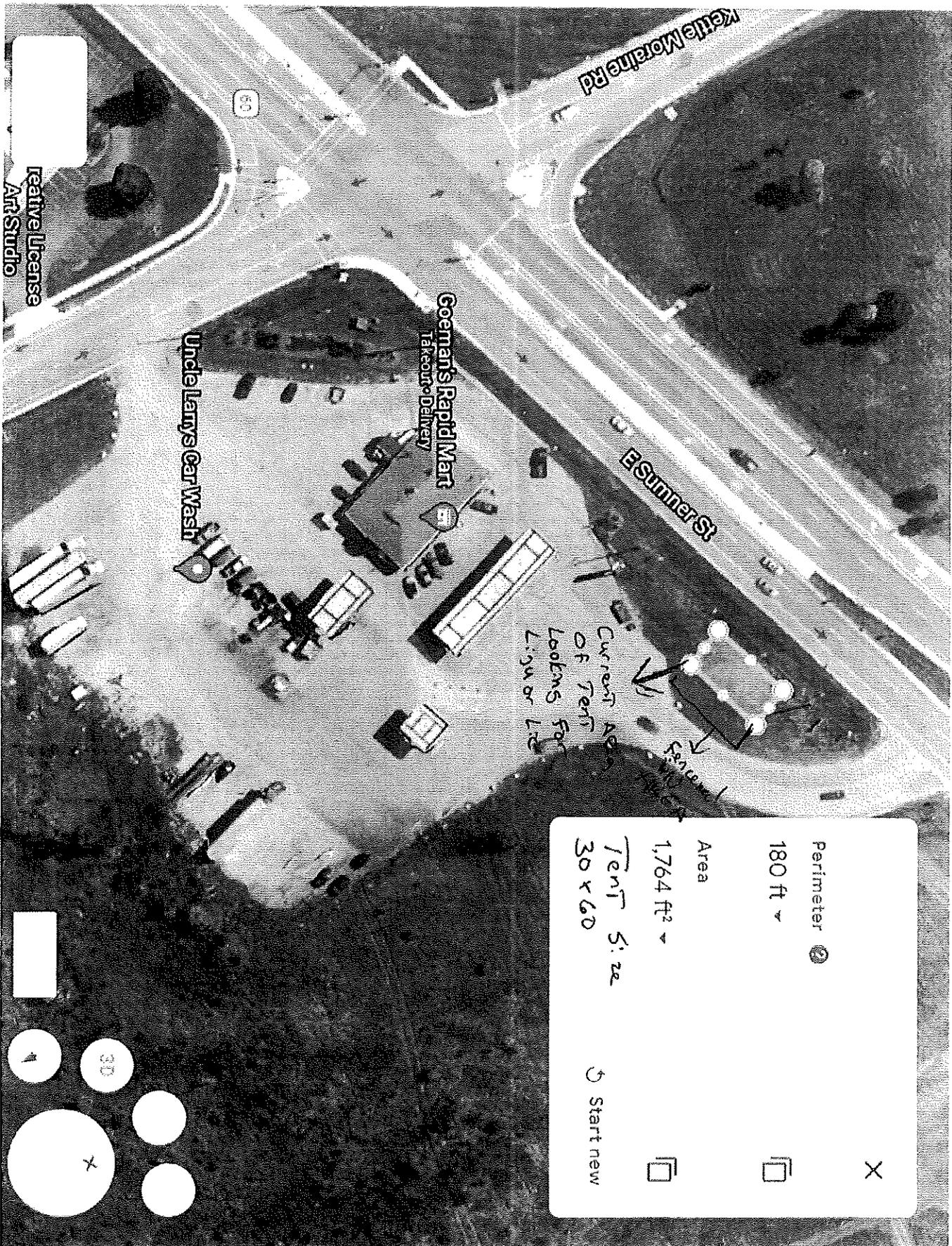


**AGENDA  
CITY OF HARTFORD  
FINANCE & PERSONNEL COMMITTEE  
CITY HALL COUNCIL CHAMBERS  
TUESDAY, JULY 14, 2020  
6:40 P.M.**

1. Call to order.
2. Roll call.
3. Public comment period.
4. Discussion and consideration of approving the following license: **(bartender)** Courtney Hildebrandt, Wendy Kuntz, Sarah McGlothin, Alyssa Strom, Seth Trautman, Tess Tranel, Dale Twardokus, Kaitlin Twardokus **(weights and measures)** Cost Cutters **(Class B Liquor License)** China Garden
5. Discussion and consideration of granting a temporary extension of premises to LMR Builders, LLC, 2714 East Sumer St. (Diagram attached)
6. Discussion and consideration of approving an ordinance amending Chapter 35 of the Municipal Code entitled Alcohol Beverages. (Executive Summary attached)
7. Adjournment.

NOTE: "PERSONS WITH DISABILITIES REQUIRING SPECIAL ACCOMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE CITY CLERK AT LEAST ONE (1) BUSINESS DAY PRIOR TO THE MEETING."

"MEMBERS OF THE COMMON COUNCIL MAY ATTEND THE ABOVE MEETING, PURSUANT TO STATE EX REL. BADKE V. GREENDALE VILLAGE BOARD, 173 WIS 2D 553, 494 N.W. 2D 408 (1993). SUCH ATTENDANCE MAY BE CONSIDERED A MEETING OF THE COMMON COUNCIL. THIS NOTICE IS GIVEN SO THAT MEMBERS OF THE COMMON COUNCIL MAY ATTEND THE MEETING WITHOUT VIOLATING THE OPEN MEETING LAW."



