

ORDINANCE # 105

AN ORDINANCE REPEALING AND REENACTING ORDINANCE # 89  
AN ORDINANCE TO PROVIDE FOR  
FORFEITURES FOR OFFENSES AGAINST STATE LAWS  
AND DRINKING ON PUBLIC STREETS

The Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, for the purpose of maintaining and promoting the public peace, order and safety, does hereby repeal and reenact Ordinance #89 to read as follows:

Section 1. Provisions of State Law Adopted by Reference.

The provisions of the following sections of the Wisconsin Statutes are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance.

943.14 Criminal Trespass to Dwelling

If the value of the property does not exceed \$100.00.

943.50 Shoplifting

If the value of the property does not exceed \$100.00.

947.013 Harassment

Section 2. Drinking on Public Streets Prohibited.

(1) No person shall drink, consume, transport, carry or possess any intoxicating liquor, wine or fermented malt beverage, except in the original package and with the seal unbroken, either in or out of a vehicle in any of the following places:

(a) Any Village owned or controlled parking lot or Village owned property.

(b) Any public street, highway, alley, sidewalk or other similar place within the Village.

(c) Any privately owned parking lot, driveway or lot used for vehicular traffic with the express or implied permission of the owner for public use thereof, unless expressly authorized in writing by the owner of such parking lot, driveway or lot.

(d) Any grounds under the control of any privately owned and operated school, church, hospital or other institution frequented by the public, unless expressly authorized by the owner thereof.

(2) The holder of a Class "B" fermented malt beverage or intoxicating liquor license shall make every reasonable effort to discourage patrons from taking fermented malt beverages or intoxicating liquors or wine from the licensed premise when such beverages are served for consumption on the premises.

(3) The Village Board of Trustees may permit the consumption or possession of fermented malt beverages, wine or intoxicating liquors in specifically authorized public places. The Village Administrator may grant permission for the consumption or possession of fermented malt beverages, wine or intoxicating liquors at "block" or neighborhood parties within the Village of Oconomowoc Lake.

### Section 3. Underage Drinking

The provisions of the following sections of the Wisconsin Statutes are hereby adopted and by reference made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance.

125.07 (4)(a) Underage Persons

125.07 (4)(b) Underage Persons

125.08 (3)(b) Identification Card

346.93 Intoxicants In Vehicle

### Section 4. Penalty

The forfeiture for the violation of the provisions of sections 1, 2 or 3 of

this ordinance shall be not less than \$50.00 nor more than \$500.00.

Section 5. Enforcement.

This ordinance shall be enforced in accordance with the provisions of Section 66.12 and ch. 799 of the Wisconsin Statutes.

Section 6. References to Statutes.

References to specific statutory sections wherever used in this ordinance shall mean the Wisconsin Statutes of 1985, and all amendments thereto to the date of the violation.

Section 7. Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances heretofore enacted by the Village of Oconomowoc Lake which are in conflict with this ordinance are hereby repealed.

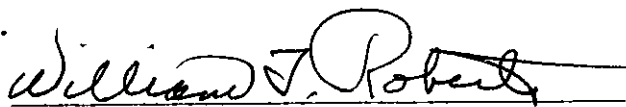
Section 8. Severability.

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid and if any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

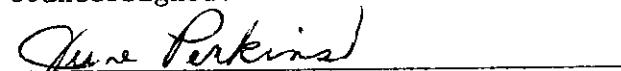
Section 9. Effective Date.

This ordinance shall take effect and be in force upon passage and posting as provided by law.

Passed and adopted by the Board of Trustees of the Village of Oconomowoc Lake this 20<sup>th</sup> day of October 1986.

  
Village President

Countersigned:

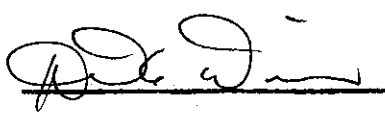
  
Village Clerk

STATE OF WISCONSIN )  
                          ) SS  
COUNTY OF WAUKESHA )

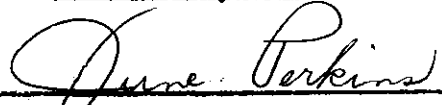
AFFIDAVIT OF POSTING  
ORDINANCE

Ordinance #105 repealing and reenacting Ordinance #89 to provide for forfeitures for offenses against State laws and drinking on public streets. The undersigned, being first duly sworn, on oath deposes and states that on October 31, 1986, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the above ordinance in the following public places in said Village, to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club.
  
- (2) At the entrance to the Village Hall on West Pabst Road.
  
- (3) At the northeast corner of the junction of County Trunk Highway "P" (West Beach Road) and the private drive (South Beach Road) leading into the Borisch, Loeser, Morsell, et al properties.

  
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Subscribed and sworn to before me  
this 31st day of October, 1986.

  
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Notary Public, Waukesha County, Wisconsin  
My commission expires: June 28, 1987