

GENERAL ORDINANCE NO. 16-20

AN ORDINANCE  
CREATING SECTION 33.03(5)  
GREEN BAY MUNICIPAL CODE,  
RELATING TO TEMPORARY EXPANSION  
OF LICENSED PREMISES

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 33.03(5) Green Bay Municipal Code, is hereby created to read:

**(5) Temporary expansion of licensed premises.**

- a. **Temporary expansion of premises description.** The City Clerk is hereby authorized and directed to issue alcohol beverage licenses temporarily expanding the liquor license premises description for establishments holding an alcohol beverage license to include outdoor areas owned by or under control of the licensee, sidewalk areas immediately adjacent to the licensed premises, park property immediately adjacent to and contiguous with the licensed premises and any other outdoor area approved by the Police Department, Department of Public Works, Department of Parks Recreation and Forestry and/or Department of Community and Economic Development – Inspections Division.
- b. **Application.** A licensee holding any Class B (beer), Class B (liquor), or Class B combination license, as defined under Section 33.01, GBMC, shall submit a separate application for Temporary Expansion of Licensed Premises to the City Clerk. The application shall include all of the following:
  - i. **A description of the area to be included in the temporary expansion. The expanded area is subject to the requirements of Wis. Stat. Chapter 125 and Green Bay Code of Ordinances.**
  - ii. **Proof that the licensee has the right to occupy the area described. If the property consists of City right-of-way the licensee must obtain a revocable occupancy permit by applying through the Department of Public Works in accordance with Section 9.27 GBMC.**

- iii. A detailed plan of how physical distancing will be maintained.
  - iv. A security plan indicating how the area will be monitored and secured to delineate area boundaries.
- c. Return to original premises description. Any premises description expanded under this section shall be removed no later than December 31, 2020, at which time the licensed premises shall return to the liquor license premises description identified and approved as part of the licensee's annual license application without further action upon the part of the licensee or Common Council.
- d. Revocation. The City Clerk may revoke a temporary licensed premise expansion if they determine that the Licensee has violated Chapter 33, GBMC, or Ch. 125, Wis. Stats.; if the revocable occupancy permit is revoked; if the licensee no longer has the right to occupy the area included as part of the temporary licensed premise expansion; if they determine that occupancy of the area is detrimental to the public health, safety, or welfare, or if the right-of-way subject to such temporary licensed premise expansion is required for some other public purpose.
- e. Appeal Procedure. Any person aggrieved may appeal the denial or revocation of a temporary expansion of licensed premises to the Protection and Policy Committee. The applicant shall file written notice of appeal with the City Clerk within seven days after receiving notice of the denial. After obtaining receipt of the appeal, the Committee shall place the matter on the soonest Protection and Policy Committee agenda practicable for review.
- f. Possession of intoxicants on expanded premises. Individuals may consume intoxicating liquor or fermented malt beverages on any premises authorized under this section.

**SECTION 2.** Sunset Provision. This ordinance is hereby repealed effective December 31, 2020.

**SECTION 3.** Conflicting sections. Any ordinance in conflict with this section shall be superseded by this section.

**SECTION 4.** Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

jib

5/26/2020