



City of Fort Atkinson
City Manager's Office
101 N. Main Street
Fort Atkinson, WI 53538

**LICENSE COMMITTEE MEETING
IN PERSON AND VIA ZOOM
MONDAY, JULY 8, 2024 – 4:00 PM
CITY HALL – SECOND FLOOR**

<https://us02web.zoom.us/j/5997866403?pwd=alcreldSbGpNUVI1VnR1RWF5bXovdz09&omn=86409784235>

Meeting ID: 599 786 6403

Passcode: 53538

Dial by Location

+1 312 626 6799

If you have special needs or circumstances which may make communication or accessibility difficult at the meeting, please call (920) 397-9901. Accommodations will, to the fullest extent possible, be made available on request by a person with a disability.

AGENDA

- 1. Call meeting to order**
- 2. Roll call**
- 3. New Business**
 - a. Review and possible recommendation to the City Council relating to **Renewal Alcohol Beverage License** applications for the licensing period of July 17, 2024 through June 30, 2025. (Ebbert, Clerk/Treasurer/Finance Director)
 - b. Review and possible recommendation to the City Council relating to **Cigarette and Tobacco Product Applications** for the licensing period of July 17, 2024 through June 30, 2025. (Ebbert, Clerk/Treasurer/Finance Director)
- 4. Adjournment**

Date Posted: July 3, 2024

CC: City Council; City Staff; City Attorney; Fort Atkinson Chamber of Commerce; Fort Atkinson School District; News Media

Notice is hereby given that a majority of the Fort Atkinson City Council may be present at this meeting at the location and time indicated above to gather information about any subject matters on this agenda over which they have decision-making responsibility. This may constitute a meeting of the City Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d. 553, 494 N.W.2d 408 (1993), and must be noticed as such although the City Council will not take any formal action at this meeting.

Visit us online! City news and information can be found at www.fortatkinsonwi.gov, and be sure to follow us on Facebook @FortAtkinsonWI.



MEMORANDUM

DATE: July 8, 2024

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, Clerk/Treasurer/Finance Director

RE: Review and possible recommendation to the City Council relating to Renewal Alcohol Beverage License applications for the licensing period of July 17, 2024 through June 30, 2025. (Ebbert, Clerk/Treasurer/Finance Director)

BACKGROUND

The State of Wisconsin regulates alcohol licensing for local governments through Chapter 125. There are three classes of Licenses; Class A, Class B and Class C. “Class C” pertains strictly to wine with consumption on-site in a restaurant. The difference between Class A and B is where alcohol is authorized for sale and for consumption. Class A generally offers sale of alcohol on-site with consumption off-site (e.g. grocery or liquor store, gas station or convenience store). Class B allows for on-site sale and on-site consumption (e.g. Restaurant, Bar, Bowling Alley, Tavern). Class A can easily be remembered because alcohol is consumed *Away* from the premises. Likewise, Class B you consume on-site, for example *Bar*.

Table 1: Type of license, beverage and where consumption is permitted.

<u>Type of License</u>	<u>Type of Beverage</u>	<u>Consumption Location</u>
“Class A”	Intoxicating Liquor	Off-site
Class “A”	Fermented Malt	Off-site
“Class A” Liquor: Cider Only*	Cider Only	Off-site
“Class B”	Intoxicating Liquor	On-site
Class “B”	Fermented Malt	On-site
“Class C”	Wine only	On-site
Reserve “Class B”	Intoxicating Liquor	On-site
Temporary Class “B” **	Fermented Malt	On-site
Temporary “Class B” **	Wine	On-site

*The 2015-17 Wisconsin State Budget (2015 Act 55) provides that municipalities shall issue a “Class A” liquor license if both of the following apply:

- The “Class A” liquor license application is for sales limited to cider products only.
- The application for a “Class A” liquor license holds a Class “A” beer license for the same premises.

2015 Act 55 provision also defines ‘cider’ to mean any alcohol beverage that is obtained from the fermentation of the juice of apples or pears and that contains not less than 0.5 percent alcohol by volume and not more than 7.0 percent alcohol by volume. “Cider” includes flavored, sparkling, and carbonated cider.

** Temporary Class “B” Fermented Malt and Temporary “Class B” Wine – these licenses are issued throughout the year to lodges, societies, bona fide clubs, chambers, non-profit, etc.

Table 2: Existing Quotas

<u>License</u>	<u>Quota</u>	<u>Licenses Issued</u>	<u>Licenses Available</u>
“Class A” Intoxicating Liquor	16 - 1 per 750 residents	16	0
Class “A” Fermented Malt	17 - 1 per 750 residents	16	1
“Class B” Intoxicating Liquor	25 - 1 per 500 residents	25	0
RESERVE	4 - \$10,000 one-time fee	4	0
“Class B” Intoxicating Liquor			

licenses.

DISCUSSION

Family Dollar Stores of Wisconsin, LLC has applied to renew their Class “A” Fermented Malt Beverage License for use at 1517 Madison Avenue. This only allows the sale of fermented malt beverage/beer for off-site consumption.

FINANCIAL ANALYSIS

Alcohol license fees for this license is \$100.00 with a late publication cost of \$100.00

RECOMMENDATION

Staff recommends that the Licensing Committee recommend to City Council approval of the Family Dollar Store #26250 Alcohol License Application for the licensing period of July 17, 2024 to June 30, 2025 contingent upon all monies owed to the City are paid prior to license issuance by the City Clerk.

ATTACHMENTS

None



MEMORANDUM

DATE: July 8, 2024

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, Clerk/Treasurer/Finance Director

RE: Review and possible recommendation to the City Council relating to Cigarette and Tobacco Product Applications for the licensing period of July 17, 2024 through June 30, 2025. (Ebbert, Clerk/Treasurer/Finance Director)

BACKGROUND

The State of Wisconsin regulates cigarette and tobacco product licensing for local governments through Chapter 139.

139.34 Permits required.

[139.34\(1\)\(1\)](#)[139.34\(1\)\(a\)](#) No person may manufacture cigarettes in this state or sell cigarettes in this state as a distributor, jobber, vending machine operator or multiple retailer and no person may operate a warehouse in this state for the storage of cigarettes for another person without first filing an application for and obtaining the proper permit to perform such operations from the municipality.

- The local governing body has the authority to issue licenses to those selling cigarette and tobacco related products over the counter.
- Licensed premises may be inspected by law enforcement officers during all reasonable hours, including all business hours.

No retailer may sell or give away cigarettes or tobacco products to minors; no retailer may sell individual cigarettes

DISCUSSION

Family Dollar Stores of Wisconsin LLC submitted an application to renew their Cigarette, Tobacco and Electronic Vaping Device Retail License Application. This is an annual application.

Table 1: Submitted Cigarette and Tobacco Product applications

<u>Legal Name</u>	<u>Trade Name</u>	<u>Trade Address 1</u>
-------------------	-------------------	------------------------

Family Dollar Stores of Wisconsin LLC	Family Dollar Store #26250	1517 Madison Avenue #A
--	----------------------------	------------------------

FINANCIAL ANALYSIS

Cigarette and Tobacco Products license fee for the licensing period of July 17, 2024 to June 30, 2025 is \$100.00. Publication of the application is not required.

RECOMMENDATION

Staff recommends that the License Committee recommend the City Council approve the Cigarette and Tobacco Products Retail License Application for Family Dollar Store #26250 for the licensing period of July 17, 2024 to June 30, 2025 contingent upon all monies owed to the City are paid prior to license issuance by the City Clerk.

ATTACHMENTS

None