

CITY OF MADISON POLICY GUIDELINES FOR ALCOHOL BEVERAGE LICENSES

Intent: It is the responsibility of the Alcohol License Review Committee (ALRC) to screen applications for alcohol beverage licenses. If an application for an alcohol beverage license is denied, the reasons for doing so must be enumerated. In general, an application may be denied if it is determined that granting the license would be contrary to the health and welfare of the community. The state allows municipalities to restrict the issuance of alcohol beverage licenses, under certain circumstances and not in conflict with state law. These guidelines are intended to be general principles in which the ALRC will use in considering the impact that each alcohol beverage license may have on the community. There are a variety of factors that may be considered when reviewing an application for an alcohol beverage license; any of which may provide a reason for the non-issuance of a license. The ALRC adopts the following guidelines to provide specific reasoning for not granting an application for certain types of alcohol beverage licenses in the City of Madison.

GUIDELINES

There are two basic categories of alcohol beverage licenses. One is specifically for off-site consumption (**Class A**= grocery store, liquor store, etc.). The other is intended for on-site consumption (**Class B/C**= bars and restaurants). For purposes of clarity, there are two different sets of guidelines, one for each category of alcohol beverage license.

Class A Alcohol Beverage License Guidelines

Class A alcohol beverage licenses are for carry-out consumption only. These licenses are intended for retail establishments that do not have any on-site consumption. There are two types of Class A licenses; “Class A Beer” and “Class A Liquor” (this includes wine).

Guideline 1. An alcohol beverage license can be granted to a bona fide liquor store, given consideration of the alderperson, the neighborhood, the police department, and the density of “Class A” alcohol beverage licenses within the immediate area.

Guideline 2. A “Class A Beer” license can be granted to a bona fide full-service grocery store, but shall not be granted a full “Class A Liquor” license. However, wine sales are allowable under these circumstances (this can be done by granting a “Class A Liquor” license and restricting sales to wine only).

Guideline 3. No “Class A” alcohol beverage license shall be granted at locations that sell gasoline.

Guideline 4. No “Class A” alcohol beverage license shall be granted for large combination department stores.

Guideline 5. No “Class A” alcohol beverage license shall be granted to any establishment that contains a pharmacy as a component of their business.

Guideline 6. No “Class A Liquor” license shall be granted to any establishment that is larger than 15,000 square feet.

Class B and C Alcohol Beverage License Guidelines

Class B alcohol beverage licenses allow on-site consumption. There are three categories of alcohol beverage licenses for on-site consumption purposes: “Class B Beer”, “Class B Combination” (beer, wine, and liquor), and “Class C Wine”.

Guideline 1. To acquire a “Class B” or “C” alcohol beverage license, the business operation must be significantly related to the sale of food, drink, and/or meets the definition of entertainment as provided below.

Guideline 2. If an establishment wishes to obtain a “Class B” alcohol beverage license and represents itself as an entertainment venue, a determination will be made based on the following criteria.

- The entertainment is one of or is substantially related to one or more of the following:
 - Movies
 - Live sports, comedy, or theatrical performances
 - Bowling
 - Electronic gaming
- The focus of the establishment is on the entertainment based on the capital, labor, and floor space dedicated to the activity.
- The name, identity, appearance, and advertising of the establishment are devoted to that activity and cannot target minors.
- The entertainment is available for a majority of the hours of operation.

Guideline 3. An establishment may be granted a “Class B” or “C” alcohol beverage license if it is a bona fide hotel.

Requirements for Agents (under State Statute 125.04)

No license may be issued to those persons who have been habitual law offenders or those convicted of a felony.

An alcohol beverage license agent must have resided in the state of Wisconsin for at least 90 days prior to the date of filing the application.

Agents must have completed a beverage server training course within two years of filing for the application unless they have held an alcohol beverage license within that same period.

The license holder must have attained legal drinking age.

NOTE: These guidelines do not supersede current ordinances. For example, the Alcohol License Density Plan Area has specific ordinances that restrict the type of alcohol beverage licenses that can be granted within the area. At any time the Alcohol License Review Committee or the Common Council could choose to grant an alcohol beverage license that does not meet the guidelines set forth in this document.