

**AN ORDINANCE AMENDING SECTION 13-7 OF CHAPTER 13 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO POSSESSION OF ALCOHOLIC BEVERAGES.**

(Parks and Recreation Committee – 3-4-15)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Section 13-7 of Chapter 13 of the Municipal Code of the City of Appleton, relating to possession of alcoholic beverages, is hereby amended to read as follows:

**Sec. 13-7. Possession of alcoholic beverages.**

(a) No alcoholic beverages, other than fermented malt beverages and wine, are allowed in any park.

(b) No person shall drink from or possess an open container of permitted alcoholic beverages in any park before 10:00 a.m. or after 10:00 p.m.

(c) Time limitations in this section shall be extended in the posted areas of Appleton Memorial Park while organized league or tournament play is in progress.

(d) Time limitations in this section shall be extended to 9:00 a.m. at Reid Golf Course.

(e) No alcoholic beverages of any kind may be carried into posted areas of Appleton Memorial Park during times when alcoholic beverages are offered for sale by licensed vendors located within the posted areas.

(f) No alcoholic beverages of any kind may be carried into any area of Reid Golf Course at any time unless the alcoholic beverage was purchased at Reid Golf Course.

(g) Permits to extend these time limitations, or type of alcohol permitted, may be applied for from the Director or designee thereof. A decision to deny such permit may be appealed to the appropriate committee of jurisdiction.

**Section 2:** This ordinance shall be in full force and effect from and after its passage and publication.

**AN ORDINANCE MODIFYING THE BOUNDARIES INCLUDED IN THE AGREEMENT WITH THE VILLAGE OF LITTLE CHUTE.**

The Common Council of the City of Appleton does ordain as follows:

**Section 1. Territory Annexed.** In accordance with §66.0301(6)(c) of the Wisconsin Statutes and the intergovernmental cooperation agreement between the Village of Little Chute and the City of Appleton, the Village and the City hereby establish the boundary line separating the Village and the City, in Outagamie County, Wisconsin, lying contiguous to both the City of Appleton and the Village of Little Chute:

**AREA 1**

*A part of the Northwest ¼ of the Southwest ¼ and the Southwest ¼ of the Southwest ¼ of Section 8, Township 21 North, Range 18 East, Village of Little Chute and the City of Appleton, Outagamie County, Wisconsin, containing 1.216 Acres of land m/l and being further described as follows:*

*Commencing at the West ¼ corner of said Section 8;  
Thence S.00°10'34"W. 662.48 feet along the West line of the Southwest ¼ of said Section 8 to the point of beginning;  
Thence S.89°07'04"E. 40.00 feet to the East line of French Road;  
Thence S.00°10'34"W. 1324.76 feet along the East line of French Road;  
Thence N.89°21'59"W. 40.00 feet to the West line of the Southwest ¼ of said Section 8;  
Thence N.00°10'34"E. 1324.93 feet along the West line of the Southwest ¼ of said Section 8 to the point of beginning.  
Right of way owned entirely by the City of Appleton (No parcel number).*

**AREA 2**

*A part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 17, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 3.043 Acres of land m/l and being further described as follows:*

*Commencing at the Northwest corner of said Section 17 and being the point of beginning;  
Thence S.89°29'51"E. 127.73 feet along the North line of the NW ¼ of said Section 17;  
Thence S.00°30'09"W. 33.00 feet to the South line of Evergreen Drive;  
Thence S.33°26'30"W. 6.80 feet along the South line of Evergreen Drive;  
Thence Southwesterly 54.51 feet along the South line of Evergreen Drive, along the arc of a curve to the left, having a radius of 238.50 feet and the chord of which bears S.73°32'55"W. 54.39 feet;  
Thence continue Southwesterly 37.88 feet along the South line of Evergreen Drive, along the arc of a curve to the left having a radius of 78.50 feet and the chord of which bears S.53°10'41"W. 37.51 feet to the East line of French Road;  
Thence S.01°05'48"E. 46.80 feet along the East line of French Road;  
Thence S.03°14'37"E. 400.30 feet along the East line of French Road;  
Thence S.12°12'33"E. 203.82 feet along the East line of French Road;  
Thence S.06°15'58"E. 420.66 feet m/l along the East line of French Road to a bend point in the North line of U.S.H. "41";*

*Thence S.04°55'49"W. 373.06 feet to the Southeasterly corner of French Road and U.S.H. "41";*  
*Thence S.89°55'43"W. 93.03 feet to the West line of the NW ¼ of said Section 17'*  
*Thence N.01°05'48"W. 1513.56 feet along the West line of the NW ¼ of said Section 17 to the point of beginning.*  
*Right of way entirely within the City of Appleton per City of Appleton Thyssen Annexation, adopted July 3, 1991 (No parcel number).*

The above-described properties shall be included within the boundaries of the City of Appleton, Outagamie County, Wisconsin.

**Section 2. Effect of Annexation.** From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Appleton.

**Section 3. Ward Designation.** The territory described in Section 1 of this ordinance is hereby made a part of the Thirty-eighth (38<sup>th</sup>) Ward, attached to the Thirteenth (13<sup>th</sup>) Aldermanic District of the City of Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

**Section 4. Zoning Classification (pursuant to attached zoning map).** The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0217(7)(a), Stats., and §23-65(e), Appleton Municipal Code:

**AREA 1: P-I Public Institutional District.**

**AREA 2: PD/C-2 Planned Development General Commercial District, M-1 Industrial Park District and M-2 General Industrial District.**

**Section 5. Severability.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given without the invalid or unconstitutional provision or application.

**Section 6. Effective Date.** This ordinance shall take effect upon passage and publication.

