

TOWN OF SULLIVAN
AMENDED INTOXICATING BEVERAGES AND LIQUOR ORDINANCE
Ordinance 11.15(5)2018

An Ordinance to revise the Town of Sullivan rules and regulations concerning intoxicating beverages and liquors in the Town of Sullivan, Jefferson County, Wisconsin.

WHEREAS, the Town Board of the Town of Sullivan has heretofore adopted a hard liquor ordinance and malt beverage ordinance, which ordinances need to be updated to be consistent with State laws; and

WHEREAS, the 21st Amendment to the United States Constitution grants States the authority to regulate the sale of alcohol beverages; and,

WHEREAS, Section 125.10(1) of the Wisconsin Statutes authorizes local municipalities to prescribe additional regulations for the sale of alcohol beverages which are not in conflict with Chapter 125.

License Limit on "Class B" Liquor Licenses. Chapter 125 of the Wisconsin State Statutes establishes limits on the number of "Class B" liquor licenses that municipalities may issue. Per Ch 125.51(4), the number of allowable licenses is based on the actual number allowed in 1997 and the population at that time. Ch 125.51(4)(br) allows one additional "Class B" liquor license per each 500 additional town residents above the 1997 base population. In 1997, the Town issued three (3) "Class B" liquor licenses, held one in Reserve, and had a population of 2065. By virtue of this ordinance, the Town may issue the Reserve license, and one additional license when the population reaches 2565 residents and one additional for each additional multiple of 500 beyond the base level.

LICENSE APPLICATION

(a) **Form.** Application for a license to sell or deal in intoxicating liquor or fermented malt beverages shall be made in writing on forms prescribed by the WI Department of Revenue and filed with the Town Clerk. In addition to information required on the forms prescribed by the WI Department of Revenue, the Town Board may require such further information as may be deemed necessary to make an appropriate review of the license application, including date of birth and place of past residence. The premises shall be physically described to include every room and storage space to be covered by the license, including all rooms joined by connecting entrances and not separated by a solid wall.

(b) **Application to be Notarized.** Applications shall be signed and sworn to by the applicant.

(c) **Responsible Beverage Server Training Course.** All applicants for operator's license must complete a responsible beverage server training course as provided in Section 125.17 (6), WI Stats. No license may be issued unless the applicant has successfully completed such course or unless the applicant fulfills one of the following requirements: Where the applicant is renewing an operator's license, where the applicant has held a Class A or Class B license or permit or a manager's or operator's license

within the past two years; or where, within the past two years, the applicant has completed such training course. An applicant may be issued a provisional (temporary) license where the applicant has not completed a responsible beverage server training course, and said provisional license shall be issued for a period of 60 days. Upon filing by the applicant with the Town Clerk proof of completion of a responsible beverage server training course, by the applicant, the Town Clerk shall issue an operator's license to the applicant. If an applicant who has been issued a provisional operator's license has failed to successfully complete a responsible beverage server training course within sixty (60) days of the issuance thereof, said license shall expire and be void.

This ordinance shall take effect upon publication.

Passed and adopted this 2ND day of Oct, 2018.

Votes for 3 Against 0

TOWN BOARD, TOWN OF SULLIVAN

By Norman Stoner

Norman Stoner, Chairman

Tom Bauer

Tom Bauer, Supervisor

Barry Boos

Barry Boos, Supervisor

Dawn Lynn

Dawn Lynn, Clerk

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