

Municipal Inventory: Evidence-Based Policies & Practices to Improve the Alcohol Environment

The primary responsibility for alcohol licensure and control falls on local governments in Wisconsin. Municipalities can improve the alcohol environment through adoption and implementation of evidence-based policies and practices. Like most summaries, this inventory does not include every recommendation or policy; it is the starting point, not the destination. Individual columns of the inventory are explained below:

Municipal Issue/Action: The policies and practices that Wisconsin municipalities most frequently consider to improve the community alcohol environment.

Recommended in ACE Report, 2010: The Wisconsin Council on Alcohol and Other Drug Abuse adopted the 49 recommendations presented by the Alcohol Culture and Environment Workgroup (subcommittee) in April, 2010. This chart only refers to the municipal recommendations. The full report can be [downloaded](#) from the Wisconsin Alcohol Policy Project website.

Recommended in NAS/IOM 2005: *Reducing Underage Drinking: A Collective Responsibility* is the report prepared by the National Academies of Science, Institute of Medicine in 2005 outlining the first national strategy to prevent and reduce underage drinking. The Executive Summary can be [downloaded](#) or read at the National Academies Press.

Recommended in the Surgeon General's Call to Action on Underage Drinking, 2007: Recommendations Included in the Surgeon General's 2007 report on underage drinking.

Chapter 125, Alcohol Beverage Regulation: Refers to laws adopted by the state of Wisconsin regulating alcohol beverages. (Unlike many other states, Wisconsin's statutes refer to "alcohol," not alcoholic," beverages.) This column reflects the limitations placed on alcohol control at the local level through either specific limits or preemption, reserving the matter for state control. In this column the **X** refers to policies adopted when a municipality adopts Chapter 125 as a local ordinance. This enables local enforcement of specific state laws as non-criminal, civil violations resolved in municipal court. If and how a municipality may have adopted Chapter 125 must be determined locally.

What was adopted locally? Who implements it? This column is left largely blank to allow completion with municipality-specific information. Ordinances vary significantly between communities, even adjacent communities. Responsibility for enforcement will also vary by community.

Municipal Issue/Action	Recommended in ACE Report 2010	Recommended in NAS/IOM 2005	Recommended in Surgeon General Call to Action 2007	Chapter 125 Alcohol Beverage Regulation X = Muni may adopt ordinance or entire statute	<i>What was adopted locally? Who implements it?</i>
<p>Guidelines to create alcohol environment</p> <p>Community can create guidelines to mold the alcohol environment it wants. Awarded licenses can only be suspended, non-renewed or revoked for cause.</p>	<p>Municipal Recommendation #2: Municipalities should adopt procedural guidelines and policies to govern all local deliberations and decisions on whether to issue, renew or revoke licenses to sell or serve alcohol.</p>	<p>Silent</p>	<p>Silent</p>	<p>Dept. of Revenue form (or facsimile) required, application, publication in local paper required, vote of full body needed to approve.</p> <p>Silent on guidelines.</p>	
<p>Control Outlet Density</p> <p>Overconcentration of locations that sell or serve alcohol leads to higher rates of alcohol-related violence, disorder and crime.</p>	<p>Municipal Recommendation #2: Municipalities should adopt procedural guidelines and policies to govern all local deliberations and decisions on whether to issue, renew or revoke licenses to sell or serve alcohol.</p>	<p>Silent</p>	<p>Silent</p>	<p>Unlimited number "Class A" & Class "A" licenses permitted.</p> <p>State quota on "Class B" approx. 1 per \500 pop.</p>	
<p>Sanction, Revoke or Non-renew</p> <p>Guidelines for approval clarify unacceptable behavior. Demerit/point system may be effective if points are non-negotiable.</p>	<p>Municipal Recommendation #2: Municipalities should adopt procedural guidelines and policies to govern all local deliberations and decisions on whether to issue, renew or revoke licenses to sell or serve alcohol.</p>	<p>Silent</p>	<p>Silent</p>	<p>125.12(3) must notify, hearing</p> <p>125.12(4) suspend/revoke. Non-renew - requires documentation of violations, no qualified rioters disorderly house</p> <p>125.12(5) citizen complaint triggers sanction/revocation process</p>	

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Restriction on Locations Statutory restrictions may be overridden by majority vote or additional restriction added.	Silent	Silent	Silent	125.68(3) No licensee w/in 300 ft. of church, school, hospital. Open on 6/30/1947 Grandfathered. X	
Beer/Wine/Distilled Spirits Sampling allowed at all Class "A" & "Class A" licensees. Municipalities may not impose more stringent time or sample limits but may adopt ordinances touching on other aspects.	Municipal Recommendation #4: Regulate alcohol tasting in Class A establishments. The scope of regulations should include: Cordoned, attended sampling area. Requiring ID check limiting sampling to age 21 and older. Locating sampling area away from child-oriented products Require alcohol advertising for tastings to be at least 36 inches from floor. Presence of licensed operator within the sampling area	Silent	Silent	125.06(13) (a) two 3 oz. wine samples 125.06(13) (b) Municipality may not ban tasting events.	

