

AN ORDINANCE OF THE TOWN OF NIAGARA PROHIBITING
SELLING, DISPENSING, GIVING OR FURNISHING OF FERMENTED
MALT BEVERAGES TO ANY PERSON UNDER THE
AGE OF 21 YEARS WHEN NOT ACCOMPANIED BY PARENT,
GUARDIAN OR SPOUSE AND PROVIDING PENALTIES.

WHEREAS, Chapter 564 of the Laws of Wisconsin of 1955 authorizes any town, city or village to prohibit, by ordinance, the selling, dispensing, giving or furnishing of fermented malt beverages to any person under the age of 21 years when not accompanied by parent, guardian or spouse, and the adoption of such an ordinance will promote the health, safety and general welfare of the public in the Town of Niagara;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF NIAGARA IN MARINETTE COUNTY, WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: DEFINITIONS: As used in this Ordinance, the following terms shall have the following meanings:

- (a) "Fermented malt beverages" shall have the meaning given to such term in subsection (1) (j) of section 66.054 of the 1955 edition of the Wisconsin statutes and shall include all beverages of the type commonly known as "beer" which contain one-half of one per cent (0.5%), or more, of alcohol by volume.
- (b) "Minor" shall mean any person, of either sex, who has not attained the age of twenty-one (21) years.
- (c) "Guardian" shall mean a person duly appointed by a court of competent jurisdiction to have charge of the person of a minor.
- (d) "Spouse" shall mean any person who is the legal husband or wife of another person.
- (e) "Licensed Retailer" shall mean the proprietor, and the agent or employee of the proprietor, of any place of any nature or character whatsoever wherein fermented malt beverages are sold or offered for sale at retail under either a "Class A" or a "Class B" retailer's license issued by the Town Board of the Town of Niagara.

SECTION 2: Within the limits of the Town of Niagara, no person shall sell, dispense, give or furnish fermented malt beverages to any minor unless such minor is then and there accompanied by his or her parent or guardian or spouse.

SECTION 3: Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, forfeit to the Town of Niagara the sum of Ten Dollars, (\$10.00), for each such violation together with the costs of prosecution, as taxed and assessed by the court, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail of Marinette County for such a period of time, but not exceeding ten (10) days, as shall be fixed and adjudged by the court unless said forfeiture and costs be sooner paid.

SECTION 4: Any violation of any of the provisions of this Ordinance by any licensed retailer may be considered by the Town Board as a cause for revocation of his or her "Class A" or "Class B" retailers' license.

SECTION 5: This Ordinance shall take effect and be in force from and after its passage and posting.

Passed this, 7th day of June, A.D., 1957 by the Town Board of the Town of Marinette County, Wisconsin.

Patterson, Chairman, Town of Niagara
Earl Holmquist, Supervisor,
Cecil Cretton, Supervisor

Attested:

Town Clerk, Town of Niagara

I, Hattie LaCount, Town Clerk of the Town of Niagara, do hereby certify that the above is a true and correct copy of an Ordinance duly adopted at a regular meeting of the Town Board of the Town of Niagara, in Marinette County, Wisconsin, held on the 7th day of June, A. D., 1957.