



# City of West Allis

## Legislation Details (With Text)

**File #:** O-2010-0007 **Version:** 1

**Type:** Ordinance **Status:** Passed

**File created:** 2/2/2010 **In control:** License and Health Committee (INACTIVE)

**On agenda:** 2/2/2010 **Final action:** 2/2/2010

**Title:** An Ordinance to Create Section 9.02(3m)(c)(1) and 9.02(3m)(c)(1)(a) of the West Allis Revised Municipal Code Relating to Class C Licenses.

**Sponsors:** License and Health Committee (INACTIVE)

**Indexes:**

**Code sections:**

**Attachments:** 1. O-2010-0007

Date	Ver.	Action By	Action	Result
2/2/2010	1	Common Council		
2/2/2010	1	Common Council	Passed	Pass
2/2/2010	1	License and Health Committee (INACTIVE)		Pass

An Ordinance to Create Section 9.02(3m)(c)(1) and 9.02(3m)(c)(1)(a) of the West Allis Revised Municipal Code Relating to Class C Licenses.

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 9.02(3m)(c)(1) and 9.02(3m)(c)(1)(a) of the Revised Municipal Code of the City of West Allis are hereby created to read:

9.02 ALCOHOLIC BEVERAGES.

\* \* \*

(3m) "CLASS C" LICENSES.

\* \* \*

(c) Granting of License. A "Class C" license may be granted to an applicant only if the applicant meets the qualifications set forth in sec. 125.04(5) of the Wisconsin Statutes; the premises to be licensed is a restaurant in which the sale of alcohol beverages accounts for or will account for less than fifty percent (50%) of gross receipts; the restaurant does not contain a barroom; and, no "Class B" license is available, pursuant to the quota set forth in sec. 9.01 of the Revised Municipal Code.

1. No "Class C" license or permit may be issued for premises the main entrance of which is less than 300 feet from the main entrance of any public or parochial school, hospital or church, except that this prohibition may be waived by a majority vote of Common Council. The distance shall be measured by the shortest route along

the highway from the main entrance of the school, church or hospital to the main entrance of the premises covered by the license or permit.

a. The prohibition in this subsection does not apply to any premises covered by a "Class C" license or permit on the date this ordinance is published or premises covered by a "Class C" license or permit prior to the occupation of real property within 300 feet thereof by any school, hospital or church building.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-CreateSec9.02(3m)(c)(1)(a)ClassCLicense-Restriction