



Local Government

The main responsibility for alcohol licensure and control falls on local governments in Wisconsin. Local governments can improve the alcohol environment through adoption and implementation of evidence based practices. This report recommends these specific changes in municipal policy that are proven to reduce excessive alcohol use including binge drinking, heavy drinking, and underage drinking. The definition of local government includes municipalities, counties, and tribes. For the purpose of alcohol beverage regulation, the Wisconsin Statutes define a municipality as “a city, village, or town.” Municipalities may license and regulate retail alcohol beverage sales. Only a municipality (city, village, or town) may grant an alcohol license. Counties do not have any power to grant alcohol licenses. Tribes may impose licensing requirements, but any alcohol beverage retailer operating on tribal land and selling to nonmembers must also be licensed by the applicable municipality. Municipalities, counties, and tribes may enact local laws (e.g. ordinances) for public safety purposes, and may enforce their laws within their boundaries against people who violate them.

Recommendation 1: Map alcohol outlet density.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol; Monitor and evaluate

Wisconsin has an excessive number of locations that sell and serve alcohol contributing to Wisconsin’s high rate of heavy and binge drinking. Wisconsin is the only state where the excessive drinking rate in every county exceeds the national average. The combination of readily available low-cost alcohol has unintentionally created circumstances that enable underage drinking, excessive consumption with the injuries, violence, disease and death that follow.

For years, municipal leaders operated under the now disproven belief that increasing the number of locations that sold or served alcohol would benefit the community. Within the last decade it has become clear that clusters and areas with an overconcentration of alcohol outlets increase the likelihood of alcohol related disorder and crime even when all the licensees are obeying the law. The Centers for Disease Control and Prevention recommend limiting alcohol outlet density to reduce and prevent alcohol-related problems.

Every Wisconsin community should map alcohol outlet locations, then working with law enforcement, public health and local leaders determine which areas of the community have too many alcohol outlets and which areas have developing clusters. Municipalities should use the Centers for Disease Control and Prevention’s methods that reveal outlet clusters simply and economically. Community leaders should consider enacting a moratorium on new alcohol outlets in areas with significant clusters and revise their alcohol licensing process to reduce the stress on these communities.

Given the research on alcohol outlet density and its relationship to alcohol-related disorder, crime, the number of adverse childhood experiences, and binge drinking, Wisconsin should suspend further increases in the permitted number of “Class B” licenses a municipality is allowed to issue based on population growth alone.

Alcohol outlet mapping has exposed equity issues in many communities. Related research has indicated that alcohol outlet location and even the products stocked in different branches of the



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same store vary with the ethnic, racial and economic makeup of each area. Municipal leaders can address these concerns with careful mapping to ameliorate clusters and thoughtful alcohol license conditions prior to licensing to include concerns about products and their marketing.

**Cross-listed in: State Government and State Agencies (Recommendation 1)*

Recommendation 2: Municipalities work with post-secondary schools.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol; Modify the drinking environment

Municipalities should work collaboratively with local post-secondary schools to limit the number of alcohol outlets near campuses, provide care for dangerously intoxicated individuals and take steps to reduce alcohol-related harassment of marginalized racial, ethnic and other minority groups.

**Cross-listed in: Civic, Community, Educational, and Religious Organizations (Recommendation 1)*

Recommendation 3: Universities and colleges work with the local government.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol

Because alcohol licensing is a municipal issue in Wisconsin, the leaders of Wisconsin's colleges and Universities should commit to working with local governments to limit the number of alcohol outlets near campus and enforce the minimum legal drinking age. Joint campus-community efforts to fund and deploy evidence-informed and evidence-based interventions including regular alcohol age compliance checks are both effective and sustainable.

**Cross-listed in: Civic, Community, Educational, and Religious Organizations (Recommendation 2)*

Recommendation 4: Compile and utilize place of last drink (POLD) data.

