any dead, diseased, infected or infested trees, vines, hedges, plants, logs and branches. All commercial and professional arborists shall, upon removal of any dead, diseased, infected or infested trees, vines, hedges, plants, logs and branches, get a permit from the Superintendent to carry or transport the same to an approved and designated disposal area, as directed by the Superintendent.
- c. Sale and Planting of Cottonwood Trees Prohibited. No person shall hereafter sell or plant within the City any *populus sargentii*, commonly known as the plains cottonwood, or the *populus deltoides*, commonly known as the eastern cottonwood, both such species also commonly known as the cottonwood poplar.

6. Fraud on Tavern Keeper.

- a. No person, having obtained food, lodging, beverage or other service at a tavern, shall intentionally abscond without paying for it; nor, while a patron at a tavern, shall intentionally defraud the keeper thereof in any transaction arising out of such relationship.
- b. Under this subsection, prima facie evidence of any intent to defraud or to abscond is shown by:

The refusal of payment upon presentation when due and the return unpaid of any bank check or order for the payment of money given by any patron to any tavern in payment of any obligation arising out of such relationship as patron; or,

The failure or refusal of any patron at a tavern to pay, upon written demand, the established charge for food, beverages of any kind or other services actually rendered; or,

The giving of false information or the presenting of false or fictitious

credentials for the purpose of obtaining credit, food, beverages or other services; or,

The drawing, endorsing, issuing or delivering to any tavern of any check, draft or order for payment of money upon any bank or other depository, in payment of established charges for food, beverages of any kind or other service, knowing at the time that there is not sufficient credit with the drawee bank or other depository for payment in full of the instrument drawn.

7. Consumption and Possession of Alcohol Beverages

- a. No person may consume alcohol beverages or possess alcohol beverages in an open container while upon any public way or City-owned property. This provision does not apply to any of the following:
 - i. Any premises where a ~~City~~government-issued license or permit allows the consumption of alcohol
 - ii. Within a community event declared under this subsection if the alcohol beverage was lawfully obtained at the the community event or a licensee or permittee adjacent to the community event
 - iii. At the farmers market if the alcohol beverage was lawfully obtained at the farmers market
 - iv. The consumption of fermented malt beverages on a commercial quadricycle
- b. (Reserved).
- c. (Reserved).
- d. No person licensed or permitted to sell alcohol beverages may knowingly allow another person to leave that licensed or permitted premises while carrying an alcohol beverage in an open container, except to enter a community event adjacent to the premises. No person may leave a premises licensed or permitted to sell alcohol beverages while carrying an alcohol beverage in an open container, except to enter a community event adjacent to the premises.
- e. The Common Council may, by resolution, designate a specified public way or city-owned property to be the location of a community event. The resolution shall describe the premises of the community event, the date and time of the community event, and any other conditions upon the consumption of alcohol beverages on the premises of that community event.
- f. (Reserved).

8. Fireworks Prohibited.

- a. Definition. In this section, "fireworks" means anything manufactured, processed or packaged for exploding, emitting sparks or combustion, which does not have another common use, but does not include any of the following:
 - i. Fuel or lubricants.
 - ii. A firearm cartridge or shotgun shell.
 - iii. A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.
 - iv. A match, cigarette lighter, stove, furnace, candle, lantern or space heater.

- v. A cap containing not more than one quarter (1/4) gram of explosive mixture, if the cap is used or possessed or sold for use, in a device which prevents direct bodily contact with the cap when it is in place for explosion.
 - vi. A model rocket engine.
 - vii. Tobacco or a tobacco product.
- b. Prohibition.
 - i. No person may sell any fireworks in the City of West Allis.
 - ii. Exceptions. This section does not prohibit a resident, wholesaler, dealer or jobber from selling fireworks at wholesale, if that wholesaler, dealer or jobber ships or delivers the fireworks outside of this state in sealed opaque containers by, as defined in secs. 194.01(5), (11) and (14) of the Wisconsin Statutes, common motor carrier, contract motor carrier or private motor carrier engaged in the business of shipping or delivering property, or to a person or group granted a permit under sec. 167.10 of the Wisconsin Statutes.
- c. Possession and Use, State Statutes Adopted. Possession and use of fireworks shall be regulated according to the provisions of sec. 167.10 of the Wisconsin Statutes, as the same are from time to time amended, which are hereby adopted and incorporated by reference herein.
- d. Enforcement.
 - i. In addition to other penalties prescribed under this section, the City may petition the Circuit Court for an order enjoining any violation of this ordinance or of sec. 167.10 of the Wisconsin Statutes.
 - ii. Any fireworks stored, handled, sold, possessed or used by the person who violates any provision of this section shall be seized. The fireworks shall be destroyed after conviction for a violation and otherwise returned to the owner.
- e. Penalties.
 - i. Any person who shall violate any provision of this section shall, upon conviction, pay a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), together with the costs of the action and, upon default of payment thereof, shall be imprisoned in the Milwaukee County House of Correction for a period not to exceed ninety (90) days or until such forfeiture and costs are paid. Each day during which a violation of this section is permitted to exist shall be deemed to be a separate violation.

