

ALDERPERSON AGENDA ITEM MEMO

To: Government Affairs Committee

From: Andrew Meindl

Date: 02/22/2025

Subject: Ordinance Amendment to Expand Temporary Alcohol License Limits for Nonprofits & Businesses
Hosting Festivals

A. Background/Rationale

Currently, Wauwatosa's Municipal Code §6.08.320 limits the number of temporary Class "B" beer licenses to 16 per year and temporary "Class B" wine licenses to two per year for an individual nonprofit organization or business. These limits create challenges for local businesses and nonprofit organizations that host multiple community events, fundraisers, and festivals throughout the year.

Many Wisconsin communities have more flexible or expanded allowances for temporary alcohol licenses to support economic development, tourism, and community engagement. For example, some municipalities allow more annual event permits per entity or provide a yearly streamlined approval process for recurring events.

This proposal seeks to increase the cap on temporary licenses or establish a streamlined permitting process that allows eligible organizations to host multiple events without requiring separate approvals for each occurrence.

Alignment with Beer Licensing: Currently, there is no state-imposed limit on the number of temporary Class "B" beer licenses an organization can obtain annually. Aligning wine licensing with beer licensing would create consistency and fairness in event planning and execution.

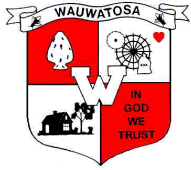
The proposed amendment to Wauwatosa's Municipal Code §6.08.320 must align with Wisconsin Statutes §125.26(6) and §125.51(10), which govern the issuance of temporary Class "B" beer and "Class B" wine licenses. These statutes allow municipalities to regulate the number of permits issued but do not impose a state-mandated cap. This interpretation suggests that Wauwatosa has the authority to increase the limit or adjust its approval process within the framework of state law.

Legal Feasibility?

Wis. Stat. §125.26(6) permits municipalities to issue temporary Class "B" beer licenses to bona fide clubs, state, county, or local fair associations, churches, lodges, societies, and veterans' organizations for specific events.

Wis. Stat. §125.51(10) allows similar provisions for temporary "Class B" wine licenses but limits the number of such permits per entity unless modified by local ordinance. Examples include:

- Madison provides an annual festival permit, allowing organizations to apply once yearly for multiple event dates.



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- Milwaukee allows more than 16 beer and two wine licenses per organization annually with case-by-case approvals.
- Eau Claire has a streamlined application process for repeat event holders.

B. Key Issues for Consideration

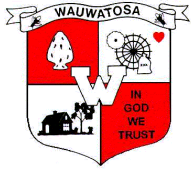
1. Economic and Community Benefits
 - Expanding license availability would enhance Wauwatosa's festival and event culture, supporting local businesses and nonprofits that drive economic activity.
 - Greater event flexibility will increase revenue for local establishments and fundraising success for nonprofits.
2. Equity Among Organizations
 - More significant events, such as festivals and seasonal markets, often require multiple days of alcohol sales, the current limits force organizers to find alternative permit holders, creating unnecessary administrative hurdles.
3. Alignment with Other Wisconsin Municipalities
 - Many Wisconsin cities, including Milwaukee, Madison, and Green Bay, have higher caps or no fixed limits on temporary licenses, but instead, they implement an approval framework that prioritizes responsible service.
4. Public Safety & Oversight
 - Any changes should include reasonable oversight mechanisms, such as ensuring applicants complete responsible beverage server training and complying with security measures.

C. Fiscal Impact

None. The proposal does not require additional city funding. It may increase revenue through additional permit fees while stimulating local economic activity.

D. Requested Action

- Review of this proposal by city staff to prevent any violation of Wisconsin State Statute
- To better accommodate demand, the number of allowable temporary Class "B" beer and "Class B" wine licenses per nonprofit or business should be increased.
- Create an annual blanket festival permit for recurring events to allow multiple temporary licenses under a single approval process.
- Research best practices in other Wisconsin municipalities to identify successful models for streamlining event alcohol licensing.
- Resolution urging Wauwatosa's state assembly members to advocate for expanded temporary alcohol permit limits



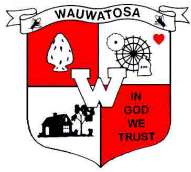
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E. Strategic Plan

This proposal supports economic growth, tourism, and community engagement by reducing bureaucratic barriers for event organizers and fostering a more vibrant event culture in Wauwatosa.