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<p>Qualifications to Hold an Operators' License</p> <p>A criminal background check supports good decision making.</p>	Silent	Silent	Silent	Responsible Beverage Server training w/in previous 24 mos. 125.04(5) (a) resident for 90 continuous days.	
<p>"Class B " and Class "B" Temporary Licenses Also called "picnic licenses"</p>	Municipal Recommendation #8: Require perimeter, wristband & handstamp, licensed bartender, sober servers, food/water & sanitation in cordoned area, end alcohol sales 60 min. prior to close.	Silent	Silent	125.26(6) 125.68(3) "Class B" Temp – limited to beer & wine Only to civic, community or vets groups & Chambers of Commerce operating for at least 6 mos. Tax status irrelevant.	How many Class B temporary – "Picnic" licenses are issued each year in your community? The situations that require them are limited, talk to your clerk.
<p>Keg Registration</p> <p>Very few WI municipalities have adopted Keg-Reg. Used as law enforcement tool for investigations. <i>Do retailers in your municipality sell kegs?</i></p>	Municipal Recommendation #15: Municipalities should adopt beer keg registration ordinances as an effective tool to apprehend adults who provide alcohol to underage youth & to deter such purchases in the future.	Recommendation 9-8: States & communities should establish and implement a system requiring registration of beer purchasers.	Silent	Silent	Check first to see if any retailers in your community sell kegs at retail, if not set this policy aside.

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<p>Alcohol Age Compliance Checks (AACC)</p> <p>Free online training available through UDETC, the Underage Drinking Enforcement Training Center</p>	<p>Municipal Recommendation #8: Municipalities should establish ongoing, comprehensive alcohol age compliance checks for both on and off premises licensees with citations issued to vendors and/or employees for noncompliance.</p>	<p>Recommendation 9-2: State should establish, and support alcohol age compliance checks with fines and media support</p>	<p>Related. Pg. 54 Increase judicial understanding of under-age drinking</p>	<p>125.07(1) – Illegal to sell/serve alcohol to <21, unless spouse/child. Only 1 citation per occurrence, 2 citations may be written (licensee & server) if one will be dismissed.</p> <p>Only the server, not the licensee may be cited if violation determined as a result of an alcohol age compliance check.</p>	<p>One of the few policies with an across the board recommendation. The Wisconsin Alcohol Policy Project has a memo outlining the process and the best way for local groups to be involved.</p>
<p>Using a Fake or False ID to obtain alcohol</p>	<p>Silent</p>	<p>Recommendation 9-13: States should strengthen efforts to prevent sales/detect use</p>	<p>Related. Pg. 72 Communities should enforce penalties for fake ID</p>	<p>125.08(3) – Penalties for selling using fake ID 125.07(4)(f) - Licensees can recover \$1000 from customer or parent (Brown Jug Law)</p> <p>X</p>	<p>What is community policy for collecting fake IDs? Does each location establish its own policy? Do any local bars give servers a “bounty” on fake IDs?</p>
<p>Sober Server</p> <p>In some communities, law enforcement or neighborhood groups find alcohol impaired servers create or fail to control alcohol-related disorder</p>	<p>Municipal Recommendation #10: Municipalities should adopt ordinances prohibiting those who sell or serve alcohol from drinking while on duty or having a BAC above a 0.04 while working, commonly called sober server ordinances.</p>	<p>Silent</p>	<p>Silent</p>	<p>Silent</p>	<p>Ask local law enforcement if intoxicated servers are a factor in the calls for service to/by local bars and taverns</p>

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Internet Sales & Delivery	Silent	Recommendation 9-6: Alcohol ordered must confirm age 21 and require signed receipt	Silent	125.272 - Requires face to face sales. X	Some campus communities have found local alcohol retailers agree to deliver and confirm age of purchaser or accept online orders.
Alcohol Use in Public Parks Municipality has the ability to set rules on use of all public property as the manager of the public assets – not acting as censors. May restrict sale/consumption of alcohol & alcohol advertising.	Municipal Recommendation #13: Place conditions & restriction on alcohol sales at public events	Silent	Silent	As the property owner, the municipality may ban alcohol sale/consumption in parks	Is there a “Parks Use” policy? Is alcohol use limited to specific parks or locations? What does local law enforcement tells you about excessive and underage alcohol use in municipal park and recreation areas?
Social Host Ordinance Over 30 municipalities in WI have adopted ordinances making it illegal to provide a location for underage drinking. Recommended draft (in ACE Report) allows “host” to be absent from event.	Municipal Recommendation #5: Municipalities should adopt an ordinance establishing significant forfeitures for adults who provide a safe haven for underage drinking, pour or provide alcohol for 3 or more nonrelated youth on their property	Recommendation 9-12: Law enforcement should adopt special policies including citing property owner, to reduce underage drinking	Silent	Silent NOTE: Chapter 125 makes it illegal to purchase, pour or provide alcohol to an underage individual other than your offspring or spouse. Social Host ordinance make it illegal to provide a <i>location</i> for underage drinking, separating the substance consumed from the location.	Over 30 Wisconsin communities have adopted these ordinances to make it illegal to provide a location for underage drinking, without regard to who provided the alcohol. It is important to have both law enforcement and municipal judge in support of before proceeding. Two Rivers model ordinance is clear that this is a community/public safety issue.

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HVE (High Visibility Enforcement) Task Forces also called Saturation Patrols DOT Hwy Safety funds support multi-jurisdictional H.V.E. Task Forces	Municipal Recommendation #7: Municipalities individually, or as part of a multi-jurisdictional task force, should operate well publicized saturation patrols to discourage drunk driving.	Silent	Silent		The Wisconsin Department of Transportation supports and provides grants to support High Visibility Enforcement (HVE).
Alcohol Advertising Municipal gov't may limit/prohibit alcohol advertising on all public property. Sign codes may limit aspects of all commercial signage	Municipal Recommendation #9: Municipalities should limit alcohol adverts to prevent youth overexposure to alcohol advertising.	Recommendation 7-3: Industry should strengthen codes, CDC should monitor	Related. Pg. 43-49 Encourage industry to avoid youth exposure or making alcohol attractive to youth	Silent	Does your municipality have a sign code? Review it, could portions be applied to reduce youth exposure to alcohol advertising in your community?