

ORDINANCE NO. 12-17

AN ORDINANCE AMENDING SECTION 12.02 OF THE MUNICIPAL CODE
RELATING TO NOISE VIOLATIONS AT ALCOHOL LICENSED OUTDOOR PREMISES

WHEREAS, the Village Board previously adopted Section 12.02 of the Municipal Code which establishes licensing provisions for intoxicating liquor and fermented malt beverages; and

WHEREAS, the Village Board, wishes to further clarify that violations of Village noise regulations may constitute grounds for suspension, revocation or non-renewal of a license; and

WHEREAS, the regulation of noise disturbances promotes the health safety and welfare of the Community;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I

Section 12.02(12)(a)1 of the Germantown Village Code, is amended to read as follows (Note: Additions are underlined; Deleted text is ~~struck through~~):

(a) Procedure. The provisions of §125.12(2) and (3), Wis. Stats., shall be applicable to proceedings for the revocation, suspension and refusal to renew all licenses granted under this section. Revocation or suspension proceedings may be instituted by the Village Board upon its own motion by adoption of a resolution. In any proceedings during which the decision to revoke, suspend or refusal to renew is made, the Village Board may consider the following causes in addition to those provided in §125.12(2)(ag), Wis. Stats.

1. Subject to §125.12(1)(b), Wis. Stats., any violation of this subsection, sections 9.07 or 9.09 of this Code, or Ch. 125, Wis. Stats.
2. Discontinuance or abandonment of the use of a licensed premises for a period exceeding 90 days without the express approval of the Village Board pursuant to subsection (7)(o) above.

SECTION II:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III:

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION IV:

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

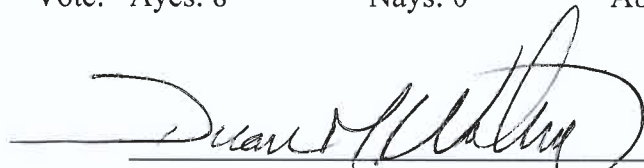
Introduced by Trustee:

Adopted: July 17, 2017

Vote: Ayes: 8

Nays: 0

Absent: 1



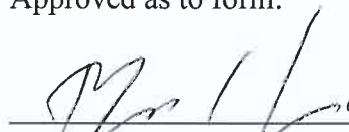
Dean M. Wolter, Village President

ATTEST:



Kathleen M. Strebe, Deputy Clerk

Approved as to form:



Brian C. Sajdak, Village Attorney

Published/Posted: _____