SECTION 2: **AMENDMENT** “9.47 General Provisions” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

9.47 General Provisions

1. Vicarious Liability. Except where preempted by state law, a~~A~~ licensee is liable for any violations of any provision of this chapter committed in the course of conducting the licensed activity by the licensee's employee, agent, or contractor. Each licensee has the affirmative duty to see that every regulation is obeyed by employees, agents, and contractors. The licensee may be convicted for a violation committed by an employee, agent, or contractor only in a civil forfeiture action. None of the following are defenses to the liability imposed under this section:
 - a. The licensee was deceived about or ignorant of the violation.
 - b. The licensee was absent at the time of the violation.
 - c. The licensee had prohibited employees, agents, and contractors from doing the act that resulted in a violation.
2. State Law Applicable. Any duty or authority assigned by state law to a City body, officer, or department shall be in effect unless explicitly declined or rejected in this code. Nothing in this chapter may be construed to implicitly preclude, decline, or reject any authority or duty in state law.
3. License List. The table below indicates by type of license which city officer issues the license, whether the issuing officer may grant the license without council approval, whether a record check is required, the term of the license, and which city departments receive notification of an application for that license.

Type	Issuing Officer	I.O. may Grant(a)	Expires	Departments Notified							
				Code Enforcement	Clerk	Engineer	Fire	Health	Planning	Police	Public Works
Adult-Oriented Entertainment	Clerk	No	June 30	X	X		X	X		X	
Alcohol Beverages											
Class "B" Beer (provisional)	Clerk	Yes(b)	60 days	X	X		X	X		X	
Class "B" Beer (regular)	Clerk	No	June 30	X	X		X	X		X	

Class "B" Beer (temporary)	Clerk	Yes	As stated on license		X					(d)	
"Class B" Liquor (provisional)	Clerk	Yes(b)	60 days	X	X		X	X		X	
"Class B" Liquor (regular)	Clerk	No	June 30	X	X		X	X		X	
"Class B" Wine (temporary)	Clerk	Yes	As stated on license		X					(d)	
"Class C" Wine (provisional)	Clerk	Yes(b)	60 days	X	X		X	X		X	
"Class C" Wine (regular)	Clerk	No	June 30	X	X		X	X		X	
Extension of Premises	Clerk	No	As stated on license	X	X			X	X	(d)	
<u>Full- Service Retail Outlet (fixed)</u>	<u>Clerk</u>	<u>No</u>	<u>June 30</u>	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>		<u>X</u>	
<u>Full- Service Retail Outlet (unlimited transfer)</u>	<u>Clerk</u>	<u>Yes(g)</u>	<u>As stated on license</u>		<u>X</u>					<u>(d)</u>	

Operator's (provisional)	Clerk	Yes(c)	60 days		X					X	
Operator's (regular)	Clerk	Yes(f)	Every other June 30		X					X	
Operator's (temporary)	Clerk	Yes	1-14 days		X					X	
Animal Sales and Service	Health Commissioner	Yes	June 30					X			
Bed and Breakfast Establishment	Health Commissioner	Yes	June 30 (e)					X			
Body Piercing	Health Commissioner	Yes	June 30					X			
Campground and Camping Resort	Health Commissioner	Yes	June 30(e)					X			
Cigarette, Electronic Vaping Devices, and Tobacco Products Retailer	Clerk	Yes	June 30		X					X	
Concrete Contractor	Engineer	Yes	June 30		X						
Escort Service	Clerk	No	June 30		X					X	

nal and Educational Camp	Health Commissioner	Yes	June 30(e)					X			
Retail Food Establishment	Health Commissioner	Yes	June 30(e)					X			
Secondh and Article Dealer	Clerk	No	Dec. 31		X					X	
Secondh and Jewelry Dealer	Clerk	No	Dec. 31		X					X	
Tattoo	Health Commissioner	Yes	June 30					X			
Tourist Rooming House	Health Commissioner	Yes	June 30(e)	X				X			
Transient Merchant	Clerk	Yes	4 months		X			X		X	

