

ORDINANCE NO. 260

**AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 9(e) ENTITLED
CLOSING HOURS OF SECTION 12.03 OF THE MUNICIPAL
CODE OF THE VILLAGE OF OCONOMOWOC LAKE ENTITLED
INTOXICATING LIQUOR AND FERMENTED BEVERAGES**

WHEREAS, the Wisconsin Legislature by Act 97 authorized that retail beer and liquor stores may be authorized by the local municipalities to now open at 6:00 A.M.; and

WHEREAS, a request has been received by a local business in the Village to allow them to open at 6:00 A.M.; and

WHEREAS, said request did not ask that the closing hours be later than 9:00 P.M.; and

WHEREAS, the Village Board for the Village of Oconomowoc Lake has decided to amend its ordinance as set forth below.

The Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin does ordain as follows:

SECTION 1: Section 9 entitled Miscellaneous General Requirements, sub section e entitled Closing Hours is hereby repealed and re-created to read as follows:

(e) Closing Hours.

Premises licensed to sell alcoholic beverages shall remain open for the sale of said alcoholic beverages as authorized by such license and as set by State Statute with the following applicable local options:

1. If a wholesale license, between 5 p.m. and 8 a.m., except on Saturday when the closing hour shall be 9 p.m.
2. If a Retail Class "A" Fermented Malt Beverage License, between 9 p.m. and 6 a.m.
3. If a Retail "Class A" Intoxicating Liquor License, between 9 p.m. and 6 a.m.

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and

effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

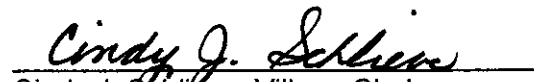
Dated this 16TH day of JANUARY, 2012.

VILLAGE OF OCONOMOWOC LAKE



Joseph Birbaum, Village President

ATTEST:



Cindy J. Schlieve, Village Clerk

Published and/or posted this 17TH day of JANUARY, 2012.

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING

Ordinance No. 260 Recreating Closing
Hours for the sale of Intoxicating Liquor and
Fermented Beverages in the Village

The undersigned, being first duly sworn, on oath deposes and states that on January 17, 2012, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village:

To-wit:

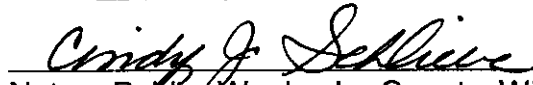
- (1) Opposite the entrance to the Oconomowoc Lake Club on the Northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the Village Boat Launch located at 35622 E. Wisconsin Avenue.



Posting Officer Signature

Subscribed and sworn to before me

This 17th day of January 2012



Notary Public, Waukesha County, Wisconsin
My Commission expires: June 7, 2015