

## RESOLUTION OF THE PUBLIC SAFETY COMMITTEE

Authorizing and directing the proper city official(s) to issue the Liquor License Renewals for the period after of July 1, 2011 through June 30, 2012: (see attached list filed after April 15th deadline).

Committee Action: 1-3(Approval Failed)

Fiscal Impact: Class A Beer & Liquor= \$570.00; Class A Beer= \$70.00;  
Class B Beer & Liquor=\$620.00; Class B Beer & Class C Wine=\$220.00

**File Number:** R-62-2011

**Date Introduced:** May 24, 2011

**WHEREAS**, the City Clerk has received an application's for a Liquor License renewals for the period of July 1, 2011 through June 30, 2012 for these businesses (these licenses were received after the April 15 deadline):

**Applications received after April 15, 2011 deadline to be licensed effective for the period after July 01, 2011 through June 30, 2012:**

**Class B" Beer & Reserve Class" B" Liquor:**

The Heights of Stoughton, LLC, Chadwick Leppien, Agent, dba **The Heights**, located at 2300 US Hwy 51-138 (application received April 29, 2011, 14 days late).

American Legion Post 59, Elvin "Sonny" Swangstu, Agent, dba **American Legion Post 59**, 803 N Page St. (application received April 27, 2011, 12 days late).

**"Class B" Beer & Liquor:**

Deak's Pub & Grill, LLC, Jamie D. Bush, Agent, dba **Deak's Pub & Grill**, 1017 Nygaard Street (application received May 4, 2011, 19 days late).

**"Class A" Beer & Liquor:**

Marilyn J. Beckman dba **All Through the House**, 160 E. Main Street (application received April 22, 2011, 7 days late).

Akula Food Mart, LLC, Chachradhar Akula, Agent, dba **Akula Food Mart**, 603 W. Main Street (application received May 11, 2011, 26 days late).

**WHEREAS**, your Public Safety Committee met on May 19, 2011 to consider the terms of the Liquor License renewal applications and upon recommendation from the Police Chief, failed to recommend approval, now therefore

**BE IT RESOLVED** by the Common Council of the City of Stoughton that the proper city official(s) be hereby directed and authorized to issue the Liquor License renewals to these businesses for July 1, 2011 to June 30, 2012.

**Council Action:**  **Adopted**       **Failed**      **Vote** \_\_\_\_\_

**Mayoral Action:**  **Accept**       **Veto**

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Donna Olson, Mayor

Date

## **PUBLIC SAFETY COMMITTEE MEETING MINUTES**

Thursday, May 19, 2011

Hall of Fame Room, City Hall

**Liquor license renewals for the period after July 1, 2011 through June 30, 2012:** Moved by Peterson, seconded by Christianson, to recommend Council approval of the liquor license applications received after the April 15 deadline as presented, with no delay in processing the liquor license renewals. Motion fails 3-1.

The number of Class A fermented malt beverage only permits is limited. Class A fermented malt beverage only retailer's licenses will be limited to one per 1,000 population for the city with partial numbers being rounded up to the next highest whole number. The population numbers for the city will be based on the department of administration estimates for the year in question. This number excludes Class A fermented malt beverage permits issued as a part of a Class A liquor and fermented malt beverage combination.

(Code 1986, § 12.03(4))

#### **Sec. 14-37. - Transfer of licenses.**

No license issued pursuant to this article may be transferred from place to place or from person to person except pursuant to the rules set forth in Wis. Stats. § 125.04(12). Any application for transfer pursuant to this statute shall be accompanied by payment of a fee as stated in section 14-461.

(Code 1986, § 12.03(5))

#### **Sec. 14-38. - Issuance of license.**

- (a) The public safety committee shall give any person the opportunity to be heard for or against the issuance of any license. Upon the receipt of a timely application received by the city clerk, approval of the application by the city council and after payment of license fee, the city clerk shall issue the applicant a license. Each license shall be numbered in the order in which issued and shall specifically state the premises for which issued, the date of issuance, fee paid and the name of the licensee. All licenses shall remain in force until June 30 following the issuance thereof, unless revoked or suspended in the manner provided by statute or this chapter. Renewal licenses will be issued one day later than July 1 for each day after April 15 (due date established by statute) that the application is received and/or one day later than July 1 for each day later than June 15 that the fee is received (due date established by statute).
- (b) Where the applicant's premises are not in compliance with relevant ordinances and/or state codes at the time of application, the application may be accepted with the proviso that the license shall be granted and issued only upon the applicant's compliance with applicable ordinances and codes within 90 days of acceptance. If the applicant's premises are not in compliance within the 90-day period, the acceptance shall be withdrawn.

(Code 1986, § 12.03(6))

#### **Sec. 14-39. - General licensing requirements.**

In addition to the requirements set forth in section 14-33, all license applicants and licensees shall strictly comply with the following provisions:

- (1) *Conformity to statutes and ordinances.* No license shall be issued or renewed unless the premises conform to the sanitary, safety and health requirements of the state building code, plumbing code and the rules and regulations of the state department of health applicable to restaurants, as well as all ordinances and regulations adopted by the city.
- (2) *City claims.* No license shall be issued or renewed for operation on any premises upon which taxes or assessments or other financial claims of the city are delinquent and unpaid.

(Code 1986, § 12.03(7))

#### **Sec. 14-40. - Operation by licensee under Class A or B license; additional city regulations.**

- (a) *View of interior unobstructed.*
- (1) *Blinds, screens and partitions.* No holder of a retail Class B fermented malt beverage license under this article shall permit the interior of the premises to be obstructed, provided that partitions, etc., not exceeding 48 inches in height, may be permitted within the interior. This subsection shall not apply to a licensed premises where the principal business conducted is that of a restaurant or hotel.
- (2) *Windows and doors.* Windows and doors of any licensed premises shall not be obstructed by screens, blinds, paints or other articles, provided articles not higher than 48 inches from the sidewalk level shall be permitted. This subsection does not apply to a licensed premises where the principal business conducted is that of a restaurant or hotel.
- (b) *Alcohol beverages to be sold and consumed only in authorized parts of premises.*
- (1) No alcohol beverage may be sold, dispensed or consumed under a Class B license in more than one room upon the same licensed premises. This subsection shall not prohibit the

The number of Class A fermented malt beverage only permits is limited. Class A fermented malt beverage only retailer's licenses will be limited to one per 1,000 population for the city with partial numbers being rounded up to the next highest whole number. The population numbers for the city will be based on the department of administration estimates for the year in question. This number excludes Class A fermented malt beverage permits issued as a part of a Class A liquor and fermented malt beverage combination.

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