



**City of Racine, Wisconsin
Common Council**

AGENDA BRIEFING MEMORANDUM

COMMITTEE: Public Safety and Licensing

LEGISLATION ITEM: 0530-25

AGENDA DATE: May 28, 2025

DEPARTMENT: City Attorney's Office

Drafted By: Nhu H. Arn

Reviewed By: Scott R. Letteney

SUBJECT: Ordinance 008-25 Alcohol Beverages

EXECUTIVE SUMMARY:

This proposed amendment would bring chapter 6 of the ordinance into conformity with changes made at the state level pursuant to 2023 Wisconsin Act 73. Additionally, the amendment also includes changes to clarify and update existing regulations at the local level.

BACKGROUND & ANALYSIS:

When the Wisconsin State Legislature passed 2023 Wisconsin Act 73, it ushered in major changes to the Wisconsin's alcohol beverage laws. While many of these changes are limited to the state level, there are a few that directly impact the city and would require a change to our existing ordinance to bring it into compliance. There are additional changes proposed herein which would clarify and update existing alcohol beverage licensing and regulations, including some updates to statutory references or citations. Substantive proposed changes include the following:

- 1) Amending Section 6-2 to reiterate and clarify that a licensee/agent is responsible for any alcohol violations on the premises.
- 2) Amending Sections 6-14(b), 6-23(b)(4) and 6-23(d) to reiterate and clarify that the common council may place reasonable conditions upon the issuance of a license and amending the language in all three sections to ensure they match.

- 3) Amending Section 6-20(b)2 to ensure that only “tamper-evident sealed” or original containers may be removed from the premises for off-premises consumption.
- 4) Amending the definition of a “Class C” wine license under Section 6-20(b)(3) to remove the requirement that it operate as a restaurant, to conform with state law.
- 5) Deleting the “Class B” club intoxicating liquor license as outdated and obsolete.
- 6) Amending the timeline for notifying the city clerk of changes to the application from 10 to 30 days under Section 6-22(d), to conform with state law.
- 7) Amending the requirements for notifying a new applicant of the public safety and licensing committee date under Section 6-23(a) to allow five days, rather than five business days when written notice is mailed; and alternatively, to allow the city clerk to provide notice via email five days prior to the hearing, if the application contains an email address.
- 8) Amending Section 6-23 by adding subsection (h) for full-service retail outlets, to conform with state law.
- 9) Amending Section 6-26(a)(3) to allow the chief of police to prepare a written report for due process hearings, only when deemed appropriate or necessary.
- 10) Amending Section 6-26(d)(2) to allow the city clerk to send a copy of the report by the Due Process Board to the licensee five days prior to the common council hearing, rather than five business days.
- 11) Amending Section 6-27(a) by deleting the requirement that the public safety and licensing committee provide certain warnings to the licensee prior to discussing an incident.
- 12) Amending Section 6-32(c) to officially allow for temporary extensions of licensed premises.
- 13) Amending Sections 6-38(a)(5) and 6-38(b)(1) to allow for the sale of beer and liquor between the hours of 6:00 a.m. and 8:00 a.m., where the applicant proposes it as part of his or her business plan.
- 14) Deleting Section 6-38(b)4 as outdated and obsolete.
- 15) Amending Section 6-41 to clarify that a conditional grant of a license should be granted only in cases of a “Class B” license, due to the state quota, and cleaning up the language to make it easier to understand.
- 16) Clarifying the language in Sections 6-87 and 6-88 to make it easier to understand.
- 17) Changing the language in Article IV, Operator’s license, to recognize operator’s permits now issued by the Department of Revenue.
- 18) Amending Section 6-166 to allow the city clerk to issue a non-intoxicating beverages license, rather than requiring such license to go through committee and council and requiring renewal applications to be due by April 15th of every year.

BUDGETARY IMPACT: N/A

OPTIONS/ALTERNATIVES: Reject the ordinance or amend the proposed ordinance.

ACTION RECOMMENDED: This is a policy decision to be made by the council.

ATTACHMENT(S): Ordinance 008-25 – Alcohol Beverages