

CHAPTER 4 – ALCOHOLIC BEVERAGES

Sec. 4-3. Classes of licenses and fees.

The following classes and denominations of licenses may be issued by the village clerk upon the granting by the village board after payment of the fee herein specified, which when so issued shall permit the holder to sell, deal or traffic in beverages as provided in Secs. 66.0433, 125.17, 125.25, 125.26, 125.27, 125.28, 125.51 and 125.56, Wis. Stats. License fees shall be prorated as is allowed by statute when requested for less than a full year. For the purposes of this section, a license year is defined as the period from July 1 to June 30. Except as to special six-month licenses, all licenses shall expire on the June 30 next following the date of issuance.

- (1) *Retail class "A" fermented malt beverage license.* The amount of the annual license fee shall be established by the village board, from time to time, and made available for public examination in the office of the village clerk.
- (2) *Retail class "B" fermented malt beverage license.* The amount of the annual license fee shall be established by the village board, from time to time, and made available for public examination in the office of the village clerk.
 - a. *Six months.* A license may be issued at any time for six months in any calendar year, for which one-half of the applicable license fee shall be paid, but such license shall not be renewable during the calendar year in which it was issued.
- (3) *Wholesale fermented malt beverage license.* The amount of the annual license fee shall be established by the village board, from time to time, and made available for public examination in the office of the village clerk.
- (4) *Retail "class A" liquor license.* The amount of the annual license fee shall be established by the village board, from time to time, and made available for public examination in the office of the village clerk.
- (5) *Retail "class B" liquor license.*
 - a. This license shall permit its holder to sell liquor by the glass to be consumed on the licensed premises or off the premises if the licensee seals the container of liquor with a tamper-evident seal before the liquor is removed from the premises, and in original packages or containers in multiples to be consumed off the licensed premises. Wine may be sold in original packages or otherwise in any quantity to be consumed off the licensed premises. The village elects to come under the provisions of Sec. 125.51(3)(b), Wis. Stats. The amount of the annual license fee shall be established by the village board, from time to time, and made available for public examination in the office of the village clerk.
 - b. A retail "class B" liquor license shall be issued only to holders of a retail class "B" fermented malt beverage license.
- (6) *Reserve "class B" liquor license.* \$10,000.00 for the initial issuance thereof. Its holder is permitted to sell liquor by the glass to be consumed on the licensed premises or off the premises if the licensee seals the container of liquor with a tamper-evident seal

before the liquor is removed from the premises, and in original packages or containers in multiples to be consumed off the licensed premises. Wine may be sold in original packages or otherwise in any quantity to be consumed off the licensed premises.

(7) *Temporary class "B" (beer) license.*

- a. This license shall permit its holder to sell beer by the glass to be consumed at multiple locations during a single-day event on a specific date and time. This license shall be issued to the same qualified organization, who is the licensee and sponsor of the multiple-location, single-day event. The single-day event can take place in a location where another type of business is conducted. This event must charge an admission fee and cannot charge a fee for service of the beer. There is no limit on the number of this license issued per year to the same organization.
- b. The village elects to come under the provisions of Sec. 125.26(6), Wis. Stats. The amount of the temporary license fee shall be established by the village board from time to time but may not exceed \$10.00.

(8) *Temporary "class B" wine license.*

- a. This license shall permit its holder to sell wine by the glass to be consumed at multiple locations during a single-day event on a specific date and time. This license shall be issued to the same qualified organization, who is the licensee and sponsor of the multiple-location single-day event. The single-day event can take place in a location where another type of business is conducted. This event must charge an admission fee and cannot charge a fee for service of the wine. The village may not issue more than two single-day, multiple-location events during a 12-month period to any qualified organization.
- b. The village elects to come under the provisions of Sec. 125.51(10)(b), Wis. Stats. The village may issue up to 20 temporary "class B" wine licenses to an eligible organization provided all of the following apply: each license is issued for the same date and times and the licensee is the sponsor of an event held at multiple locations on this date and at these times, an admission fee is charged for participation in the event and no additional fee is charged for service of alcohol at the event, and within the immediately preceding 12-month period, the village has issued licenses under Sec. 125.51(10)(b), Wis. Stats., for fewer than two events. The amount of the temporary license fee shall be established by the village board from time to time but may not exceed \$10.00, except no fee may be charged to an organization who at the same time applies for a temporary class "B" (beer) license. The village may charge this fee or each location.

(9) *Retail "class C" wine license.* Issuance of this license shall permit its holder to sell wine by the glass to be consumed on the licensed premises. A "class C" license may be issued independent from a class "B" fermented malt beverage license or a "class B" liquor license. The amount of the annual license fee shall be established by the village board, from time to time, and made available for public examination in the office of the village clerk.

(10) *Operator's license.* The amount of the annual license fee shall be established by the village board, from time to time, and made available for public examination in the office of the village clerk.

- a. An operator's license may be granted to individuals by the village board, the village clerk or deputy clerk in accordance with Sec. 125.17, Wis. Stats., for the purposes of complying with Secs. 125.32(2) and 125.68(2), Wis. Stats.
- b. An operator's license may be issued only on written application on forms provided by the village clerk.

(11) *Provisional operator's license.* The amount of the fee shall be established by the village board from time to time but may not exceed \$15.00. The village clerk or deputy clerk may issue provisional operator's licenses in accordance with Sec. 125.17, Wis. Stats. The provisional operator's license shall expire 60 days after its issuance or when an operator's license is issued to the holder, whichever is sooner. The clerk shall check the applicant's conviction history. The applicant for such provisional license must present evidence to the clerk establishing that the applicant is enrolled in an alcohol awareness training program established pursuant to Sec. 125.17(6)(a), Wis. Stats. The village clerk may, upon receiving an application for a provisional license, issue such license without requiring the successful completion of the approved program as described herein. However, such license shall be used only for the purpose of allowing such applicant the privilege of being licensed as a beverage operator pending his successful completion of the approved program, and the applicant shall also apply for a regular operator's license. A provisional license may not be issued to any person who has been denied an operator's license by the village, who has had his operator's license revoked or suspended within the preceding 12 months, or who previously held an operator's license and who failed to complete the alcohol awareness training. The village clerk may revoke the provisional license issued if he discovers that the holder of the license made a false statement on the application. A provisional license shall not be renewed.

(12) *Nonrefundable fees.* No refund of any fee paid shall be made once the license has been issued.

(Ord. of 2-8-1999, § 27.03; Ord. of 6-11-2007; Ord. of 11-19-2012; Ord. of 07-26-2021(1))

Sec. 4-5. License restrictions.

- (b) *Location.* No retail "class A" liquor license, retail "class B" liquor license or retail class "B" fermented malt beverage license (except temporary) shall be issued for premises the main entrance of which is less than 300 feet from the main entrance of any established public or parochial school, hospital or church. Such distance shall be measured by the shortest route along the highway from the closest point of the main entrance of such school, hospital or church to the main entrance of the premises covered by the license application. This subsection shall not apply to premises licensed as such on June 30, 1947, any premises licensed as such prior to the occupation of real property within 300 feet thereof by any school, hospital or church building, nor shall it apply to any restaurant located within 300 feet of a church or school, where the sale of alcohol beverages in the restaurant accounts for less than 50 percent of their gross receipts.