



Legislation Details (With Text)

File #: 46111 **Version:** 1 **Name:** Clarifying fermented malt beverage seasonal licenses renewal limits

Type: Ordinance **Status:** Passed

File created: 2/13/2017 **In control:** ALCOHOL LICENSE REVIEW COMMITTEE

On agenda: 2/28/2017 **Final action:** 4/18/2017

Enactment date: 4/27/2017 **Enactment #:** ORD-17-00042

Title: Creating Section 38.05(9)(d)10. of the Madison General Ordinances to clarify fermented malt beverage seasonal license renewal limits.

Sponsors: Paul E. Skidmore, Shiva Bidar, Michael E. Verveer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/18/2017	1	COMMON COUNCIL	Adopt	Pass
3/15/2017	1	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
2/28/2017	1	COMMON COUNCIL	Refer	Pass
2/13/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

Fiscal note pending.

Title

Creating Section 38.05(9)(d)10. of the Madison General Ordinances to clarify fermented malt beverage seasonal license renewal limits.

Body

DRAFTER'S ANALYSIS: Section 38.031, MGO, incorporates Chapter 125 (the alcohol licensing code) into our ordinances by reference. These state statutes (Wis. Stats. § 125.26(5)) provide for the issuance of seasonal license for the sale of fermented malt beverages. These licenses are of a six-month duration and cannot be renewed. An operator who desires a subsequent season of operation must apply anew for such a license. Our ordinances set forth the various licenses available in Madison, however, the ordinances do not explicitly restate the seasonal license provisions of the statutes. This amendment would resolve the ambiguity created by the failure to restate this provision of the statutes, which, though not explicitly restated in our ordinances, is incorporated into those ordinances by Sec. 38.031.

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

Paragraph 10. entitled "Seasonal Licenses" of Subdivision (d) entitled "Class B License" of Subsection (9) entitled "Limitation Upon Issuance of Licenses" of Section 33.05 entitled "General Licensing Requirements" of the Madison General Ordinances is created to read as follows:

- "10. Seasonal Licenses. Class B licenses may be issued at any time for a period of six (6) months in any calendar year, for which fifty percent (50%) of the license fee shall be paid. Such licenses are not renewable during the calendar year in which issued."