

§ 204-6 **License restrictions.**

In addition to the requirements imposed by provisions of the Wisconsin Statutes adopted by reference in § 204-1 of this chapter, the following restrictions shall apply to the issuance of licenses or permits pursuant to this chapter:

- A. Requirements for licenses. No license or permit shall be issued to any person who:
- (1) Is not 21 years of age or older, except that an operator's license may be issued to a person who is 18 years of age or older; **[Amended 10-10-2006 by Ord. No. A-361]**
  - (2) Has not been a resident of the State of Wisconsin for at least one year prior to the date of filing the application, except that this residency requirement shall not apply to applicants for operators' licenses; or
  - (3) Has habitually been a law offender or has been convicted of a felony, unless the person has been pardoned, subject to §§ 111.321, 111.322 and 111.335, Wis. Stats.
- B. Health and sanitation. No license shall be issued for any premise which does not conform to the sanitary safety and health requirements of the Wisconsin Department of Safety and Professional Services and the Wisconsin Department of Health and Family Services and to all ordinances and regulations adopted by the City of Lodi. **[Amended 7-16-2013 by Ord. No. A-456]**
- C. Location of premises.
- (1) No retail "Class A" or retail "Class B" or Class "A" or Class "B" license shall hereafter be issued for premises less than 300 feet from any established public or parochial school, hospital or church. Such distance shall be measured via the shortest route along the highway from the closest point of the boundary of such school, church or hospital to the closest entrance to such premises.
  - (2) No retail "Class B" or Class "B" license shall be issued for any premises located in any residential district under Chapter 340, Zoning, or within 100 feet of the closest boundary of a residential district.
- D. License quota. The number of persons and places that may be granted a retail "Class B" liquor license under this chapter is limited as provided in § 125.51(4), Wis. Stats. **[Amended 5-21-2019 by Ord. No. A-539]**
- E. Outdoor sale and consumption. When an application ~~under Subsection D of this section~~ for a Class "B" or "Class B" license requests that an outdoor area be included as part of the licensed premises, the Council may, in its discretion, approve such outdoor area as part of the licensed premises. Use of any outside area that is so approved as part of a licensed premises shall be subject to the following conditions:
- (1) The outdoor area shall be: ~~surrounded by a six-foot high fence conforming to City ordinances, except where the area abuts the indoor portion of the licensed premises. Entrance to the outdoor area shall be only through the indoor portion of the licensed premises~~
    - (a) Delineated with signage, posts or ropes, etc. to alert patrons to the licensed area.
    - (b) Depicted in a drawing attached to the license application and outside alcohol consumption and sales shall be limited to the area depicted in the drawing.
  - (2) Within the outdoor area:
    - (a) No bands shall play; no other live entertainment shall be present and no jukeboxes or other sound-producing devices shall be used unless otherwise permitted by the City of Lodi.

~~(b) No other live entertainment shall be presented.~~

~~(c) No jukeboxes or other sound producing devices shall be used.~~

(3) The outdoor area shall not be open after 10:00 p.m.

~~(4) The only alcoholic beverages that may be sold or consumed within the outdoor area shall be fermented malt beverages and wine coolers.~~

F. Corporations. No license shall be granted to any corporation when more than 50% of the voting stock interest, legal interest or beneficial interest is held by any person or persons not eligible for a license under this chapter.

G. Issuance for sales in dwellings prohibited. No license shall be issued to any person for the purpose of possessing, selling or offering for sale any alcohol beverages in any dwelling house, flat or residential apartment.