

ORDINANCE NO.53

BEING AN ORDINANCE TO REGULATE THE SALE OF FERMENTED MALT BEVERAGES AND LOITERING IN CERTAIN LICENSED PREMISES IN THE TOWN OF JEFFERSON, JEFFERSON COUNTY, WISCONSIN.

WHEREAS, S.66.054 (13) of the Wisconsin Statutes, authorized municipalities to enact local ordinances placing additional regulations in or upon the sale of fermented malt beverages;

WHEREAS, a number of municipalities in Southern Wisconsin outside the boundaries of Jefferson County have enacted local ordinances prohibiting the sale of fermented malt beverages to persons under twenty-one (21) years of age;

WHEREAS, as a result of such local ordinances persons from neighboring counties customarily travel to municipalities within Jefferson County where the sale of fermented malt beverages is not restricted by local ordinance;

WHEREAS, such travel creates additional hazards upon the highways and tends to corrupt and endanger the morals of a large number of young people;

NOW, THEREFORE, the Town Board of the Town of Jefferson do ordain as follows:

SECTION 1: LICENSE RESTRICTIONS. Wholesalers' and retailers' licenses shall be issued subject to the restriction that no fermented malt beverages shall be sold, dispensed, given away or furnished to any person under the age of twenty-one (21) not accompanied by parent, guardian or adult spouse.

SECTION 2: PROCURING OR FURNISHING TO PERSON UNDER TWENTY-ONE. No person shall sell, dispense, give away or furnish any fermented malt beverages to any person under the age of twenty-one (21) years of age not accompanied by parent, guardian or adult spouse.

SECTION 3: PRESENCE IN PLACES OF SALE PROHIBITED. No keeper of any place of any nature or character, whatever, for the sale of any fermented malt beverage under a "Class B" retailers' license, shall directly or indirectly suffer or permit any person of either sex under the age of twenty-one (21) years unaccompanied by his or her parent, guardian or adult spouse who is not a resident, employee or bona fide lodger or boarder on the premises controlled by the proprietor of licensee of such place, and of which such place consists or is a part, to enter or be on such licensed premises for any purpose, except the transaction of a bona fide business other than amusement, the purchase, receiving or consumption of edibles or beverages. No person shall enter or remain as aforesaid, who is not a resident, employee or bona fide lodger or boarder on such premises who is not accompanied by parent, guardian or adult spouse.

SECTION 4: PENALTIES. Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$500.00, or by imprisonment in the county jail for a term of not more than 90 days, or by both such fine and imprisonment, and his license shall be subject to revocation by a court of record in its discretion. In event that such person shall be convicted of a second offense, under the provisions of this section such offender, in addition to the penalties herein provided, shall forthwith forfeit any license issued to him or her without further notice, and in the event that such person shall be convicted of a felony, in addition to the penalties provided for such felony, the court shall revoke the license of such offender.

SECTION 5: SEVERABILITY. It is the intention of the Town Board that this ordinance, and every provision thereof, shall be considered separable; and the invalidity of any section, clause or provision of this ordinance shall not affect the validity of any other portion of this ordinance.

SECTION 6: DATE EFFECTIVE. This ordinance shall be in full force and effect as of Jul 1, 1968, after its passage and publication.

The foregoing ordinance was adopted at a meeting of the Town Board of the Town of Jefferson on January 23rd, 1968.

ATTEST TO:

CLERK

CHAIRMAN OF THE BOARD

SUPERVISOR

SUPERVISOR