

TOWN OF GRAND CHUTE
ORDINANCE O-02-2017, SERIES OF 2017

AN ORDINANCE AMENDING CHAPTER 335 OF THE CODE OF GENERAL ORDINANCES FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, WHICH REGULATES INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES IN THE TOWN OF GRAND CHUTE.

WHEREAS, The Town Clerk has identified the absence of language in Chapter 335 of the Town of Grand Chute Municipal Code addressing Temporary Class "B"/ "Class B" licenses; and,

WHEREAS, the Temporary Class "B"/ "Class B" license is most commonly associated with a Special Event application; and,

WHEREAS, the majority of Special Event applications are approved by Committee; and,

WHEREAS, a Temporary Class "B"/ "Class B" license is regulated under §§ 125.26 and 125.51; and,

WHEREAS, the current approval process is untimely for the applicant due to the revised procedures for special events;

NOW THEREFORE BE IT ORDAINED by the Board of Supervisors of the Town of Grand Chute, Outagamie County, Wisconsin, that Chapter 335, Section 335-3 Classes of licenses of the Grand Chute Municipal Code is hereby amended and adopted as follows:

Article I: Licensing

§ 335-3 Classes of licenses.

[Amended 6-2-2009 by Ord. No. 2009-12; 12-20-2011 by Ord. No. 2011-30]

There shall be the following classes and designations of licenses, which, when issued by the Town Clerk under the authority of the Town Board after payment of the fee as prescribed in the Town Fee Schedule, shall permit the holder to sell, deal or traffic in intoxicating liquor or fermented malt beverages as provided in §§ 125.25(1), 125.26(1), (5) and (6) and 125.51(1), (3)(a) and (9)(a), Wis. Stats.

- A. Class "A" fermented malt beverage retailer's license.
- B. Class "B" fermented malt beverage retailer's license under § 125.26(1), Wis. Stats. A Class "B" license may be issued at any time for a period of six months in any calendar year, for which 50% of the license fee shall be paid.

- C. Retail "Class A" liquor license under § 125.51(2), Wis. Stats.
- D. Retail "Class B" liquor license under § 125.51(3), Wis. Stats.
- E. Reserve "Class B" license pursuant to § 125.51(4)(a)4 and (br), Wis. Stats.
- F. "Class C" wine license under § 125.51(3m)(b), Wis. Stats.
- G. Part-time or semi-annual liquor licenses shall be issued pursuant to § 125.26(5) and 125.51(9)(b), Wis. Stats.
- H. Provisional retail licenses may be issued by the Town Clerk only to a person who has applied for a Class "A," Class "B," "Class A," "Class B" or "Class C" license who meets the residency requirements of the State of Wisconsin. A provisional retail license expires 60 days after issuance. Provisional retail licenses may not be issued if the municipality quota under § 125.51(4), Wis. Stats., prohibits the municipality from issuing a "Class B" license. No person may hold more than one provisional retail license for each type of license applied for by the holder per year.
- I. **Temporary Class "B" / "Class B" Retailers License under § 125.26(6) and § 125.51(10) may be issued by the Town Clerk.**

END OF AMENDMENT

If any provision of this ordinance is invalid or unconstitutional, or the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision, or its application.

Approved and adopted this 17 day of January, 2017

VOTED FOR: 5

VOTED AGAINST: 0

New Language in bold

Approved as to Form

Charles D. Koehler

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TOWN OF GRAND CHUTE

David Schowalter

David Schowalter, Town Chairman

Karen L. Weinschrott

Karen L. Weinschrott, Town Clerk