

ORDINANCE No. \_\_\_\_\_  
AN ORDINANCE AMENDING SUBSECTION 5.20.030  
LICENSEE – CONDITIONS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 5.20 Subsection 5.20.030 is hereby amended to read as follows:

5.20.030 – Licensee – Conditions.

- (a) All retail Class "A" and "B" licenses granted under this chapter shall be granted subject to the following conditions, and all other conditions of this chapter are subject to all other ordinances and regulations of the city applicable thereto:
  - (1) Every applicant procuring a license thereby consents to the entry of police or other duly authorized representatives of the city at all reasonable hours for the purpose of inspection and search, and consents to the removal from the premises of all things and articles there had in violation of city ordinances or state laws, consents to the introduction of such things and articles in evidence in any prosecution that may be brought for such offenses.
  - (2) It is a condition of any license issued under this chapter that the licensed premises may be entered and inspected at any reasonable hour by any police officer of the city without any warrant, and application for a license under this chapter shall be deemed a consent to this provision. Any refusal to permit such inspection shall automatically operate as a revocation of any license issued under this chapter and shall be deemed a violation of this section.
  - (3) Any licensed premise shall provide by clear glass window a clear view into the entire licensed premises. Storefront windows must have a clear vision zone starting at four feet from the floor and extending vertically to a point seven feet above the floor on all glass windows. In the clear vision zone, 75% of the windows shall be free of partitions, boxes, stalls, screens, curtains, signs, stickers, or any other devices which shall obstruct the view of the room from the general observation of persons. Licensed premises that have no storefront windows located within the clear vision zone (four to seven feet above the floor) shall have a minimum 50% clear and unobstructed view in those windows.
  - (4) No retail Class "A" or "B" licensee shall sell or offer for sale any alcohol beverage to any person on credit excepting credit extended by a hotel to a resident guest or a club to a bona fide member, and by grocers and druggists who maintain a credit system in connection with their other business. It is unlawful for any licensee to sell intoxicating liquors or wines to any person on a passbook or store order, or to receive from any person any goods, wares, merchandise or other articles in exchange for intoxicating liquor.

- (5) No licensee shall sell, offer for sale or give away any alcohol beverage to any underage person.
- (6) Each licensed premises shall at all times be conducted in an orderly manner, and no disorderly, riotous or indecent conduct shall be allowed at any time on any licensed premises.
- (7) ~~No gambling or games of chance of any sort shall be permitted in any form upon the licensed premises. Slot machines or any devices of chance are prohibited and shall not be kept upon the premises.~~ Each licensed premises shall at all times comply with Wisconsin State Law and enforcement regarding the use and operation of gambling or games of chance of any sort.
- (8) No alcohol beverage shall be given away free by the licensee or any employee of the licensee or member of his family at any time.
- (9) No alterations, changes, or additions shall be made to such designated licensed premises without first securing a permit for such alterations, changes or additions from the inspector of buildings.
- (10) Wearing Apparel.
  - (A) All persons involved in the operation of any licensed premises under this section, whether as a licensee, member of the immediate family of licensee, licensed operator, unlicensed operator under supervision of the licensee or licensed operator, officer or agent of the licensed corporation, waiter, waitress, entertainer, dancer, or any other employee, shall observe the following applicable minimum standards for such licensed premises:
    - (i) The costume, uniform, or attire of any female shall completely cover the breasts, the mons veneris genitals, and the buttocks at all times. Those areas to be covered shall be covered with a nontransparent material.
    - (ii) The costume, uniform, or attire of any male shall completely cover the mons pubis genitals and buttocks at all times. Those areas to be covered shall be covered with a nontransparent material.
  - (B) It shall be the responsibility of the licensee to maintain such minimum standards on the licensed premises. Any violation taking place upon a licensed premises shall be deemed to be a violation of both the violator and the licensee.

Ordinance introduced by Council Member \_\_\_\_\_, who moved its adoption.

Seconded by Council Member \_\_\_\_\_.

AYES:  
NOES:  
ABSENT:  
ADOPTED:

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John Weidl, City Manager

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Heather Boehm, City Clerk