

# **ORDINANCE 2019-07 AMENDING VILLAGE OF FREDONIA CODE OF ORDINANCES PERTAINING TO RESTRICTIONS ON TEMPORARY FERMENTED MALT BEVERAGE OR WINE LICENSES WITHIN THE VILLAGE**

The Village Board of the Village of Fredonia does ordain as follows:

Section 339-16 is hereby amended to read as follows:

## **§ 339-16 Restrictions on temporary fermented malt beverage or wine licenses.**

It shall be unlawful for any person or organization on a temporary basis to sell or offer to sell any alcohol beverage upon any Village-owned property or privately owned property within the Village of Fredonia, except through the issuance of a temporary Class "B" fermented malt beverage license or temporary "Class B" wine license issued by the Village Board in accordance with Wisconsin Statutes and as set forth in this section. A temporary Class "B" fermented malt beverage license or temporary "Class B" wine license authorizing the sale and consumption of beer and/or wine on Village-owned property or privately owned property may be authorized by the Village Board, provided the following requirements are met:

- A. Compliance with eligibility standards. The organization shall meet the eligibility requirements of a bona fide club, association, lodge or society as set forth in §§ 125.26(6) and 125.51(10), Wis. Stats., and shall fully comply with the requirements of this section and § **339-21** of this chapter. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. Posting of signs and licenses. All organizations issued a temporary license shall post in a conspicuous location at the main point of sale and at all remote points of sale a sufficient number of signs stating that no fermented malt beverage shall be served to any under-age person without proper identifications.
- C. Fencing.
  - (1) If necessary due to the physical characteristics of the site, the Village Board ~~may~~ shall require that organizations install a double fence around the main point of sale to control ingress and egress and continually station a licensed operator, security guard or other competent person at the entrance for the purpose of checking age identification. Where possible, there shall be only one point of ingress and egress. When required, the double fence shall be a minimum of four feet high and a minimum of six feet between fences. This requirement may be modified or waived with approval of the Village Marshal and the Village Board.
  - (2) For indoor events, the structure used shall have suitable exits and open spaces to accommodate anticipated attendance. It should contain adequate sanitary facilities to accommodate the size of the group.
- D. Underage persons prohibited. No underage persons as defined by Wisconsin Statutes shall be allowed to assist in the sale of fermented malt beverages or wine at any point of sale, nor shall they be allowed to loiter or linger in the area of any point of sale, except for a person 18 years of age or over who possesses a valid operator's license. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- E. Licensed operators requirements. A licensed operator shall be stationed at all points of sales at all times.
- F. ~~Waiver. The Village Board may waive or modify the requirements of this section due to the physical characteristics of the licensed site.~~

G.F. Insurance. The applicant for a temporary fermented malt beverage or wine license may be required to indemnify, defend and hold the Village and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the Villager on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the license, the applicant may be required to furnish a certificate of comprehensive general liability insurance with the Village of Fredonia. The applicant may be required to furnish a performance bond prior to being granted the license. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

H.G. Glass containers. Intoxicants will be sold outdoors only in nonglass containers.

This ordinance shall take effect and be in force one day after its passage and posting as provided by law.

PASSED AND ADOPTED by the Village Board of the Village of Fredonia, Ozaukee County, Wisconsin, this 18th day of July, 2019.

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Donald Dohrwardt, Village President

ATTEST:

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Sandra Tretow, Village Clerk