

**TOWN OF WINDSOR
ORDINANCE NO. 2014-02**

**AN ORDINANCE AMENDING CHAPTER 6 - ALCOHOL BEVERAGES;
ARTICLE II, ESTABLISHMENT LICENSES;
DIVISION 3 QUALIFICATIONS & LIMITATIONS;
SECTION 6-86 RESIDENCY**

WHEREAS, Section 6-2, Town Ordinances, Town of Windsor, Wisconsin, adopts the provisions of Wis. Stat. ch. 125 with respect to the regulation of the sale of intoxicating liquor and fermented beverages, states that any act to be performed or prohibited by the statute shall be incorporated in Chapter 6 of the Town Ordinances, and provides that future amendments of the statute shall be incorporated by reference; and

WHEREAS, the Windsor Town Board finds that the Qualifications for Licenses and Permits for Natural Persons set forth in Wis. Stat. § 125.04(5)(a) bear 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 in the Town of Windsor; and

WHEREAS, the Windsor Town Board finds that the requirement of American citizenship currently set forth in Section 6-86 of the Town Ordinance is inconsistent with the requirements set forth in Wis. Stat. ch. 125 in that the Wisconsin Statutes do not require that a license holder be an American citizen; and

WHEREAS, the Windsor Town Board finds that requiring a license holder to be a State resident for 90 days, as set forth in Section 6-86 of the Town Ordinance, is prudent to establish that the license holder has sufficient ties to provide the State and Town with jurisdiction for enforcement of the regulations set forth in Chapter 6 of the Town Ordinances; and

WHEREAS, the Windsor Town Board finds that requiring a license holder to have a status that allows the license holder to legally accept a permanent employment opportunity without undue restrictions or limitations, such as those imposed on natural persons holding student visas and other limited visas, bears a rational relationship to the qualifications for all persons seeking a liquor license;

WHEREAS, while the Windsor Town Board highly values American citizenship and encourages those natural persons with permanent residence status to progress to the rights and responsibilities of full citizenship, the Windsor Town 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 Town of Windsor; and

WHEREAS, the Windsor Town Board wishes to amend its ordinances to reflect the findings made herein.

NOW, THEREFORE, the Town Board of the Town of Windsor, Wisconsin, does ordain as follows:

1. Chapter 6 Alcohol Beverages; Article II, Establishment Licenses; Division 3 Qualifications & Limitations; Section 6-86 Residency is hereby amended to read as follows:

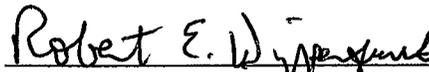
Sec. 6-86 Residency.

A retail Class "A" or Class "B" fermented malt beverage or "Class A," "Class B" or "Class C" intoxicating liquor license shall be granted only to American citizens or persons with permanent resident status (green card) who have been residents of the State continuously for at least 90 days prior to the date of the application.

2. **Effective Date.** This ordinance shall take effect upon passage and publication as provided by law.

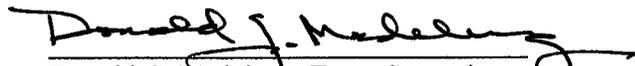
The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Windsor on the 5th day of June, 2014.

TOWN OF WINDSOR

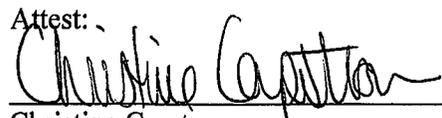

Robert E. Wipperfurth, Town Chairperson


Bruce Stravinski, Town Supervisor


Monica M. Smith, Town Supervisor


Donald G. Madelung, Town Supervisor


Alan Buchner, Town Supervisor

Attest:

Christine Capstran
Clerk