

**AN ORDINANCE
TO AMEND SECTION 220-11D(1) “REVOCATION AND SUSPENSION OF LICENSES” OF
CHAPTER 220, “ALCOHOL BEVERAGES AND OTHER BEVERAGES”
“ARTICLE I. LICENSING AND GENERAL REGULATIONS”
OF THE CITY OF WATERTOWN GENERAL ORDINANCES**

Sponsor: Mayor Emily McFarland
Committee: Licensing Board

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 220-11D(1), “Revocation and Suspension of Licenses” is hereby amended to read and include as follows:

* * *

D. System created. There is hereby established a point system for the purpose of guiding the Licensing Board in making recommendations on the possible suspension or revocation of alcohol beverage licenses. The number of demerit points shall be assigned according to the type of violation. This system is intended to identify habitually troublesome alcohol licensees whose actions or those of his/her employees repeatedly violate state statutes and/or City of Watertown ordinances and to take consistent action against such licensees.

(1) Assignment of points. There is hereby assigned the following maximum demerit points for each type of violation:

Types of Violations	Chapter or Section	Demerit Points (per incident)
Refusal to allow police to search premises or refusal to cooperate with lawful police investigation	§§ 410-25, 410-26 and 410-46; § 139.08, Wis. Stats.	150
Refusal to allow Fire Department to conduct inspection	§ 303-4	100
Failure to maintain exits in an unobstructed manner	§ 303-19	50
Failure to maintain sufficient fire extinguishers	§ 303-2; Ch. SPS 314, Wis. Adm. Code	50
Unlawful employment of minors	§ 220-9B	75
Sexually oriented business on licensed premises unless permitted by law	§ 220-9H	150

Demerit Points

(January 19, 2021) Ord. #21-12

Types of Violations	Chapter or Section	(per incident)
Owner/employee possessing controlled substances on licensed premises	§ 410-54; Ch. 961, Wis. Stats.	150
Owner/employee possessing illegal drug paraphernalia on premises	§ 410-55; Ch. 961, Wis. Stats.	100
Unauthorized transfer/use of license	§ 220-7; § 125.04(12), Wis. Stats.	90
Exceeding posted occupancy/capacity	Ch. 303; Ch. SPS 314, Wis. Adm. Code	50
Sale of alcohol to person under age 21 without parent, guardian or spouse of legal drinking age	§ 125.07(1), Wis. Stats.	80
Person under age 21 on premises without parent, guardian or spouse of legal drinking age	§ 125.07(3), Wis. Stats.	80
Sale to intoxicated person	§ 125.07(2), Wis. Stats.	80
False statement on application	§ 125.04(3) and (5), Wis. Stats.	150
Failure to maintain order fights/disorderly conduct, Police Department not notified by bar	§ 410-6	50
Failure to maintain order fights/disorderly conduct, Police Department notified by bar	§ 410-7	10
Loud and unnecessary noise	§ 410-40	45
Public consumption outside licensed premises	§ 220-9F	40
Open after hours	§ 220-10	45
No licensed bartender on premises	§ 220-9E	40

(January 19, 2021) Ord. #21-12

Types of Violations	Chapter or Section	Demerit Points (per incident)
Fail to properly supervise sales	§ 220-9E	40
<u>Violation of the outdoor sales requirement</u>	<u>§ 220-9F(1)-(10)</u>	<u>25</u>
Obstruction of front windows/doors	§ 220-10E	25
After hours carry-outs	§ 220-10	30
Failure to frame and display license	§ 220-8	25
Penalty enhancer for severe offenses: enhanced penalty for conduct which results in bodily harm to any individual; creates a substantial risk of death or bodily harm; involves the use of a firearm or other dangerous weapon; or demonstrates an ongoing disregard for the requirements of state law or municipal ordinances		Up to 150 additional points
Health Code	Chapter 152; Chapter 228, Article III; Chapter 319, Article I; Chapter 362; Chapter 446	
Environmental sanitation violations	Chapter 319, Article II	25

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SECTION 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	01/19/2021		02/02/2021	
READING:	1ST		2ND	
	YES	NO	YES	NO
PASCH				
WENDT				
RUETTEN				
BARTZ				
HOLTHAUS				
WAGNER				
SCHMID				
WETZEL				
KILPS				
MAYOR MCFARLAND				
TOTAL				

ADOPTED February 2, 2021

CITY CLERK/TREASURER

APPROVED February 2, 2021

MAYOR