Lead implementing organizations: Counties, Municipalities (cities, villages and towns); Law Enforcement

Purpose: Reduce availability of alcohol; Monitor and evaluate

In the absence of a state coordinated Place of Last Drink (POLD) initiative, law enforcement agencies should regionally collaborate, with support from prevention professionals (public health, human services, and/or community coalitions) to compile and utilize POLD data. Place of Last Drink information is a valuable tool enabling law enforcement to monitor overserving by local licensees and work with those licensees to identify and remediate issues that may contribute to overserving. Originally compiled from OWI/DUI reports although expanded to include all arrests in some jurisdictions outside of Wisconsin, compiling POLD data provides useful information on licensees, their selling or serving policy and the proportion of police calls that are alcohol related. While most effective when compiled at the regional level, even small municipalities can benefit from compiling this data.



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Recommendation 5: Fund, train, and conduct Minimum Legal Drinking Age compliance checks.

Lead implementing organizations: Counties; Municipalities (cities, villages, and towns); Police Departments; Sheriff's Office

Purpose: Reduce availability of alcohol; Monitor and evaluate

Wisconsin's rate of underage drinking is perennially above the national average. Medical research has revealed the serious long-term consequences of underage drinking including, higher rates of alcohol and other drug use throughout life, the causal relationship of alcohol consumption to seven different cancers and the possibly permanent loss of cognitive and analytical ability. In addition, alcohol use among youth is a significant factor in accidental injuries, drownings, sexual assault and gun violence.

To combat underage drinking by reducing youth access to alcohol, Wisconsin should designate the Department of Justice, Bureau of Training and Standards as the lead agency for enforcement of Minimum Legal Drinking Age (MLDA) establishing clear lines of authority and accountability in future efforts to reduce the illegal sale or provision of alcohol to underage youth. The biennial budget for the Wisconsin Department of Justice should include sufficient annual GPR funding for alcohol age compliance checks conducted by a certified law enforcement agency with citations issued for failures to comply. These funds must be administered by a certified law enforcement agency, with regional and multi-jurisdictional efforts encouraged.

Unlike many other states, Wisconsin does not provide any state funding for alcohol age compliance checks to reduce youth access to alcohol. The failure of that policy is clear, Wisconsin is the only state in the nation where every county has an excessive drinking rate higher than the national average.

- ❖ Wisconsin should designate the Department of Justice, Bureau of Training and Standards as the lead agency for training and enforcement of Minimum Legal Drinking Age (MLDA) for the purpose of establishing clear lines of authority and accountability in all efforts to reduce the illegal sale or provision of alcohol to underage youth.
- ❖ The Wisconsin Department of Justice should distribute funding for officer and staffing expenses to reduce the illegal sale or provision of alcohol to underage youth through alcohol age compliance checks. These funds should be awarded annually to Sheriff Departments and local law enforcement agencies for alcohol age compliance checks conducted by a certified law enforcement agency with citations issued when appropriate.
- ❖ All licensed alcohol retailers in Wisconsin should have alcohol age compliance checks conducted by a law enforcement agency twice annually until their county achieves a failure rate of 20%, or less. When achieved, annual compliance checks are sufficient.
- ❖ Both on-premises and off-premises licensees should have compliance checks.
- ❖ Compliance checks can be conducted by local law enforcement, Sheriff Departments or regional agreements.
- ❖ The Department of Justice, Bureau of Training and Standards should develop protocols and provide training for law enforcement agencies on the primary modes of retail alcohol sale including new modes as they are allowed or occur in the future.
- ❖ The Department of Justice should prepare a report annually indicating the number of jurisdictions conducting alcohol age compliance checks, the state failure rates, and listing the individual failure rates by county.

**Cross-listed in: State Government and State Agencies (Recommendation 5)*



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Recommendation 6: Regulate alcohol delivery.

