





9.





6. Maximum establishment capacity (maximum number of people in the establishment) requested by applicant.

NOTE: A municipality may set the capacity of a licensed establishment to be less than the fire code allows

- o Boredom is another factor that leads to alcohol related disorder. Fortunately, that can be alleviated by something as simple as televisions in a bar.

Business plans indicate how the business plans to market itself, the staffing pattern, and security plans. These issues are all relevant to the licensing decision. It is also useful to know if the applicant has not prepared these documents.

**Section 3: What does your municipality know about the applicant or agent before granting an alcohol license?**

Municipalities have the right to gather information about the proposed licensee to help inform whether the applicant/agent will operate in compliance with the law and be an asset to the community.

1. Has the applicant held an alcohol license anywhere in the nation? Does the record indicate any previous problems with local law enforcement, community groups or neighbors?
2. Does your municipality conduct a full criminal background check on all applicants, agents, and business partners prior to reviewing or voting on an alcohol license?
3. Do the applicant, agent or partners have alcohol-related offenses, including underage drinking citations or OWI convictions, which may indicate individual problems with alcohol use?







Appendix #1: State of Wisconsin Form AT-106 (R9) Original Alcohol Beverage License Application. Available at <https://>





Appendix #3: The Importance of the license.

Description as it appears on the

Municipalities should require a very narrow description of the license premises for all new licenses. The Tw -40



When written too broadly, those descriptions allowed people to wander in parking areas while they consumed alcohol, creating public safety concerns and problems for local police. When municipalities

# APPENDIX 4: SAMPLE CHART OF THE

Municipal Clerk

Law Enforcement and  
Other Departments

Review Committee

Governing Body





## Appendix #5: License Conditions

To effectively control the circumstances by which alcohol is sold to consumers, municipalities should consider applying specific conditions prior to granting a new alcohol license. This is a useful and often underutilized tool that allows a community to tailor a license to the very specific concerns of each licensee without amending local ordinances.

License conditions can be extremely helpful to municipalities at limiting problems associated with alcohol sales and service, provided that the municipality enforces the conditions. When considering applications for a new Class A or Class B alcohol license, the municipality may attach specific conditions to the license. License conditions can address past problems at a location and secure binding assurances for the community. Prior to a vote granting a new license, an applicant has an incentive (the license) to agree to proposed conditions. Frequently, the applicant will agree to the conditions the municipality holds firm that without the conditions the license will not be granted. Violation of alcohol license conditions may be grounds for suspension, non-renewal, or revocation.

License conditions should be attached to the original license until problems occur is frequently too late. Before a license is granted for the first time, the initial license application may be denied for any reason that is not arbitrary (based on preference rather than reason or fact), capricious (arbitrary to evidence or law), or discriminatory (based on the applicant belonging to a certain race, ethnicity, or sex). When a business is sold or otherwise transferred, the new business owner's application is for a new original alcohol license (not a renewal), and therefore an excellent opportunity to apply license conditions.

Once a license has been granted, a municipality may not unilaterally impose license conditions. If a license is awarded, a license can only be suspended, revoked, or removed for cause: the municipality may only attach conditions to a license renewal if the licensee agrees to the conditions. For this reason, unless there are problems sufficiently serious to threaten the license's renewal, once the license is granted, the licensee no longer has an incentive to cooperate.

Municipalities need to consider



Possible conditions for Class A off-premises licensees:

Merchandise

Agrees to remove any product from the shelves immediately at the request of enforcement.

Will not sell single serving containers of alcohol

Separate coolers for alcohol and non-alcoholic beverages.