- a. The issuing officer may only grant a license to an applicant who is clearly qualified.
- b. The issuing officer shall grant a provisional retail license under [Wis. Stat. 125.185](#) only to clearly qualified applicants whose applications are pending before the common council and one of the following applies:
 - i. For a pending new application, the Public Safety Committee has recommended granting the license, the applicant has obtained all required licenses and permits, and the applicant has passed all required inspections.
 - ii. For a pending renewal application, the clerk has not received a notice of disapproval from a department head.
- c. The issuing officer shall grant a provisional operator's license to any applicant who meets the qualifications under [Wis. Stat. 125.17\(5\)](#).
- d. No record check is required.

- e. Licenses initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year.
 - f. The issuing officer may grant and issue a regular operator's license only if the applicant does not have any of the following:
 - i. A pending criminal charge for any offense under [Wis. Stat. 111.335\(4\)\(a\)](#)
 - ii. A conviction for an offense counted under [Wis. Stat. 343.307](#) within two years of the application date
 - iii. A second or subsequent conviction for an offense counted under [Wis. Stat. 343.307](#) within five years of the application date
 - iv. Convictions for three or more violations of [Wis. Stat. 343.44](#) within two years of the application date
 - v. A conviction for any offense under [Wis. Stat. Ch. 125](#) or any offense for which the consumption, possession, or sale of alcohol is an element within ten years of the application date, except no violation of [Wis. Stat. 125.07](#) may be considered unless the applicant has committed two or more violations within one year;
 - vi. A conviction for a felony offense where the sentence for confinement, extended supervision, or probation has ended within five years of the application date; or
 - vii. Convictions for three or more misdemeanors within five years of the application date.
 - g. The issuing officer shall approve an unlimited transfer full-service retail outlet to a brewery under Wis. Stat. 125.29(7)(d)1. or a winery under Wis. Stat. 125.53(3)(d)1. only to clearly qualified applicants if all of the following applies:
 - i. The scope of alcohol beverages offered for sale at that full-service retail outlet are limited to the same type of alcohol as that produced by the permittee.
 - ii. The full-service retail outlet is one that may be relocated without limitation on frequency in each calendar year.
 - iii. Any one of the following applies:
 - (1) The approval dates, times, and premises align with the dates, times, and premises of a special event permit or a city-sponsored event.
 - (2) The approval is for 1 day. The clerk may not approve more than 10 days for each permittee in a calendar year under this provision.
4. Fees. An applicant for a license shall pay any applicable fees listed in the [Fee Schedule](#).

SECTION 3: AMENDMENT “9.60 Alcohol Beverage” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

9.60 Alcohol Beverage

1. License Required. [Wis. Stat. 125.04\(1\)](#) is adopted.
2. Exceptions. [Wis. Stat. 125.06](#) is adopted.
3. Application Process. The application process under [Wis. Stat. Ch. 125](#) is adopted, except as modified below:
 - a. License Fee. An applicant shall pay the applicable license fee listed in the [Fee Schedule](#) prior to date on which the license is to be issued. If a license is not granted, any paid license fee shall be refunded.
 - b. New License Applications. At the time of filing a new application for a Class "A" license under [Wis. Stat. 125.25\(1\)](#), a "Class A" license under [Wis. Stat. 125.51\(2\)](#), a Class "B" license under [Wis. Stat. 125.26\(1\)](#), a "Class B" license under [Wis. Stat. 125.51\(3\)](#), or a "Class C" license under [Wis. Stat. 125.51\(3m\)](#), the applicant shall submit:
 - i. A nonrefundable inspection fee in the amount stated on the [Fee Schedule](#)
 - ii. A detailed floor plan for each floor of the premises, which shall include the following as applicable:
 - (1) Area in square feet and dimensions of the premises
 - (2) All entrances and exits to the premises together with a description of how patrons will enter the premises, the proposed location of the waiting line, and the location where security searches or identification verification will occur
 - (3) Locations of all seating areas, bars, and food preparation areas
 - (4) Locations and dimensions of any alcohol beverage storage and display areas
 - (5) Locations and dimensions of any outdoor areas available at the premises for the sale, service, or consumption of alcohol beverages
 - (6) Location and dimensions of any outside area that where customers, employees, or persons associated with the premises may smoke
 - (7) The location of exterior and interior trash receptacles
 - (8) Any other reasonable and pertinent information the Public Safety Committee may require either for all applicants or in a

particular case

iii. A completed plan of operation for the business, which shall include as applicable:

