



# CITY CLERK'S OFFICE

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## MEMORANDUM

To: Council Members

From: Nikki Elsen, City Clerk

Date: August 17, 2021

Re: File 21-1209 Ordinance regarding alcohol beverage operator's license

In past, Wisconsin Statutes required the governing body of the municipality to approve beverage operator's licenses (also known as bartender license). Each month, a list of applicants was placed on the Various License List for J&A review/recommendation and Council approval. Approval was based on recommendation of the City Clerk and Police Chief.

In 2019, a bill passed the legislature allowing a municipality to authorize a designated municipal officer to issue operator's licenses – see [2019 Wisconsin Act 166](#). Due to this law change, I propose the City Clerk be the designated officer to issue alcohol beverage operator's licenses. This will benefit applicants by decreasing the wait time for said license and will ease the administrative process.

Applications for alcohol beverage operator's licenses are filed with the City Clerk. Applications are routed to the Police Department for a background check pursuant to Wisconsin Statute and to internal departments for delinquency checks pursuant to Municipal Code. Upon satisfactory review and recommendation, the City Clerk will issue operator licenses.

If the Police Chief recommends denial of an application, a letter detailing the denial will be sent to applicant who may appeal such decision to the Judiciary & Administration Committee and Common Council.

Section 4-46 is the intoxicating liquor section of the Municipal Code and 4-110 is the fermented malt beverage (beer) section. In the ordinance, paragraphs (a) in each section are being amended to clean up conflicting language relating to immediate family member of a licensee. Paragraphs (b) authorize the City Clerk to issue the operator license. Paragraphs (c) update language based upon the proposed issuance change. Paragraphs (d) update language allowing two temporary operator licenses in a calendar year which was also a recent law change.

Please contact me if you have questions.

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