

[HISTORY: Adopted by the Common Council of the City of Watertown as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Adult entertainment establishments — See Ch. 205.

Peace and good order; alcohol in public — See Ch. 410, specifically § 410-52.

Zoning — See Ch. 550, § 550-52P.

Article I Licensing and General Regulations

[Adopted 1-4-2022 by Ord. No. 21-50^[1]]

[1] *Editor's Note: This ordinance also repealed former Art. I, Licensing and General Regulations, adopted as §§ 9.01 and 9.20 of the former City Code, as amended by Ord. No. 05-20; Ord. No. 06-10; Ord. No. 07-20; Ord. No. 11-33; Ord. No. 12-02; Ord. No. 13-25; Ord. No. 14-17; Ord. No. 16-18; Ord. No. 17-9; Ord. No. 17-12; Ord. No. 19-1; Ord. No. 19-10; Ord. No. 20-15; Ord. No. 20-32; Ord. No. 21-12; Ord. No. 21-13; Ord. No. 21-39.*

§ 220-1 State statutes adopted.

The provisions of Ch. 125 and § 66.0433, Wis. Stats., defining and regulating the sale, procurement, dispensing and transfer of intoxicating liquor and fermented malt beverages, excluding provisions relating to the penalty to be imposed or the punishment for violation of such statutes, are adopted and made a part of this article by reference. A violation of any of such provisions shall constitute a violation of this article.

§ 220-2 Licenses, permits and authorization required.

- A. When required. No person, except as provided by §§ 125.06 and 66.0433, Wis. Stats., shall within the City serve, sell, manufacture, rectify, brew, or engage in any other activity for which this article or Ch. 125 or § 66.0433, Wis. Stats., requires a license, permit or other authorization without obtaining the required license, permit or authorization as provided in this article.
- B. Separate license required for each place of sale. Except for licensed public warehouses, a license shall be required for each location or premises where intoxicating liquor or fermented malt beverages are commercially stored, sold or offered for sale.

§ 220-3 Classes of licenses and fees.

[Amended 7-5-2022 by Ord. No. 22-63]

The following classes and denominations of licenses may be issued by the City Clerk upon the granting by the Common Council after payment of the fee as set by the Common Council and provided under a separate fee schedule, which when so issued shall permit the holder to sell, deal or traffic in beverages as provided in §§ 66.0433, 125.17, 125.25, 125.26 and 125.51, Wis. Stats. Except as otherwise provided in this article or Ch. 125, Wis. Stats., the full license fee shall be charged for the whole or fraction of any license year. For the purpose of this article, a license year is defined as the period from July 1 to June 30. Except as otherwise provided in this article, all licenses shall expire on the June 30 next following the date of issuance.

- A. Retail Class "A" fermented malt beverage license.
- B. Retail Class "B" fermented malt beverage license.
 - (1) Six-month license. A license may be issued at any time for six months in any calendar year, for which 1/2 of the applicable license fee shall be paid, but such license shall not be renewable during the calendar year in which it was issued.
 - (2) Picnic license: a per-day fee to bona fide clubs or lodges pursuant to § 125.26, Wis. Stats. If the licensed premises is on City-owned property, this license shall be limited to the sale or dispensing of fermented malt beverages in open paper or plastic cups or like containers only.
- C. Retail "Class A" liquor license.

- (3) Retail Class "B," "Class B" and "Class C" licenses and permits between 2:00 a.m. and 6:00 a.m., Monday through Friday, and between 2:30 a.m. and 6:00 a.m. on Saturday and Sunday, except that on the Sunday that daylight saving time begins as specified in § 175.095(2), Wis. Stats., closing hours shall be between 3:30 a.m. and 6:00 a.m. On January 1, there shall be no limit on the hours which the licensee may remain open. No package, container, or bottle sales in unopened original containers for consumption off the premises may be made between the hours of 12:00 midnight and 8:00 a.m.
- B. Exceptions. Food stores, hotels, restaurants, and other commercial establishments whose principal business is the sale or furnishing of food or lodging, and bowling alleys and golf courses may remain open for the conduct of their regular business, but no intoxicating liquors or fermented malt beverages shall be sold during the applicable above-stated hours.
- C. Definition. For the purpose of this section, "shall remain open" does not apply to the licensee or his/her employees remaining on the premises after closing hours specifically to clean or repair the premises; however, the general public, guests of the licensee, or guests of licensee's employees shall not be allowed to remain on the premises after closing hours, and the doors to the premises shall be locked to prevent access by such persons.
- D. Obstruction of front windows/doors. All premises for which an alcohol beverage license or permit has been issued shall be so arranged as to furnish a clear view from the sidewalk of the interior of the establishment. No curtains, pictures, signs, or other obstructions which interfere with such a clear view shall be maintained. The provisions of this subsection, however, shall not apply to hotels or restaurants.

§ 220-11 Revocation and suspension of licenses.

- A. Procedure.
 - (1) Whenever the holder of any license issued under this article is subject to the sanctions imposed under this article:
 - (a) Proceedings for the revocation or suspension of such license shall be instituted in the manner and under the procedures established by § 125.12, Wis. Stats., before the City of Watertown Licensing Board and as specified hereinbelow.
 - (b) The provisions relating to transfer of any license suspended or revoked under this article, including the provisions outlined in § 220-7 above, shall not be applicable unless the transfer is to an unrelated party pursuant to a bona fide sale for value.
 - (2) Whenever any license issued under this article has been revoked, at least 12 months from the time of such revocation shall elapse before another license shall be issued under this article to the person whose license was revoked.
- B. Suspension. In addition to the procedures and penalties set forth in this article and in addition to any other penalty imposed by law:
 - (1) Any retail license issued under this article may be suspended by the Licensing Board for a period not less than five days and not more than 30 days upon the conviction in Municipal Court or a circuit court exercising concurrent jurisdiction of a licensee for an offense under this article or for a violation of Ch. 125 or 139, Wis. Stats., or any other federal or state liquor or fermented malt beverage law, or pursuant to the point system as set forth at Subsection D below.
 - (2) Any operator's license issued under this article may be suspended by the Licensing Board for a period not less than 10 days and not more than 60 days upon the conviction in Municipal Court or a circuit court exercising concurrent jurisdiction of the licensee for an offense under this article or for a violation of Ch. 125 or 139, Wis. Stats., or any other federal or state liquor or fermented malt beverage law or pursuant to the point system as set forth at Subsection D below. The holder of such operator's license shall be prohibited from selling alcohol beverages anywhere in the City of Watertown during such period of suspension.
 - (3) Any employee, agent or representative of a retail licensee, whether or not compensated by the licensee, who is not a holder of an operator's license and who is convicted in the Municipal Court or a circuit court exercising concurrent jurisdiction for an offense under this article or for a violation of Ch. 125 or 139, Wis. Stats., or any other federal or state liquor or fermented malt beverage law or pursuant to the point system as set forth at Subsection D below may be prohibited from selling alcohol beverages in the City of Watertown for a period of not less than 10 days and not more than 60 days.
- C. Revocation. In addition to the procedures and penalties set forth in this article and in addition to any other penalty imposed by law, any license issued under this article may be revoked by the Licensing Board upon a second violation committed within