



City of West Allis

Ordinance: O-2020-0007

File Number: O-2020-0007

Final Action:

Sponsor(s): License & Health Committee

MAR 17 2020

An Ordinance to Amend Section 6.03(7) of the West Allis Municipal Code Relating to Alcohol consumption in public places

Whereas, the council desires to utilize the farmers market for public and private events; and

Whereas, regulations allowing responsible alcohol consumption at the farmers market can enhance the experience and opportunities for utilization of the farmers market; and

Whereas, it may be desirable for the city to allow responsible alcohol consumption in other public outdoor places;

Now, therefore, the Common Council of the City of West Allis, Milwaukee County, do ordain as follows:

Part 1. Code Revision

Section 6.03(7) of the Municipal Code of the City of West Allis is amended to read as follows

(7) Consumption and Possession of Fermented Malt Beverages and Intoxicating Liquors.

- (a) No person shall consume any fermented malt beverage or intoxicating liquor in or upon any public street, alley, sidewalk, park or other public place.
- (b) No person shall have in his possession any fermented malt beverage or intoxicating liquor in or upon any public street, alley, sidewalk, park or other public place, unless such beverage or liquor is in the unopened original container or sealed original package.
- (c) No person shall drink from or open a container of fermented malt beverage or intoxicating liquor in a motor vehicle, which is parked or standing upon a public street, alley, municipal parking lot or other public place.
- (d) The holder of a Class "B" fermented malt beverage or intoxicating liquor license shall make every reasonable effort to discourage his patrons from taking fermented malt beverages or intoxicating liquor from the licensed premises, when such beverages or liquor are served for consumption on the premises, unless the patron is directly entering a community event as described in par. (e).
- (e) The Common Council may, by resolution, designate a gathering to be a community event during which event, the prohibitions set forth in this section shall not apply at the location and the date(s) and time specified in the resolution. The resolution shall identify the designated community event and shall set forth the date or dates, time, and geographic location in which the prohibitions set forth in this section shall not apply.
- (f) No person may possess alcohol beverages within a community event unless that person may lawfully sell that alcohol beverage or that person obtained the alcohol beverage from a person who may lawfully sell that alcohol beverage at the community event.

Part 2. Inconsistent Law Repealed

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Part 3. Severability

The provisions of this ordinance are severable. If any provision of this ordinance is invalid, or if the application of this ordinance to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

PASSED

MAR 17 2020

APPROVED

3/25/20



Steven A. Braatz, Jr., City Clerk



Dan Devine, Mayor