

Chapter 5.05
Outdoor Alcohol Consumption

Sections:

- 5.05.010 Alcohol beverages in public areas.**
- 5.05.020 Exceptions**
- 5.05.030 Definitions**
- 5.05.040 Prohibited**
- 5.05.050 Penalty for violation**

5.05.010 Regulations.

A. It shall be unlawful for any person to sell, serve or give away, or offer to sell, serve or give away, any alcohol beverage upon any public street, sidewalk, alley, public parking lot, highway, municipal building, library, or drives or other public area within the Village of Oakfield or on private property without the owner's consent, except at licensed premises. It shall be unlawful for any person to consume or have in his/her possession any open container containing alcohol beverage upon any public street, public sidewalk, public way, municipal building, library, public alley, public parking lot, or public trails (Wild Goose Trail) within the Village of Oakfield.

B. Private property held out for public use. It shall be unlawful for any person to consume any alcohol beverages upon any private property held open for public use within the Village unless the property is specifically named as being part of a licensed premises.

5.05.020 Exceptions

The provisions of this section may be waived by the Village Board for duly authorized events. This section shall not apply to any organization which has been issued a temporary fermented malt beverage and/or temporary wine license for a designated area and event pursuant to Section 5.04 of this chapter are fully complied with.

5.05.030 Definitions. As used in this section, the following terms shall have the meanings indicated:

“Alcohol Beverage” includes all ardent, spirituous, distilled or vinous, liquors or compounds, whether medicated, proprietary, patented, or not, and by whatever name called, as well as all liquors or liquids made by the alcoholic fermentation of an infusion in potable water of barley malt and hops, with or without unmalted grains or decorticated or degerminated grains or sugar, which contain ½ of 1% or more of alcohol by volume and which are fit for use for beverage purposes.

“Public Area” is any location within the Village of Oakfield which is open to access to persons not requiring specific permission of the owner to be at such location, including all parking lots serving commercial establishments.

“Underage Person” is any person under the legal drinking age as defined by the Wisconsin Statutes.

5.05.040 Prohibited.

A. Possession on School Grounds Prohibited. No person may possess or consume any fermented malt beverage or intoxicating liquor on any school premises while participating in a school sponsored activity, or in a motor vehicle, if a pupil attending school is in the motor vehicle. The definitions set forth in § 125.09(2), Wis. Stats., shall apply.

B. No person shall have in his or her possession any intoxicating liquor or fermented malt beverage while on any public or school properties located in the Village, including the area known as Oakfield Village Park, when there is a school event.

C. No person shall have in their possession any open can, bottle or other container containing malt beverages or intoxicating liquor or drink from the same on any public way, public street, sidewalk, boulevard, parkway, safety zone, alley or public parking lot or on or in any motor vehicle parked on a

public way, public street, alley or public parking lot except if properly permitted

D. No person shall consume any fermented malt beverage or intoxicating liquor or possess any open can, bottle or other container containing fermented malt beverages or intoxicating liquor outside the premises of any tavern on any property contiguous or adjacent thereto if such property is under the control or management of the tavern's license holder, agent or owner, except if properly permitted

5.05.050 Penalty for Violation

Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be subject to a penalty as provided in Chapter 1.20 of this code