Lead implementing organizations: Counties and Municipalities (cities, villages, and towns); Police Departments; Sheriff's Offices

Purpose: Reduce availability of alcohol

Wisconsin's statutory requirement for face-to-face alcohol sales requires the retailer to interact with the customer, establish they are age 21 or older and not intoxicated. Proposals that allow for retailer delivery or third party delivery of alcohol remove this requirement and may not provide effective controls or a replacement. The experience of other states indicates allowing alcohol to be delivered increases the risk of underage drinking. It is imperative to carefully enumerate the responsibilities of all parties involved and to support local enforcement of those policies.

- ❖ The retailer and the delivery service are both separately responsible for determining that alcohol is only delivered to individuals who are age 21 or older and not intoxicated.
 - Either or both parties may be cited if IDs are not checked, or other required actions are not taken regardless of the means used to determine a violation.
 - Failure by either the retailer or delivery personnel to fulfill their responsibilities may be cited under 125.07.
 - Multiple failures by a licensee to package alcohol correctly or failing to indicate orders that contain alcohol are individual violations.
- ❖ The retailer must place a fluorescent-colored sticker, at least four inches in length or diameter that is readably visible on the exterior packaging of every box or bag containing alcohol. With the wording in all capital letters: *CONTAINS ALCOHOL: SIGNATURE OF PERSON AGED 21 YEARS OR OLDER REQUIRED FOR DELIVERY.*
 - Failure to place this required sticker is a violation of the alcohol license, multiple failures may constitute cause for non-renewal, suspension or revocation.
 - A purchaser's assertion that they are age 21 or older does not absolve the retailer from other required steps.
- ❖ The delivery service is responsible for the conduct of its employees and contractors, including but not limited to requiring every delivery including alcohol must verify the age of the recipient by physically checking a government issued ID that also confirms the individual in the photo is the same person accepting delivery, the name on the credit card and ID are the same, and the individual is age 21 or older.
 - A signature following the ID check is required for every delivery with alcohol.
 - Delivery personnel must visually confirm the individual is not intoxicated.
- ❖ Packages with the fluorescent "Alcohol" sticker must be delivered to the named individual on the order. They may not be left on steps, porches or other exterior locations or otherwise unattended regardless of the instructions submitted by the customer.
 - Delivery firms and retailers may assess a reasonable fee to any order returned due to a failed ID check or failure to present an ID.

**Cross-listed in: State Government and State Agencies (Recommendation 12); Alcohol Industry (Recommendation 1)*



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Recommendation 7: Ban alcohol advertising from municipal property.

Lead implementing organizations: Counties and Municipalities (cities, villages, and towns)

Purpose: Reduce promotion of alcohol to youth

Wisconsin municipalities should join the many publicly owned transit systems and municipalities including Philadelphia, San Francisco, Los Angeles and New York City banning alcohol advertising from municipal property. As the manager of public assets, Wisconsin's municipalities can ban alcohol advertising on that property, acting not as a censor, but as the steward of public resources.

Municipalities should not allow alcohol advertising on any municipal property such as recreation centers, athletic facilities, parks or publicly owned buildings, and transit systems.

Youth exposure to alcohol advertising is a proven factor in alcohol initiation (the age youth begin to drink) and the amount of alcohol they consume (drinking intensity).

Recommendation 8: Use sign codes to limit amount of advertising in windows.

Lead implementing organizations: Counties and Municipalities (cities, villages, and towns)

Purpose: Reduce promotion of alcohol to youth

Municipal and County sign codes should limit the amount of advertising that covers a large portion of the window. Sign codes should provide an explicit formula for calculating the portion of the window covered for clarity. Some examples of useful wording for such an ordinance follow: The total area of all signs placed in or on a window shall not be greater than (community standard) percent of the window.

