



## Legislation Text

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File #: 50110, Version: 2

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### Fiscal Note

Fiscal note pending.

### Title

SUBSTITUTE - Establishing a moratorium on issuance of new alcohol licenses in a high density, high police call area in downtown Madison and establishing a Task Force on Downtown violence.

### Body

WHEREAS, there is an increasing number of and concentration of bars, taverns, restaurants, and other establishments that serve alcohol in the downtown Madison area; and

WHEREAS, that concentration has led to increasing numbers of violent fights and injuries, particularly at closing time for the bars and taverns, and particularly on weekends; and

WHEREAS, videos of incidents show violent fighting between inebriated persons, between inebriated and sober persons, with injuries to them and to innocent bystanders watching the crowds, who are sometimes attacked, and incidents between all persons congregating outside bars and taverns and the Madison Police Department officers, all of which show the extreme risk of injury to citizens, residents and MPD officers; and

WHEREAS, the City has not adopted a policy to deal with the problems caused by excessive consumption of alcohol, the density of bars and taverns, and the risk to MPD officers and other persons in the downtown area; and

WHEREAS, the increasing number of calls to MPD for incidents in the downtown area often means other areas of the City have fewer MPD officers available, especially on weekends when there may be a greater need for officers; and

WHEREAS, studies have shown the health and social impacts of excessive consumption of alcohol extend beyond the users to others in the area impacted; and

WHEREAS, the City needs to develop long term policies and solutions to the problems presented by the density of bars, taverns, restaurants and other places serving alcohol beverages; and

WHEREAS, including stakeholders concerned with the success of the downtown provides the best opportunity for defining such policies; and

WHEREAS, establishing a moratorium on issuance of new alcohol licenses, while an initiative to address problems is undertaken, may help keep the problems from worsening; and

WHEREAS, a moratorium alone does nothing to address the problems which exist with the current number and density of alcohol license establishments; and

WHEREAS, implementing policies focused on mitigating and solving problems related to violence associated with overconsumption of alcohol is crucial for a safe and healthy community.

NOW, THEREFORE, BE IT RESOLVED, that the Madison Common Council adopts a moratorium on issuance of new alcohol licenses in Downtown Madison, as set forth in this resolution; and

BE IT FURTHER RESOLVED, that the area of "Downtown Madison" as used in this ordinance is the area encompassed by the following boundaries: Commencing at the corner of ~~Lake~~ North Park Street and Langdon Street, thence along Langdon Street to Carroll Street, thence along Carroll Street to Dayton Street, thence along Dayton Street to the intersection of Dayton, State and Fairchild Streets, thence along Fairchild Street to West Washington Avenue, thence along West Washington Avenue to ~~Regent~~ North Bassett Street, thence along ~~Regent~~ North Bassett Street to ~~Monroe Street~~, the intersection of North Bassett, West Gorham and University Avenue, thence along ~~Monroe Street~~ to ~~Randall Avenue~~ University Avenue to North Park Street, thence along ~~Randall Avenue~~ to ~~Dayton Street~~, thence along ~~Dayton Street~~ to ~~Lake Street~~, thence along Lake North Park Street to the point of beginning (this area being represented in a map attached); and,

BE IT FURTHER RESOLVED, that all references to streets and avenues in this resolution includes both sides of the street or avenue; and

BE IT FURTHER RESOLVED, that the Common Council finds that due to the problems described in this Resolution, issuing new licenses for the sale of alcohol at retail, whether for consumption on or off the premises, in Downtown Madison is contrary to the public health, safety and welfare, unless done in compliance with this Resolution; and

~~BE IT FURTHER RESOLVED, that within Downtown Madison, no expansion of the premises of any existing licensee for the sale of alcohol will be issued, other than a vertical expansion, until such time as this Resolution is repealed; and~~

BE IT FURTHER RESOLVED this moratorium does not apply to any license issued in connection with Restaurants, which issuance is subject to approval of the Madison Alcohol License Review Committee (ALRC) and the Common Council, provided the restaurant agrees to the following conditions on the license:

- (a) The restaurant will cease the service of alcohol at 10:00 p.m. from Sunday to Thursday and 11:00 p.m. on Fridays and Saturdays; and
- (b) The restaurant will maintain status as a restaurant under Madison ordinances; and
- (c) The restaurant will provide service to tables to take and deliver orders; and
- (d) Unless the value of the food purchased exceeds \$50, the value of alcohol purchased with any order shall be less than the value of the food purchased; and

BE IT FURTHER RESOLVED, that this moratorium does not apply to any license issued in connection with the construction or alteration of a hotel or other lodging house in Downtown Madison, which issuance is subject to approval of the Madison Alcohol License Review Committee (ALRC) and the Common Council; and

BE IT FURTHER RESOLVED, that his moratorium does not apply to the transfer of an existing license or a new license sought in connection with the sale of a business that had a license in Downtown Madison, which transfer or issuance is subject to approval of the ALRC and the Common Council; and,

BE IT FURTHER RESOLVED, that this moratorium will remain in effect for 6 months, and will automatically renew for an additional 6-month period or periods thereafter, until such time as the Council adopts policies to deal with the issues set out in this Resolution, at which time this Resolution may be repealed; and

BE IT FURTHER RESOLVED, that the Madison Common Council create a Task Force on Downtown Violence

Issues with the total of thirteen (13) members: One (1) member from Downtown Madison, Inc., one (1) member from the Business Improvement District, two (2) members of the Capitol Neighborhood, Inc. and/or State Langdon Neighborhood Association, one (1) member from the Downtown Coordinating Committee, one (1) member from the Public Safety Review Committee, one (1) member from the Alcohol License Review Committee, one (1) member designated by the UW Chancellor, one (1) member who served as the President of the Dane County Tavern League, one (1) member designated by the Associated Students of Madison, two (2) downtown alders and one (1) alder outside of the downtown area, with all members to be appointed by the Mayor and confirmed by the Common Council; and

BE IT FURTHER RESOLVED, that the Task Force be staffed by Public Health Madison and Dane County with the assistance of the Common Council Office and other city staff as determined by the Committee Chair, the Council President and the Mayor; and

BE IT FURTHER RESOLVED that the Task Force shall make recommendations of policy changes, ordinance changes and other means to address the problem of violence in the Downtown; and

BE IT FURTHER RESOLVED that the Task Force shall study the results and impact of the current overlay district and the prior Alcohol License Density district to assist with addressing the current violence issues; and

BE IT FURTHER RESOLVED that the Task Force shall hold public hearings, obtain written reports, and conduct research as the Task Force determines to be useful and necessary to fulfill its charge; and

BE IT FINALLY RESOLVED that the Task Force will dissolve upon the issuance of its recommendations on any potential changes in policies and regulations by September 30, 2018.