- (1) The hours of operation for the premises
- (2) The legal capacity of the premises
- (3) Methods for maintaining the appearance and operation of the premises with respect to noise and litter
- (4) Any other business that will be conducted in connection with the premises.

- (5) Any other licenses and permits sought for the premises.
- (6) The number of security personnel expected to be on the premises, their responsibilities, and the equipment they will use in carrying out their duties.
- (7) Any other reasonable information the Public Safety Committee may require either for all applicants or in a particular case.

c. Time of Filing and Issuance. Pursuant to [Wis. Stat. 125.04\(3\)\(f\)2.](#), an application for a license to sell alcohol beverages [and a request for a fixed full-service retail outlet](#) shall be filed with the city clerk at least 15 days prior to the granting of the license [or approval](#), except an application for a license issued under [Wis. Stat. 125.26\(6\)](#) or [125.51\(10\)](#) [or a request for approval of an unlimited transfer full-service retail outlet](#) shall be filed at least 5 business days prior to the granting of the license [or approval](#).

d. Liquor Sales at Fuel Stations. No "Class A" license may be granted for any premises where gasoline or diesel fuel is sold at retail in connection with the premises, except that this restriction does not apply if any of the following applies:

- i. The "Class A" license contains the condition that retail sales of intoxicating liquor are limited to cider
- ii. The premises for which the "Class A" license is issued is connected to premises where gasoline or diesel fuel is sold at retail by a secondary doorway that serves as a safety exit and is not the primary entrance to the "Class A" premises.

e. Extension of Premises Application

i. Temporary Extension

- (1) A licensee may apply for a temporary extension of premises by submitting a request to the city clerk in a form approved by the clerk and paying the fee listed on the [Fee Schedule](#).
- (2) Each licensee shall provide a description of the temporary premises and any other information required by the city clerk. The seasonal term shall commence on the Friday preceding Memorial Day and expire on the Tuesday after Labor Day. The common council shall establish the term for any non-seasonal extension of premises.
- (3) The common council shall determine whether to grant a

request for temporary extension of premises under the same standards as a new license application. A temporary extension of premises creates a property interest only for the dates and times approved by the common council. Upon expiration of a temporary extension of premises, the temporary premises ceases to exist. Approval of a temporary extension of premises does not create a right to future approval.

- ii. Permanent Extension. A licensee requesting a permanent extension shall pay the fee listed in the [Fee Schedule](#) at the time of the request. The council shall determine whether to grant the request for permanent extension of premises under the same standards as a new license application.

4. Regulations. The regulations in [Wis. Stat. Ch. 125](#) are adopted, except as modified below:

- a. "Class B" Authorizations. Pursuant to [Wis. Stat. 125.51\(3\)\(b\)](#), a retail "Class B" license authorizes the sale of intoxicating liquor to be consumed by the glass on the premises where sold or off the premises if the licensee seals the container of intoxicating liquor with a tamper-evident seal before the intoxicating liquor is removed from the premises. The "Class B" license also authorizes the sale of intoxicating liquor in the original package or container, in any quantity, to be consumed off the premises where sold.
- b. Outdoor Premises
 - i. Containers. No licensee may allow glass beverage containers in an outdoor premises.
 - ii. Noise Limit. No outdoor premises may be the source of sound that measures over 100 decibels (A-weighted) within 100 feet from the outdoor premises. The common council may set different noise limits for a particular outdoor premises if the licensee agrees to those alternate noise limits.
 - iii. Bordering. The border of any outdoor premises shall be physically marked with fencing, vegetation, barriers, or other objects or markings accurately indicating the limits of the outdoor premises.
 - iv. Lighting. Any lighting for an outdoor premises may not project directly to an area beyond the indoor and outdoor premises.
 - v. Closing Hours. No outdoor premises may remain open between the hours of 8 p.m. and 10 a.m. from Sunday through Thursday. No outdoor premises may remain open between the hours of 10 p.m. and 10 a.m. on Fridays and Saturdays. The common council may set different closing hours for a particular outdoor premises if the licensee agrees to those alternate closing hours.
- c. Conditions Specific to Licensee. The common council may impose the following conditions upon a particular new retail alcohol license at the time the license is granted or impose the following conditions upon a particular existing retail alcohol licensee only with the licensee's consent. No licensee may violate any condition specifically imposed upon that retail alcohol license.