- ❖ For the purposes of this ordinance, the total area of a sign shall be the sum of the areas of all spaces, whether covered or uncovered, that are within the exterior perimeter of the sign. For example, a sign that has a height of 2 feet and a width of 3 feet shall be measured as having an area of 6 square feet, regardless of how much of that sign is perforated, clear, or empty space.
- ❖ The area of a rectangular window sign shall be calculated by multiplying the vertical distance of the sign by the horizontal distance of the sign, where the vertical distance is the distance from the bottom of the sign to the top of the sign and the horizontal distance is the distance from the left edge of the sign to the right edge of the sign.
- ❖ The area of a circular window sign shall be calculated as the area of a circle, where the radius is calculated by measuring the distance from the center of the sign to the edge of the sign.

Recommendation 9: Prohibit placement of alcohol advertising on mass transit vehicles and property.

Lead implementing organizations: Counties; Municipalities (cities, villages, and towns); Local or Regional Public Transport Authority

Purpose: Reduce promotion of alcohol to youth

Mass transit, whether municipal or regional, or privately owned, should have policies that prohibit the placement of interior or exterior alcohol advertising for the express purpose of reducing youth exposure to alcohol advertising in the area.



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Recommendation 10: Prohibit sale of alcohol beverages at gas stations and vehicle charging stations.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol

The sale of alcohol and gasoline at the same location is incompatible and continues to pose a serious threat to public safety. Municipalities should enact ordinances prohibiting the sale of alcohol beverages at gas stations, vehicle filling stations, and vehicle charging stations. Municipalities that chose to allow alcohol sales where gasoline and motor fuel is sold should require the licensed premises to be narrowly written to limit where within the store alcohol can be displayed and stored, refusing to approve licensees that simply list the address.

Recommendation 11: Establish procedural guidelines for granting alcohol licenses that reflect community goals.

Lead implementing organizations:

Purpose: Reduce availability of alcohol of alcohol

Municipalities should establish procedural guidelines for awarding alcohol licenses that consider the municipality's long-range goals, citizen engagement and transparency in decision making. When the process is transparent and criteria for approval are followed, denied applicants are unlikely to litigate the decision and licensees are aware of the expectations for operation.

- ❖ Establish a set of guidelines that reflect the long-term goals of the community. Use the guidelines when evaluating every new applicant, even if the location was previously licensed.
 - Guidelines should identify areas that have a cluster or near cluster of alcohol outlets and direct applicants to underserved portions of the community.
 - Establish the type of outlet, what it will serve, when it is open, who is the target customer, and if it is compatible with the surrounding area.
- ❖ Require applicants to provide all the information required to evaluate applicants under local guidelines. That could include floor plans, business plans, marketing plans, security plans, menus, requested maximum occupancy and a brief description of the business and evidence of funding/capitalization.
 - Procedural guidelines should provide for advance notification of any new applications or a change in ownership, definition of premises or removal of any license condition.
 - Residents, neighborhood groups and customers in the general area should be made aware of the proposed changes by providing information on where additional information is available and when public comments on the change or application will be heard, well in advance of a vote.
 - Use municipal zoning ordinances to regulate the location and operation of outdoor licensees such as patios attached to Class B licensees and outdoor beer gardens.
 - Larger municipalities or groups of municipalities with shared boundaries should consider requiring a health or alcohol license impact statement that evaluates the alcohol outlet density of the immediate area and the likely consequences of another licensee.
- ❖ Use municipal zoning ordinance to regulate the location and operation of outdoor licensees such as patios attached to Class B licensees and outdoor beer gardens.



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- ❖ Create a system that:
 - Prioritizes citizen engagement with early notification through multiple communication channels.
 - Provides neighborhood groups and immediate neighbors with the opportunity to comment on the proposed application.
 - Determines the proposed licensee will most probably contribute to the social and economic goals of the community.
 - Determines that the licensee has the background, experience, and financial resources to operate the proposed establishment as presented.

Recommendation 12: Permit judges to order SBIRT.

Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)

Purpose: Enact laws and regulation; Engage in preventive health

The State Legislature should amend Wis. Stat. sec. 125.07(4)(e)2. to permit judges to order a defendant to submit to SBIRT (Screening, Brief Intervention, and Referral to Treatment) by a healthcare provider, school, or other trained professional. The Director of State Courts should provide judges (both circuit court and municipal) with training on evidence-based or evidence-informed interventions for youth with underage drinking or other alcohol-related citations and encourage municipal judges to limit reductions in sanctions or dismissal to youth who participate. Local Human Services Departments should provide municipal judges with updated lists of local evidence-based or evidence-informed educational opportunities appropriate for youth with underage drinking and other alcohol-related citations.

**Cross-listed in: State Government and State Agencies (Recommendation 9)*

Recommendation 13: Adopt and enforce the social host statute as an ordinance.

Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol; Modify the drinking environment

Municipalities should adopt the social host statute WI.125.07(1)(a)3 as an ordinance and enforce forfeitures for adults (age 18+) who provide a location for underage drinking.

Recommendation 14: Regulate alcohol tasting in “Class A” establishments.

Lead implementing organizations: Municipalities (cities, villages and towns)

Purpose: Reduce availability of alcohol

Municipalities should regulate alcohol tasting in “Class A” establishments as allowed by state law.

The scope of regulations may include:

- ❖ Cordoned, attended sampling area.
- ❖ Require ID check
- ❖ Limiting sampling to persons aged 21 & older.
- ❖ Locating the sampling area away from child-oriented products.
- ❖ Require interior alcohol promotions related to tasting events to be at least 36 inches off the floor.
- ❖ Presence of licensed operator within the sampling area.



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Recommendation 15: Append license conditions to all temporary licenses.

Lead implementing organizations: Municipalities (cities, villages and towns)

Purpose: Reduce availability of alcohol; Modify the drinking environment

Municipalities should append the following license conditions to all Class “B” Temporary [picnic] licenses (temporary tents, beer gardens, festivals, etc.) to reduce alcohol related injuries, disturbances and, prevent underage drinking.

Four practices that prevent and reduce underage drinking are:

- ❖ I.D. checks at the entrance to serving area.
- ❖ Wrist bands to identify attendees aged 21 or older.
- ❖ A secure perimeter (fence) around the serving area.
- ❖ Distinguishable cups that allow for easy identification of alcohol vs alcohol-free beverages.

Seven policies and practices that prevent and reduced excessive (binge) drinking are:

- ❖ Limiting the number of beverages that can be purchased at a time.
- ❖ Servings sized 12 oz. or smaller.
- ❖ No discount alcohol pricing.
- ❖ No sales to obviously intoxicated individuals.
- ❖ Prohibiting servers from drinking.
- ❖ Ending alcohol sales one hour before closing.
- ❖ Food and alcohol-free beverages available where alcohol is sold. (Alcohol Epidemiology Program, n.d)

Recommendation 16: Require best practice license conditions for all public events where alcohol is served.

Lead implementing organizations: Municipalities (cities, villages and towns)

Purpose: Reduce availability of alcohol

Municipalities should require the same “best practices” required of “Class B” Temporary licensees at all public events where alcohol is served. At public events such as concerts, plays or similar performances attended primarily by adults, alcohol sales are often handled by a licensee or permittee or the venue holds a retail license that may have special conditions attached.

Recommendation 17: Prohibit consumption-based drink specials.

Lead implementing organizations: Municipalities (cities, villages and towns)

Purpose: Reduce availability of alcohol; Modify the drinking environment

Municipalities should prohibit by ordinance consumption-based drink specials such as time limited pricing, specials which increase drink volume without increasing the price, and all-you-can-drink flat fee specials.

Recommendation 18: Adopt beer keg registration ordinances.

Lead implementing organizations: Municipalities (cities, villages and towns)

Purpose: Reduce availability of alcohol

Municipalities where retailers sell beer by the keg, barrel or half-barrels to the public should adopt beer keg registration ordinances as an effective tool to apprehend adults who provide alcohol to underage youth and to deter such purchases in the future.