X  
 Perimeter ②  
 180 ft ▾  
 Area  
 1,764 ft² ▾  
 Tent Size  
 30 x 60  
 ↻ Start new

**EXECUTIVE SUMMARY**

Ordinance No. 1421

**Title:** An ordinance amending chapter 35 of the Municipal Code entitled Alcohol Beverages.

**Background:** The Wisconsin Legislature adopted 2019 Act 166 which became effective on March 4, 2020. This Act modified Chapter 125 of the Statutes, which pertains to alcohol licensing, and now allows for municipalities to adopt an ordinance allowing a designated official to approve and issue operator licenses. The City Clerk has requested that this ordinance be drafted to streamline the process for approval of routine operator license issuance. The Ordinance allows for the Clerk to approve and issue operators licenses provided there is no objection from either the Clerk or the Chief of Police. Any licenses where either the Clerk or Chief of Police raise potential issues will continue to be brought before the Finance and Personnel Committee and the Common Council. City Staff hope that this will expedite the process of issuing operators licenses to suitable individuals, while still maintaining the necessary checks and balances on any operator licenses recommended for denial. This Ordinance does not modify the approval process for establishment licenses that are already set forth in the code.

**Fiscal Impact:** \$0.00

**Recommendation:** That Ordinance No. 1421 be approved.

PREPARED BY:  DATE: 07/01/20  
Lori Hetzel, City Clerk

APPROVED BY:  DATE: 07/08/2020  
Steve Volkert, City Administrator

APPROVED BY:  DATE: 7-6-2020  
Ian Prust, City Attorney

ROUTING: Finance and Personnel 07/14/20

Common Council 07/28/20

**ORDINANCE NO. 1421**

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**AN ORDINANCE AMENDING CHAPTER 35 OF THE CODE  
ENTITLED ALCOHOL BEVERAGES**

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WHEREAS, 2019 Act 166 amended Section 125.17, Wis. Stats., to allow the municipal governing bodies to authorize a designated municipal official to issue operator's licenses, and

WHEREAS, the City has determined the City Clerk, pursuant to the rules established herein, shall have the authority to issue operator's license.

NOW, THEREFORE, the Common Council of the City of Hartford do ordain as follows:

SECTION 1. Section 35.15(3) and (4) of the Municipal Code is amended as follows:

**35.15 OPERATOR LICENSES.**

3) Criteria for Issuance. Licenses and permits related to alcoholic beverages issued to natural persons under this Chapter may be issued only to persons who fulfill all of the following requirements:

- a. Pursuant to Section 125.17(1), Wis. Stats., the City Clerk shall be authorized to issue Operators' Licenses. Any license application for which the Chief of Police or City Clerk recommend denial shall be referred to the Personnel and Finance Committee for recommendation and the Common Council for issuance.
- b. The person must be at least 18 years of age.
- c. All applicants for an operator's license shall successfully pass a responsible beverage servers course as required in Section 125.04(5), Wisconsin Statutes.
- d. The individual requesting a license may be denied a license based upon his/her arrest or conviction record subject to the Fair Employment Act Sections 111.32, 111.322 and 111.335 and Section 125.04(5)(a)1. It is not employment discrimination because of a pending arrest record or a conviction record to deny a license if the circumstances of the charge substantially relate to the alcohol beverage licensing activity.
- e. The individual requesting a license may not be issued a license if they are a "habitual law offender," Section 125.04(5)(b), Wis. Stats. The term "habitual" refers to multiple convictions or pending charges. The term "offender" refers to a person with civil violations such as ordinance convictions and/or misdemeanor convictions (or pending charges) which substantially relate to the alcohol beverage licensing activity.
- f. An individual requesting a license shall not be issued a license if he or she has been

convicted of a felony which substantially related to the alcohol beverage licensing activity.

4) Temporary Operators' Licenses. The City shall issue temporary operators' licenses under the terms of this ordinance except that:

- a. Pursuant to Section 125.17(1), Wis. Stats., the City Clerk shall be authorized to issue temporary operators' licenses. Any license application for which the Chief of Police or City Clerk recommend denial shall be referred to the Licensing Board for recommendation and the Common Council for issuance.
- b. The license may be issued only to operators employed by or donating their services to nonprofit organizations.
- c. No person may hold more than one temporary operator's license per year.
- d. The license is valid for any period from 1 day to 14 days, and the period for which it is valid shall be stated on the license.
- e. The fees for a temporary operator's license shall be as stated in Chapter 42 of the Municipal Code. It shall be non-refundable and shall not apply toward any other operator's license under this section.

The procedure for licenses issued in accordance with this section for temporary operators' licenses shall be as follows: Upon application therefore the City Clerk shall submit such application to the Common Council. If the Common Council deems referral appropriate, the application shall be submitted to the Finance & Personnel Committee for further review. In all other cases, the Common Council may act to grant or deny issuance of such license. In such situations where the temporary operator's license application is filed and time does not permit review by the Common Council, the City Clerk shall have the authority to grant or deny the issuance of such license; provided, however, that in such case the license fee shall be \$25.00, which shall be non-refundable and shall not apply toward another operator's license under this section.

SECTION 2. This Ordinance shall be effective upon passage and publication as provided by law.

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Timothy C. Michalak  
Mayor

Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

ATTEST:

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Lori Hetzel  
City Clerk