



## Legislation Text

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**File #:** 83781, **Version:** 1

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### **Fiscal Note**

No City appropriation required.

### **Title**

Declaring certain alcohol licensed establishments ineligible to extend closing hours to 4:00 a.m. from July 15, 2024, through July 19, 2024, pursuant to 2023 Wisconsin Act 73, which permits extended closing hours during the 2024 Republican National Convention held in Milwaukee, Wisconsin.

### **Body**

WHEREAS, current law requires establishments operating under the following classifications: Class “B” beer, “Class B” liquor, and/or “Class C” wine retail license (e.g. bars and restaurants); manufacturer’s/rectifier’s, brewery, and winery premises and any associated full-service retail outlets under Wis. Stats. §§ 125.52, 125.29 and 125.53, to close between the hours of 2:00 a.m. and 6:00 a.m., Monday through Friday, and between 2:30 a.m. and 6:00 a.m., Saturday and Sunday; and

WHEREAS, 2023 Wisconsin Act 73 extended the closing hours of the aforementioned license classifications in fourteen (14) southeast Wisconsin municipalities for the period July 15, 2025, through July 19, 2024, mandating a closing time between the hours of 4:00 a.m. and 6:00 a.m.; and

WHEREAS, “Southeast Wisconsin municipality” means a municipality, any part of which is located within one of fourteen (14) counties, with Dane County being one of the named counties; and,

WHEREAS, 2023 Wisconsin Act 73 states that if a municipality does not want the extended closing hours for its licensees and permittees the municipality may, by adoption of an ordinance, opt out of the extended closing hours. If a municipality does not wish to opt out, but does not want the extended closing hours to apply to all liquor licensed establishments located in the municipality, the Act also allows a municipality to establish a process to designate, and may so designate, any licensee holding a Class “B” beer, “Class B” liquor and/or Class “C” wine license, and any permittee with a manufacturer’s/rectifier’s, brewery or winery premises, as ineligible or disqualified from the extended closing hours; and

WHEREAS, 2023 Wisconsin Act 73 does not provide any definition or guidance regarding the process to designate a licensee as ineligible or disqualified; and

WHEREAS, the City of Madison’s process to designate ineligible or disqualified licensees and permittees from the extended closing hours involved identifying the types of establishments operating under the classification of licenses eligible for extension of hours (e.g. bars, restaurants, hotels); identifying impact to public safety of extending closing hours for those establishments; and identifying what would be beneficial to convention attendees staying at hotels in Madison; and

WHEREAS, it was determined that extension of closing hours to all establishment types operating under the aforementioned classifications would have a negative impact on public safety from a law enforcement perspective and from a neighborhood perspective due to the potential for noise and other nuisance issues.

Consideration was also given to the burden on establishments due to staffing issues. Consideration was given to the types of establishments that would be most beneficial to convention attendees staying in Madison and travelling to the convention, and which would have the least impact on the public safety concerns; and

WHEREAS, the City of Madison declares the following types of licensees and permittees ineligible for the extended hours set forth in 2023 Wisconsin Act 73: all licensees and permittees in the City of Madison holding an alcohol license or permit for any establishment that is not located on or within a hotel premises; and

WHEREAS, the City of Madison determines the following alcohol licensed or permitted establishments are eligible for the extended closing hours: licensees and permittees whose establishments are located on or within a hotel premises; and

WHEREAS, the City of Madison establishes that eligible alcohol licensed establishments may extend their closing time until 4:00 a.m. for the period July 15, 2024, through July 19, 2024; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council declares all alcohol beverage licensees and permittees operating establishments that are not located on or within a hotel premises as ineligible for the extended closing hours set forth in 2023 Wisconsin Act 73; and

BE IT FURTHER RESOLVED, the Common Council permits eligible alcohol licensed establishments, which are those located on or within a hotel premise, to remain open until 4:00 a.m. for the period July 15, 2024, through July 19, 2024.