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Recommendation 19: Designate alcohol-free recreational areas and parks.

Lead implementing organizations: Counties and Municipalities (cities, villages and towns)

Purpose: Reduce availability of alcohol; Modify drinking environment

Municipalities should designate specific recreational areas and parks within the community as alcohol-free areas that families, individuals in recovery, or those that simply do not want to be around alcohol can enjoy.

Recommendation 20: Require license conditions for all new Class A licenses.

Lead implementing organizations: Municipalities (cities, villages and towns)

Purpose: Reduce availability of alcohol

New Class A licenses should include license conditions that prohibit alcohol tasting events, requiring ID scanners, requiring separate coolers for alcohol beverages, forbidding the sale of single serving containers of alcohol, multi-serving single use cans (e.g., crowler) and other products identified by local law enforcement as a problem in the community, and making it clear that end caps or free-standing racks of alcohol beverages are not allowed.

Recommendation 21: Define and regulate the use of growlers.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Enact laws and regulation; Reduce availability of alcohol

Wisconsin should adopt a comprehensive definition of a “growler” that includes requirements for cleaning, labelling and sealing by licensees.

A growler is a metal, plastic, glass or ceramic container holding a maximum of 128 ounces having a lid or stopper that can be secured with a tamper proof seal, to be filled with fermented malt beverages at the time of sale at Class “B” licensees for off-premises consumption.

- ❖ A growler that has been filled in advance of sale is a bottle and must meet all state and federal tax and labeling requirements.
- ❖ Retailers may sell one-time use disposable growlers or multiple use growlers that conform to the definition.
- ❖ Any fermented malt beverage may fill a customer’s growler without regard for the brand or logo on the exterior of the container.
- ❖ After filling and capping with the lid or other stopper, the licensee must place a seal that will be visibly broken or torn when the container is opened.
- ❖ Cellophane tape, even if unique to the licensee, that can be removed and reapplied, is not a tamper proof seal.
- ❖ The licensee must apply a tag or sticker that provides the name and address of the brewer for the beverage filling a growler.
- ❖ Refillable growlers must be washed by the licensee prior to filling.
- ❖ A licensee may refuse to fill any growler they cannot seal or sanitize.
- ❖ A municipality may prohibit off-premises sales of growlers.

**Cross-listed in: State Government and State Agencies (Recommendation 15); Alcohol Industry (Recommendation 3)*



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Recommendation 22: Adopt a sober server ordinance.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol; Modify the drinking environment

Municipalities should adopt ordinances requiring those who sell or serve alcohol to be unimpaired and have a BAC under 0.04 while working. See Appendix A.

Recommendation 23: Apply license conditions to pharmacy alcohol licenses when possible.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol

Wisconsin communities should carefully consider the potential community concerns before granting an alcohol license to a pharmacy. If it appears a pharmacy will be licensed, the location and amount of space allocated to alcohol sales should be limited. Currently licensed pharmacies should have regular alcohol age compliance checks and failure to comply should trigger license conditions on the location of alcohol within the store, the amount of space allocated for alcohol sales and similar limitations.

Recommendation 24: Prevent party and nuisance houses and unruly gatherings.

Lead implementing organizations: Counties; Municipalities (cities, villages, and towns); Law Enforcement

Purpose: Reduce availability of alcohol; Modify the drinking environment

Law enforcement agencies in municipalities with post-secondary education campuses should establish ongoing liaison with the owners and managers of rental property to prevent party or nuisance houses, establish a protocol for securing and dispersing unruly gatherings and evicting tenants in violation of the lease for alcohol-related problems.

Recommendation 25: Apply and enforce license conditions to address problems.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol; Modify the drinking environment

Municipalities should consider using detailed license conditions to address specific issues, especially location specific amenity concerns such as trash disposal, staggered closing times, and drink specials that encourage excessive consumption.