Economic Development & Financial Resilience

- Promote and support local businesses and anchor institutions.



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F. Attachments

DRAFT ORDINANCE LANGUAGE
ORDINANCE NO. [#####]

AN ORDINANCE AMENDING SECTION 6.08.320 OF THE WAUWATOSA MUNICIPAL CODE TO INCREASE THE NUMBER OF TEMPORARY CLASS “B” BEER AND “CLASS B” WINE LICENSES AND ESTABLISH A STREAMLINED APPROVAL PROCESS

WHEREAS, the City of Wauwatosa recognizes the importance of supporting local businesses and nonprofit organizations in hosting community events, festivals, and fundraisers; and
WHEREAS, the current limitations of sixteen (16) temporary Class “B” beer licenses and two (2) temporary “Class B” wine licenses per organization per year create administrative burdens and restrict economic and community engagement opportunities; and
WHEREAS, comparable Wisconsin municipalities, including Milwaukee, Madison, and Green Bay, allow greater flexibility in temporary alcohol licensing; and
WHEREAS, the City seeks to encourage responsible event hosting while ensuring public safety through appropriate oversight and responsible beverage service training requirements;

NOW, THEREFORE, the Common Council of the City of Wauwatosa, Wisconsin, does hereby ordain as follows:

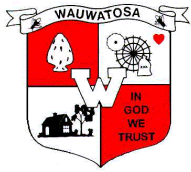
SECTION 1

Section 6.08.320 of the Wauwatosa Municipal Code is hereby amended as follows: 6.08.320 Temporary Class "B" Beer and "Class B" Wine Licenses

A. Temporary Class "B" beer and temporary "Class B" wine licenses may be issued by the city clerk under the authority of the common council to bona fide clubs, state, county, or local fair associations or agricultural societies, churches, lodges, or societies that have been in existence for at least six months before the date of application, and to posts of veterans' organizations authorizing the sale of fermented malt beverages or wine at a particular picnic, festival, fundraiser, or similar community gathering.

B. License Limitations and Expansions:

1. The annual limit of sixteen (16) temporary Class “B” beer licenses is hereby increased to thirty (30) per qualifying entity.
2. The annual limit of two (2) temporary “Class B” wine licenses is hereby increased to twelve (12) per qualifying entity. **(Pending City Staff Review)**
3. An Annual Festival Permit may be issued, allowing up to five (12) events per year to be covered under one streamlined approval process.
4. The city clerk shall issue these licenses upon payment of the required fees and submission of a complete application.



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C. Application and Approval Process:

1. Application for temporary alcohol licenses shall be filed at least ten (10) business days prior to the event.
2. For organizations seeking multiple licenses in a calendar year, the city clerk may approve an Annual Festival Permit, subject to Common Council review and approval.
3. The police department shall be notified of all license issuances and may monitor compliance.

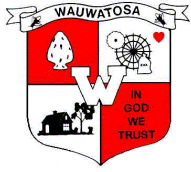
D. Public Safety Measures:

1. The applicant shall ensure that alcohol service complies with state beverage server training requirements.
2. Event organizers shall provide security and crowd control measures appropriate to the event's size.
3. Violations of alcohol laws or city regulations may result in revocation of future temporary license privileges.

SECTION 2

This ordinance shall take effect upon passage and publication as required by law.

Adopted this ____ day of _____, 2025.



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Examples of Temporary Alcohol License Expansions in Other Wisconsin Municipalities

Milwaukee, WI:

- No specific numeric limit on temporary beer/wine licenses per year.
- Nonprofits may apply for an Annual Event License covering multiple occasions.

Madison, WI:

- Allows up to 30 temporary beer licenses per year for a single entity.
- Establishes a streamlined application process for recurring events.

Green Bay, WI:

- Implements an event-based licensing system, where a single permit can cover multiple days and locations.
- Nonprofits may apply for a multi-event permit for festivals or ongoing fundraisers.