- i. The licensee shall conduct a principal business on the premises particularly described by the common council. Examples include those types of businesses described in [Wis. Stat. 125.32\(3m\)](#).
 - ii. The licensee shall maintain the property and premises so it is consistent with the landscaping and architectural design plans approved by the common council.
 - iii. The licensee shall video record all activities taking place on the premises, except within bathrooms and areas inaccessible to customers, and retain a copy of that video for at least 7 days. The video resolution must have at least 640 pixels horizontally and 480 pixels vertically. The licensee shall provide a copy of any video recording in the licensee's possession within 48 hours after receiving a request for video from a law enforcement officer.
 - iv. The licensee shall maintain certain security measures particularly described by the common council. Examples include lighting requirements, staffing minimums, and photographic identification scanners.
 - v. The licensee may not promote or conduct certain activities particularly described by the common council. Examples include live music and drink specials.
- d. Hours of Sale Limited. Between 9:00 p.m. and 8:00 a.m., no person may do any of the following:
 - i. Sell alcohol beverages on a Class "A" or "Class A" premises.
 - ii. Sell alcohol beverages on a Class "B" or "Class B" premises in an original unopened package, container, or bottle.
 - iii. Sell alcohol beverages on a Class "B" or "Class B" premises for consumption off the premises.
- e. Presence After Hours. No licensee may allow any person to enter or remain on a premises licensed for retail alcohol sales during hours when the premises are not open for business, unless that person is the licensee, employees of the licensee, salespersons for the licensee, or service personnel for the licensee if those persons are performing job-related activities.
- f. Underage Persons on Premises
 - i. No licensee may allow underage person to enter or remain on Class "B" or "Class B" premises under [Wis. Stat. 125.07\(3\)\(a\)10](#), unless the licensee has notified the police chief at least 7 days in advance of the times underage persons will be allowed on the premises.
 - ii. A licensee may allow an underage person to enter or remain on a temporary Class "B" premises under [Wis. Stat. 125.26\(6\)](#).
 - iii. A licensee may allow an underage person to enter or remain on a temporary "Class B" premises under [Wis. Stat. 125.51\(10\)](#) only for the purpose of acting as a designated driver and only if the licensee requires the underage person to display a means of identification, such as a wrist band, to identify underage persons as designated drivers.
- g. Full-Service Retail Outlets. Unless specifically excepted, all regulations applicable to Class "B" premises shall be applicable to all full-service retail

outlets that are approved to sell fermented malt beverages, all regulations applicable to "Class B" premises shall be applicable to all full-service retail outlets that are approved to sell intoxicating liquor, and all regulations applicable to "Class C" premises shall be applicable to all full-service retail outlets that are approved to sell wine.

5. Discipline Process. [Wis. Stat. 125.12](#) is adopted. In addition and to the extent allowed by law, the disciplinary events in [WAMC 9.51\(1\)\(a\)-\(e\)](#) are adopted under [Wis. Stat. 125.10](#) and shall be grounds for revocation, suspension, or nonrenewal of a license under [Wis. Stat. 125.12\(2\)\(ag\)1](#).

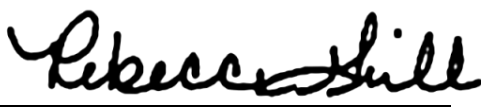
SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL JULY 10, 2024.

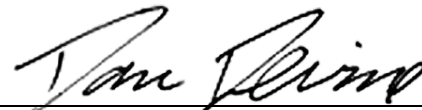
	AYE	NAY	ABSENT	ABSTAIN
Ald. Ray Turner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kimberlee Grob	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Chad Halvorsen	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marissa Nowling	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Patty Novak	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer



Rebecca Grill, City Clerk, City Of
West Allis



Dan Devine, Mayor, City Of West
Allis

