

**ORDINANCE TO  
AMEND SECTION 220-9(F) REGULATION OF LICENSED PREMISES  
AND LICENSEES 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:

~~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:~~

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 B" or "Class C", or similar license (except for picnic licenses) shall be limited to the licensed premises, except as otherwise expressly permitted under Wis. Stat. Ch. 125 or as provided in § 410-52 and § 428-8 Retail Class "B," "Class B," and "Class C" license holders may operate outside sales areas only in accordance with 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) 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.

(5) 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.

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. 26-XX

(6) 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".

(7) 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.

(8) The noise levels emanating from any outside sales area shall not violate § 410-40 of the Watertown Code of General Ordinances.

(9) 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(7).

(10) 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(7). 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.

(11) 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.

(12) TDORA. Where a Temporary Designated Outdoor Refreshment Area (TDORA) has been established pursuant to § 428-8, the following shall apply:

- a. Alcohol beverage possession and consumption are permitted within the boundaries of the TDORA in accordance with § 428-8.
- b. In the event of a conflict between this section and § 428-8, the provisions of § 428-8 shall control within TDORA boundaries.
- c. Provisions of this Chapter shall remain in full force and effect for the TDORA boundary area during all times when a Special Event pursuant to § 428-7 is not occurring, including at all locations and areas not included within an approved TDORA designation.

**SECTION 2. Severability.**

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**SECTION 3. Effective Date.**

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

DATE:	<i>First meeting date</i>		<i>Second meeting date</i>	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
BERG				
NITECKI				
BLANKE				
SMITH				
ARNETT				
HAASE				
MOLDENHAUER				
MAYOR STOCKS				
TOTAL				

ADOPTED     Type second meeting date    

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CITY CLERK

APPROVED     Type second meeting date    

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MAYOR