



Legislation Details (With Text)

File #: 32644 **Version:** 1 **Name:** Increasing various alcohol license fees
Type: Ordinance **Status:** Passed
File created: 12/20/2013 **In control:** ALCOHOL LICENSE REVIEW COMMITTEE
On agenda: 2/4/2014 **Final action:** 2/4/2014
Enactment date: 2/19/2014 **Enactment #:** ORD-14-00025
Title: Amending Sections 38.08(4)(a) and (e), and 38.09(5)(d)2. and repealing Section 38.03(2)(d) of the Madison General Ordinances to reflect the 2014 Changes to Alcohol License Fees and Structure.
Sponsors: Michael E. Verveer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/4/2014	1	COMMON COUNCIL	Adopt	Pass
1/15/2014	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
1/13/2014	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
1/7/2014	1	ALCOHOL LICENSE REVIEW COMMITTEE	Refer	
1/7/2014	1	COMMON COUNCIL	Referred	
12/20/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

The 2014 adopted operating budget anticipates increased General Fund revenues of \$52,750 derived from the fee changes (\$15,250 from Operator Licenses; \$7,500 from the increase in Class A Beer licenses; and, \$30,000 from the change in the economic development grants). No appropriation is required.

Title

Amending Sections 38.08(4)(a) and (e), and 38.09(5)(d)2. and repealing Section 38.03(2)(d) of the Madison General Ordinances to reflect the 2014 Changes to Alcohol License Fees and Structure.

Body

DRAFTER'S ANALYSIS: The Common Council adopted BOE Amendments 3 and 4 to the 2014 Operating Budget, which raised license fees for Operator's (bartender's) licenses and Class A Beer licenses. The Common Council also proposed to reduce the economic development grant for those granted a Class B Reserve License, from \$10,000 to \$7,500, resulting in a savings to the City of \$2,500 per license. It is necessary to amend Madison General Ordinances in order to implement those budget provisions. The repeal of Sec. 38.03(2)(d) reflects that the time period in which the text of that ordinance was operative has passed, and the provision is no longer applicable.

The Common Council of the City of Madison do hereby ordain as follows:

- Subdivision (a) of Subsection (4) entitled "Fees" of Section 38.08 entitled "Fermented Malt Beverages" of the Madison General Ordinances is amended to read as follows:
 "(a) The fee for a Class A license shall be five hundred fifty dollars (~~\$500~~550) per year. The fee for a Class A fermented malt beverage license for less than 12 months shall be prorated according to the number of months or fraction thereof for which the license is issued. Renewal license fees shall be paid no

later than 15 days prior to the date the license is to be issued or be subject to a late payment fee of 25% of the license fee, unless the fees are paid more than 30 days after the due date, in which case the late fee shall be 50% of the license fee. Payment of the late fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.”

2. Subdivision (e) of Subsection (4) entitled “Fees” of Section 38.08 entitled “Fermented Malt Beverages” of the Madison General Ordinances is amended to read as follows:

“(e) The fee for an operator’s license shall be ~~thirty-four~~forty-five dollars (~~\$35.00~~45) per year. Beginning on July 1, ~~2014~~2014, the fee for an operator’s license shall be ~~seventy-five~~eighty dollars (~~\$75.00~~80) for two years. Operator’s licenses shall expire on June 30 of the even-numbered year. A person who applies for an operator’s license after June 30 of an odd-numbered year shall pay a license fee of ~~forty-five~~forty-five dollars (~~\$40.00~~45) for the remaining license period. Renewal licenses shall be obtained on or before June 30 of the even-numbered year or be subject to a late filing fee of 25% of the license fee, unless the fees are paid more than 30 days after the due date, in which case the late fee shall be 50% of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.”

3. Paragraph 2. of Subdivision (d) of Subsection (5) entitled “Fees” of Section 38.09 entitled “Intoxicating Liquor” of the Madison General Ordinances is amended to read as follows:

“2. After the granting of any new reserve Class B license and payment of the ten thousand dollars (\$10,000) initial issuance fee, the applicant may file an application for an economic development grant of seven thousand five hundred dollars (~~\$40,000~~7,500) with the Clerk. The Clerk shall determine whether the licensee is operating in compliance with the approved license. The Clerk may require the assistance of any other City agency in making said determination. If the Clerk determines that the licensee is so operating, the Clerk shall authorize the approval of the seven thousand five hundred dollars (~~\$40,000~~7,500) economic development grant. If the Clerk determines that the licensee is not in compliance with the approved license, no economic development grant may be authorized and the Clerk shall make such finding in writing and cause to be delivered a copy of the findings to the licensee. If the licensee disagrees with the Clerk’s determination, the licensee may file a written notice of appeal upon the Clerk within 10 (ten) calendar days of the delivery of the written notice of the Clerk’s findings. Upon receiving such notice from the licensee, the Clerk shall relay said notice to the ALRC which shall hold a hearing thereon. The ALRC may affirm or reverse the Clerk’s determination. If the Clerk’s determination is upheld, appeal thereof may be taken to circuit court pursuant to Wis. Stat. § 753.04. If the Clerk’s determination is reversed, the Clerk shall authorize the payment of the economic development grant.”

4. Subdivision (d) of Subsection (2) entitled “Class B Licenses” of Section 38.03 entitled “License Classifications” of the Madison General Ordinances is hereby repealed.

EDITOR’S NOTE:

Sec. 38.03(2)(d) currently reads as follows:

“(d) Any Class B license issued or granted between December 1, 1997 and the date of enactment of this ordinance shall be deemed to be a reserve Class B license for which a \$10,000 fee was paid and a \$10,000 economic development grant, authorized pursuant to Section 38.09(5)(d)1. and 2. was returned by the City to the licensee.”