When citations are issued to licensees, municipal authorities should consider whether acceptance of license conditions addressing the problem are more beneficial to both the licensee and community than a monetary forfeiture.

When license conditions are imposed or accepted, the municipality should be prepared to enforce those conditions if they are not respected by the licensee with suspensions, nonrenewal or revocation.



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Recommendation 26: Operate saturation patrols.

Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)

Purpose: Enact laws and regulations

Municipalities individually, or as part of a multi-jurisdictional task force, should operate well publicized saturation patrols to discourage drunk driving.

Recommendation 27: Ban beer bong and drinking competitions.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce Availability of Alcohol; Enact Laws and Regulations; Modify the Drinking Environment

Municipalities should adopt ordinances banning the use of beer bong and similar devices or competitions and games in licensed establishments. These devices and events are designed to force the rapid consumption of alcohol and can lead to dangerous levels of intoxication.

Recommendation 28: Provide municipalities with authority to assess application fees.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Enact laws and regulation; Increase cost of alcohol

The legislature should enact a statute providing clear authority for municipalities to assess application fees. This allows municipalities to recoup costs associated with processing alcohol license applications. Municipalities should be allowed to enact ordinances prescribing reasonable and proportional application fees for licensing activities related to issuing a new alcohol retail license or making a change to an existing alcohol retail license.

**Cross-listed in: State Government and State Agencies (Recommendation 19)*

Recommendation 29: Regulate brewer's retail outlet and condition approval on conformity with all applicable law, including municipal.

Lead implementing organizations: Municipalities (cities, villages, and towns)

Purpose: Reduce availability of alcohol

A brewer may operate an offsite retail outlet to sell and serve fermented malt beverages for on and off-premises consumption. The brewer may apply to the DOR to change its offsite location as frequently as once a day. The brewer can fully operate the outlet as a tavern or a restaurant, can serve beer from taps in a movable truck, or can sell cans or bottles out of a cooler. The brewer can also provide free taste samples, without any limit as to quantity, at either of its retail locations. Currently nothing in the law ensures municipal notice or input into the process, although the DOR may consult with municipalities to determine whether the proposed location violates any ordinances.

The Wisconsin legislature should add a subsection to Wis. Stat. §125.29 to provide for more state and local control of a brewer's offsite retail outlet, addressing the following issues:

- ❖ The brewer should only be allowed to establish and operate one off-site retail outlet on any day, regardless of the number of permits that the brewer has.
- ❖ The brewer should be required to describe the premises for both its on-site retail outlet and off-site retail outlet at the time that the brewer applies for a brewer's permit.



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- ❖ The brewer should be required to apply to the DOR for a change to its off-site retail outlet location at least 30 days prior to operating at that location.
- ❖ The brewer should be required to provide a copy of the application to the municipality where the proposed off-site retail outlet will be located, at least 30 days prior to operating at that location.
- ❖ The municipality should be provided at least 10 business days to respond to notice of the application before any approval is granted, and approval should not be granted if the proposed premises fail to conform with all applicable federal, state, and local law, including all local ordinances and the comprehensive plan of the municipality where the brewer proposes to locate the off-site outlet.

**Cross-listed in: State Government and State Agencies (Recommendation 17)*

Recommendation 30: Conduct mandatory ethics code trainings for all who make government decisions on alcohol matters.

Lead implementing organizations: Counties; Municipalities (cities, villages, and towns)

Purpose: Enact laws and regulation

The state, counties, and municipalities should conduct mandatory annual trainings for their elected and appointed government officials and committee members in the relevant ethics code from Wis. Stats. sec 19.45 (state public officials) or sec. 19.59 (local officials, employees & candidates), and in any applicable local ordinances. This training should not be limited to elected and appointed officials, but should also be given to all committee members of any committees making decisions on alcohol related matters, including licensing, permitting, and law-making.”

**Cross-listed in: State Government and State Agencies (Recommendation 21)*