

Ordinance No. 2022-05

AN ORDINANCE TO AMEND THE FOLLOWING SECTIONS OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, AMEND SECTIONS 7-20-1(b) RELATED TO SPECIAL EVENT PERMIT REQUIRED, AMEND SECTION 7-20-1(c) RELATED TO SPECIAL EVENT EXCEPTION, AMEND SECTION 7-20-1(e)(4) & (8) RELATED TO SPECIAL EVENT REQUIREMENTS, AMEND SECTION 7-20-1(f) RELATED TO SPECIAL EVENT PERMIT FEES AND NUMBER OF EVENTS AND SECTION 7-20-1(g) RELATED TO SPECIAL EVENT PERMIT APPROVAL

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 7-20-1(b) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:
 - “(b) Permit Required. An Outdoor Event in the Village is prohibited unless a permit under this Chapter is approved. To increase efficiency and flexibility, the Village Board delegates limited power to the Village Clerk to issue the permit after review and action by the Office of the Clerk or the Legislative and Licensing Committee, as may be applicable Permits shall be applied for annually and are effective for one year from the date of issuance.”

2. That Section 7-20-1(c) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:
 - “(c) Exception. Speakers located on a patio or deck and wired or streamed to jukeboxes, stereos, radios, music streaming services, or Bluetooth devices located inside of a premises shall not require a permit under this section. The intent of this exception is to allow patrons of an establishment to enjoy background music while congregating on a deck or patio immediately adjacent to the building.”

3. That Section 7-20-1(e)(4) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:
 - “(4) All live music, loudspeakers and amplified music in the Outdoor Event area, inclusive of food and beverage service, shall begin no earlier than 10:00 a.m. daily and cease no later than 10:00 p.m. on Sunday through Thursday and 12:00 a.m. (midnight) on Friday and Saturday, except as provided herein. Applicants that hold a temporary beer or wine permit under Section 7-2-4(e) (1) or 7-2-4(f)(1) of this Code of Ordinance, may be allowed to have live

music, loudspeakers and amplified music until 12:00 a.m. (midnight) on Sunday through Thursday for good and sufficient cause as determined by the Village Clerk, based upon the special circumstances of the particular case. In addition, applicants shall obtain approvals from the Chief of Police in accordance with Sec. 11-2-8(c) if such sections are applicable to the proposed special event. Applicants that desire to extend the hours as provided herein, shall indicate the reasons why the extension is necessary."

4. That Section 7-20-1(e)(8) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

"(8) No loud, profane or lewd music shall be broadcast directly away from the Outdoor Event area by means of amplified devices, outdoor speakers or Bluetooth devices, jukeboxes, unless written permission is granted in advance for a special event by the Village Clerk."

5. That Section 7-20-1(f) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

"(f) Permit Fee and Number of Events. The application fee shall be set by Resolution of the Village Board from time-to-time. Such application fee shall include the cost of a background check, if needed. The fee shall be paid at the time of application. The Village Clerk, or its designee as indicated under this ordinance, at its discretion, may grant a permit on an event-by-event basis or for multiple events with a set schedule. Upon approval and prior to receiving the permit, the applicant shall pay a permit fee which shall include a base permit fee plus a per event fee in amounts set by Resolution of the Village Board from time-to-time. These fees are intended to cover the cost incurred by the Village for the administration and enforcement of this ordinance and are nonrefundable."

6. That Section 7-20-1(g) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

"(g) Approval.

(1) **New Applications.** All "new" applications shall be reviewed by the Village Clerk. The Village Clerk may approve or deny such application if it complies with this Section under the same criteria under subsection (1) above, or may, at his or her discretion, refer the application for review and action by the Legislative and Licensing Committee. Upon referral, the Legislative and Licensing Committee may approve or deny the application utilizing the same criteria under this Subsection. Applications shall not be approved if the Village Clerk determines that a proposed event(s) will cause a disturbance to residences or other businesses nearby or adversely affect the peace and quiet of the surrounding neighborhood. A "new" application

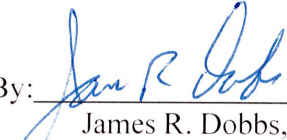
under this Section shall mean an application by a person or entity that has not previously received a permit under this Section for the applied for location or, if there is new ownership for the applied for location.

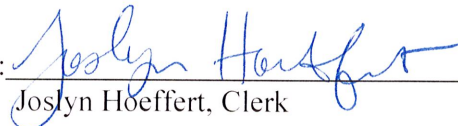
- (2) **Previously Permitted Applicants.** An application by a person or entity that has previously received a permit under this Section shall be reviewed by the Village Clerk. The Village Clerk, as the Village Board designee under this Section, may approve or deny such application if it complies with this Section under the same criteria under subsection (1) above, or may, at his or her discretion, refer the application for review and action by the Legislative and Licensing Committee. Upon referral, the Legislative and Licensing Committee may approve or deny the application utilizing the same criteria under this Subsection.
- (3) In this Subsection, the term "Village Clerk" includes the Deputy Clerk, if one exists, in the Village Clerk's absence or unavailability, in accordance with Sec. 2-4-9 and if the Deputy Clerk is so authorized by the Village Clerk to act."

6. This ordinance shall take effect upon adoption and publication as required by law.

21 Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this day of February, 2022.

VILLAGE OF CALEDONIA

By: 
James R. Dobbs, President

Attest: 
Joslyn Hoeffert, Clerk