

ORDINANCE NO. 2015-7

**AN ORDINANCE AMENDING QUALIFICATIONS OF APPLICANTS FOR
FERMENTED MALT BEVERAGE OR INTOXICATING LIQUOR LICENSES**

SECTION I. PREAMBLE; STATEMENT OF PURPOSE; AMENDMENT OF PROVISIONS.

WHEREAS, Section 7-2-1 of the Village of Bristol Code of Ordinances adopts provisions of Ch. 125, Wis. Stats., with respect to the regulation of the sale of intoxicating liquor, wine and/or fermented malt beverages and states that any act to be performed or prohibited by the Wisconsin Statutes shall be incorporated into Title 7, Ch. 2 of the Village of Bristol Code of Ordinances, and provides that future amendments of Ch. 125, Wis. Stats., shall be incorporated by reference; and

WHEREAS, the Village Board finds that the "Qualifications for Licenses and Permits for Natural Persons" set forth in Sec. 125.04(5)(a), Wis. Stats., bears a rational relationship to the qualifications necessary for the holder of a retail Class "A" or Class "B" fermented malt beverage or "Class A," "Class B" or "Class C" intoxicating liquor license, or Class "C" wine license in the Village; and

WHEREAS, the Village Board finds that the requirement of American citizenship currently set forth in Section 7-2-7(a) of the Village of Bristol Code of Ordinances is inconsistent with the current requirements set forth in Ch. 125, Wis. Stats., in that those statutory provisions do not require that a license holder be an American citizen; and

WHEREAS, the Village Board finds that requiring a license holder to be a State of Wisconsin resident for ninety (90) days, a partial requirement in Section 7-2-7(a), establishes that the license holder has sufficient ties to provide the State and Village with jurisdiction for enforcement of the regulations in Title 7, Ch. 2 of the Village Code of Ordinances; and

WHEREAS, the Village Board finds that requiring a license holder to have a status that allows the license holder to legally accept a regular employment opportunity without undue restrictions or limitations, such as, but not limited to, those imposed on natural persons holding student visas or other limited visas or green cards, bears a rational relationship to the qualifications for all persons seeking a liquor, wine and/or fermented malt beverage license; and

WHEREAS, the Village Board respects and values American citizenship and encourages those natural persons with permanent residence status to progress to the rights and responsibilities of full citizenship, the Village Board finds that natural persons who meet all other qualifications for

license holders and also are either American citizens or permanent residents with a green card have the qualifications necessary to be license holders in the Village of Bristol; and

WHEREAS, the Village Board intends to amend the ordinances of the Village to reflect the findings made herein.

NOW, THEREFORE, the Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain that Section 7-2-7(a) of the Village of Bristol Code of Ordinances is amended to read as follows:

- (a) **Residence Requirements.** A retail Class "A" or Class "B" fermented malt beverage, "Class A" or Class B" intoxicating liquor license, or Class "C" wine license shall be granted only to American citizen or persons with permanent residency status (green card) who have been residents of the State of Wisconsin continuously for at least ninety (90) days prior to the date of application.

SECTION II. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION III. EFFECTIVE DATE.

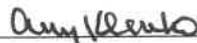
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 12th day of October, 2015.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk

INTRODUCED: 10/12/15

PASSED: 10/12/15

PUBLISHED: _____
(POSTED)

State of Wisconsin :
County of Kenosha:

I hereby certify that the foregoing ordinance is a true, correct and complete copy of an ordinance duly and regularly adopted by the Village Board of the Village of Bristol on the 12th day of October, 2015, and that said resolution has not been repealed or amended and is now in full force and effect.

Dated this 12th day of October, 2015

Amy Klemko
Amy Klemko, Clerk

