

**ORDINANCE TO  
AMEND SECTIONS 220-9(F), 428-7(A) AND 428-7(C) OF THE CITY OF  
WATERTOWN GENERAL ORDINANCES**

**SPONSOR: MAYOR ROBERT STOCKS  
FROM: LICENSING BOARD**

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. §220-9(F) Regulation of licensed premises and licensees of the Watertown Code of Ordinances is hereby amended to read as follows:

**§ 220-9 Regulation of licensed premises and licensees.**

F. Outside sales; consumption; possession of open intoxicants. Possession of open intoxicants shall be defined as provided under § 410-52. Sales, consumption, or possession of open intoxicants with respect to alcohol beverages authorized under a retail Class "A," "Class A," Class "B," "Class B" or "Class C" license (except for picnic licenses) shall be limited to the internal confines of the licensed premises, except for those holders of a retail Class "B," "Class B" or "Class C" license and subject to the following restrictions:

- (1) The area to be licensed must be an area immediately adjacent to and abutting the licensed premises of the applicant's retail Class "B," "Class B" or "Class C" alcohol beverage license.
- (2) "Outside sales area" is defined as "an open area immediately adjacent to and abutting the licensed premises of the applicant's retail Class "B," "Class B" or "Class C" alcohol beverage license where fermented malt beverages and alcohol beverages are sold, served or consumed."
- ~~(3) At any part of the outside sales area not blocked by a building, there shall be maintained or constructed a temporary fence or enclosure at least four feet in height.~~
- ~~(4-3) Entry to the outside sales area shall not be through an access point in the enclosure or fence and~~ shall only be gained from the interior of the licensed premises.
- ~~(54) The outside sales area shall not be greater than the floor space of the abutting licensed premises unless specific exemption is granted by both the Licensing Board and Common Council. The exemption shall be renewed annually with the alcohol beverage license subject to approval by the Licensing Board and Common Council.~~
- ~~(65) The outside sales area capacity shall be in accordance with the State Fire Code, and the maximum capacity shall be separately posted within the outside sales area. Each outdoor area shall be required to provide a minimum of two remote points of emergency egress from the outside sales area. Egress from the outdoor space shall require only one motion and be clearly marked with durable, white exit signs with red lettering. Letters to be no less than 12" in height and visible from all points of the outside sales area. Wording of signs shall be "EXIT" or "EMERGENCY EXIT".~~

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- (76) The outside sales area shall not be open for the sale, service or consumption of alcohol beverages before 10:00 a.m. and shall not remain open for the sale, service or consumption of alcohol beverages after 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday and on federally recognized holidays.
- (87) The noise levels emanating from any outside sales area shall not violate § 410-40 of the Watertown Code of General Ordinances.
- (98) Entertainment or events which include the operation or use of any radio, stereo or other mechanical or electrical device, instrument, or machine, and television may be broadcast or displayed on the exterior of the licensed premises or in the outside sales area between the hours listed in Subsection F(76).
- (109) No live entertainment or event may be performed on the exterior of the licensed premises or in the outside sales area for a continuous block exceeding four hours in a twenty-four-hour period. The live entertainment or event may only be performed between the hours listed in Subsection F(76). The licensee shall not have more than four live entertainment or event in any calendar month and shall register said event with the City 24 hours prior to the event taking place and no more than 20 live entertainment or event in any year. Regularly scheduled leagues are excluded from this monthly limitation. "Leagues" are defined to include but are not limited to volleyball, baseball, horseshoes, or bags.
- (110) The retail Class "B," "Class B" or "Class C" licensee, his/her employees or agents shall be responsible for preventing violations of this article and shall operate the outside sales area in conformity with Ch. 125, Wis. Stats., and Article I of this chapter.

SECTION 2. §428-7(A) Special events, Definitions of the Watertown Code of Ordinances is hereby amended to read as follows:

**§ 428-7 Special events.**

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

**SPECIAL EVENT**

A temporary planned occurrence on public or private property and involves at least one of the circumstances listed below:

- (1) Produced or sponsored by a person or organization for which the event ~~is extraordinary in that it is not ordinarily conducted on a daily or regular normal average use basis as a lawful use of the premises upon which such event is to occur; interferes with the normal flow of vehicular or pedestrian traffic or the normal, lawful use of public property.~~
- (2) Exclusive use of all or part of City-owned facilities, within the City boundaries, such as buildings, parks, open spaces, streets, parking lots, athletic fields, etc., but does not include normal park shelter rentals;

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- (3) Cannot be held completely within the confines of an existing public building, or public park;
- (4) Will involve the temporary closing of a public street, alley, parking lot or public right-of-way;
- ~~(5) Will have over 300 people attending the event (or multiple events as part of a series) on private property, except those situations explained in Subsection C of this section;~~
- (65) Will require extraordinary services by any City department.

SECTION 3. §428-7(C) Special Events, Exemptions of the Watertown Code of Ordinances is hereby amended to read as follows:

C. Exemptions.

~~(1) The requirement under § 428-7 shall not apply to any regularly established place of worship, stadium, athletic field, arena, auditorium, coliseum or other permanently established place of assembly for special events for which it is reasonably anticipated that the number of persons attending will not exceed the maximum seating capacity of the structure where the assembly is held.~~

(1) The requirement under § 428-7 shall not apply to:

[1] Any regularly established place of worship, stadium, athletic field, arena, auditorium, coliseum or other permanently established place of assembly for special events for which it is reasonably anticipated that the number of persons attending will not exceed the maximum seating capacity of the structure where the assembly is held.

[2] Events held entirely on private property that have no street closures and sufficient parking available for all anticipated attendee.

[3] Events on property otherwise exempt from the City of Watertown permitting requirements, such as events wholly contained on property owned by the State of Wisconsin or United States federal government.

[4] Funeral processions.

~~(2) Funeral processions.~~

(2) The exceptions set forth in §428-7(C)(1) would not apply if the proposed event:

[1] Would block access to the entrance to any adjacent building or driveway.

- [2] Would occupy more than half of the width of any pedestrian walkway or would obstruct the free and orderly flow of pedestrian traffic within any pedestrian walkway.
- [3] Is within an area reserved for another person by a permit for a special event, unless with the permission of the person to whom the permit has been issued.

SECTION 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	First meeting date		Second meeting date	
	1ST	2ND		
READING:	YES	NO	YES	NO
DAVIS				
LAMPE				
BERG				
BARTZ				
BLANKE				
SMITH				
ARNETT				
WETZEL				
MOLDENHAUER				
MAYOR STOCKS				
TOTAL				

ADOPTED Type second meeting date

\_\_\_\_\_

CITY CLERK

APPROVED Type second meeting date

\_\_\_\_\_

MAYOR