

Chapter 220. Alcohol Beverages and Other Beverages

Article I. Licensing and General Regulations

§ 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) 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.
 - (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.
 - (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.