

Ordinance 07-09-12-01

An Ordinance Repealing and Recreating Section 6-21 of the Village of Fontana on Geneva Lake Municipal Code Regarding outdoor service of alcohol.

The Board of Trustees for the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

Section 1. Section 6-21 of the Municipal Code of the Village of Fontana on Geneva Lake is hereby repealed and recreated as follows:

Section 6-21 – Sale in glass or original containers only.

No person holding a Class “B” license or “Class C” wine license, or any agent or employee of said holder shall sell, deal or traffic in alcohol beverages to be consumed on the licensed premises in any container other than a glass container, except unbreakable containers (e.g. plastic or paper cups) may be used for the consumption of alcohol beverages in the following situations:

- (a) When the use of glass containers would present an unreasonable safety hazard to patrons.
- (b) When person(s) holding a Class “B” license or a “Class C” wine license, or any agent or employee of said holder are permitted to sell, deal or traffic alcoholic beverages to be consumed on the licensed premises, including outdoor areas, outdoor decks and patios. Persons holding Class “B” license or “Class C” wine license may sell, deal or traffic alcoholic beverages to be consumed in outdoor areas, outdoor decks and patios provided the following conditions are met:
 - i. Said area(s) must be contiguous to the licensed premises and not located in a public right of way or sidewalk, with the exception of item 6-21(b)(viii).
 - ii. Said area(s) must be clearly delineated with bollards or railings around said area(s).
 - iii. Said area(s) must have proper signage adhering to all liquor licensing regulations.
 - iv. Said person(s) holding a Class “B” license or “Class C” wine license, must amend their liquor license to include all outdoor areas, outdoor decks and patios that will serve alcohol.
 - v. Said area(s) will be allowed to sell alcohol between the hours of 11:00 a.m. and 9:00 p.m. All consumption of alcohol by patrons must end within one hour after the permitted sales hours.
 - vi. Person(s) holding a Class “B” license or “Class C” wine license, or any agent or employee of said holder must remove all refuse left in said area(s) when the area is closed. All refuse left in said area(s) when the area has closed for the day must be removed within one (1) hour of closing said area(s).
 - vii. Person(s) holding a Class “B” license or “Class C” wine license, or any agent or employee of said holder will be required to monitor said area(s) by a licensed premise staff member to ensure that no alcohol leaves said area(s).
 - viii. Businesses on Lake Street shall be allowed to serve alcohol on the east side of Lake Street if the Person(s) holding a Class “B”

license, or any agent or employee of said holder, establishes a separate serving station and ensures that no alcohol is consumed and/or carried onto Lake Street.

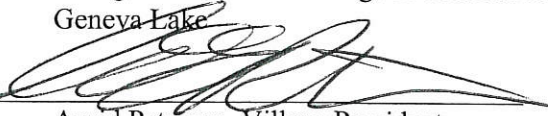
- ix. Said area(s) will be allowed to serve alcohol in the approved outdoor areas for a trial period until November 15, 2012. After that time the Village Board will retain the right to allow or prohibit outdoor dining and alcohol consumption for future seasons.

Section 2. Effective Date: This ordinance shall be in full force and effect upon its passage approval, and publication as required by law.

Passed and Adopted by the Village Board of the Village of Fontana on Geneva Lake, Walworth County, WI this 9th day of July, 2012.

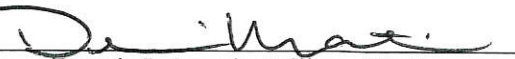
Village Board of the Village of Fontana on
Geneva Lake

By:



Arvid Petersen, Village President

Attest:



Dennis L. Martin, Village Clerk