



Retail Alcohol Beverage Licensing Guide for Municipalities

TABLE OF CONTENTS

	Page
1. INTRODUCTION	4
2. DEFINITIONS	4
3. AUTHORITY.....	5
A. Municipalities	5
B. Division of Alcohol Beverages (DAB)	5
4. LICENSE TYPES & AUTHORIZATIONS	6
A. Retail Licenses	6
B. Operators' (Bartenders') Licenses	8
C. Managers' Licenses	9
D. Provisional Licenses.....	9
E. Temporary Licenses.....	10
5. QUALIFICATIONS.....	12
A. Retail Licenses	12
B. Operator's Licenses	14
C. Premises Description.....	14
6. FORMS	15
A. Alcohol Beverage License Application (AB-200).....	15
B. Alcohol Beverage Individual Questionnaire (AB-100).....	16
C. Alcohol Beverage Appointment of Agent (AB-101)	16
D. Temporary (Picnic) License Application (AB-220)	16
E. Common Application Questions.....	16
7. LICENSE APPROVAL PROCESS	17
A. Regular Retail Licenses	17
B. Provisional Licenses.....	20
C. Temporary (Picnic) Retail Licenses.....	20
D. Operator's (Bartender's) Licenses	20
E. License Revocations and Suspensions.....	21
F. License Non-Renewals.....	21
8. CHANGES TO RETAIL LICENSES.....	22
A. Subsequent Changes (30-Day Rule)	22
B. Transfers.....	22
C. Change of Agent	23
D. Change of Ownership	23
E. Changes to a Premises Description	24
9. RESTRICTIONS.....	24
A. All Retail Alcohol Beverage Licenses	24
B. Liquor Retail Licenses	24
C. Beer Licenses.....	25
10. MUNICIPAL QUOTA.....	25
A. What is a Municipal Quota?	25

B. Quota Calculation.....	25
C. Above-Quota Licenses.....	26
D. Municipal License Transfer.....	26
E. Premier Economic Development District	26
11. ALCOHOL BEVERAGE ORDINANCES.....	27
12. RESOURCES.....	28
13. QUESTIONS.....	28
APPENDIX A.....	29
APPENDIX B.....	30
APPENDIX C	31

Applicable Laws and Rules

This document provides statements or interpretations of the following laws and regulations enacted as of March 13, 2026: chapter 125, [Wis. Stats.](#), and chapters Tax 7 & 8, [Wis. Adm. Code.](#)

Laws enacted and in effect after this date, new administrative rules, and court decisions may change the interpretations in this document. Guidance issued prior to this date, that is contrary to the information in this document is superseded by this document, according to sec. 73.16(2)(a), Wis. Stats.

1. INTRODUCTION

This publication provides guidance for municipalities about licenses for the retail sale of alcohol beverages in Wisconsin. Wisconsin law prohibits retail sales of alcohol beverages without an approved license issued by a municipality (cities, villages, or towns), or a permit issued by the department.

Similarly, no owner, lessee, or person in charge of a public place may allow the consumption of alcohol beverages on the premises of the public place, unless the person has the appropriate retail license or permit.

2. DEFINITIONS

Alcohol Beverages: All types of beverages that contain at least 0.5% ABV. (fermented malt beverages and intoxicating liquor) sec. [125.02\(1\)](#), Wis. Stats.

Cider: A wine product obtained from the fermentation of the juice of apples or pears and contains at least 0.5% and no more than 7% ABV. sec. [125.51\(2\)\(e\)\(1\)](#), Wis. Stats.

Consumption Off-Premises: Consumption of alcohol beverages not on the premises where the sale occurred

Consumption On-Premises: Consumption of alcohol beverages on the premises where the sale occurred

DAB: Division of Alcohol Beverages

Distilled Spirits: Intoxicating liquor but does not include wine

DOR: Department of Revenue

Fermented Malt Beverages (FMB): Any beverage that meets the definition in sec. [125.02\(6\)](#), Wis. Stats. Also referred to as "beer"

Initial Issuance: The first time a license is issued to a person (see definition for "person")

Intoxicating Liquor: All beverages containing at least 0.5% ABV, except fermented malt beverages, sec. [125.02\(8\)](#), Wis. Stats (Distilled spirits, wine, and cider). Also referred to as "liquor"

License: An authorization to sell alcohol beverages issued by a municipal governing body, sec. [125.02\(9\)](#), Wis. Stats.

Licensee: Any person that holds a retail or operator's license issued by a municipality

Permittee: Any person that holds a DAB-issued permit. Examples include Operator's Permits, Sports Club Permits, Wholesaler's Permits, and Brewer's Permits

Person: A natural person, business, or other entity that meets the definition of person under sec. [125.02\(14\)](#), Wis. Stats.

Premises: The buildings or land described in a retail alcohol beverage license certificate document, sec. [125.02\(14m\)](#), Wis. Stats.

Quota: The number of "Class B" liquor licenses which a municipality granted or issued in good faith and in force on December 1, 1997, plus the number of reserve "Class B" liquor licenses the municipality is otherwise authorized to issue

Renewal: The second and subsequent times a license is issued to a person

Wine: A product with at least 0.5% ABV and no more than 21% ABV obtained by alcohol fermentation of grapes or agricultural products. sec. [125.02\(22\)](#), Wis. Stats.

3. AUTHORITY

A. Municipalities

Municipalities may grant and issue licenses for the sale of alcohol beverages, subject to restrictions imposed by Wisconsin law. A municipality may prescribe and enforce additional regulations not in conflict with state law (sec. [125.10\(1\)](#), Wis. Stats.).

Municipalities cannot be held liable in civil court for damages caused by the consumption of alcohol beverages by any person for:

- Issuing alcohol beverage licenses.
- Allowing a licensee or permittee to sell, dispense, or give away alcohol beverages on property owned or leased by the municipality.
- Failing to monitor or supervise the activities of the licensee or permittee (sec. [125.037](#), Wis. Stats.).

Note: Any license issued in violation of state law is void under sec. [125.04\(2\)](#), Wis. Stats. The municipality may enforce forfeitures, license suspensions, or revocations for violating municipal ordinance. Any penalty, suspension, or revocation must be reported to DAB within 10 days.

B. Division of Alcohol Beverages (DAB)

The Division of Alcohol Beverages is responsible for the statewide enforcement of Wisconsin Statutes Chapter 125. DAB issues permits to alcohol beverage producers and wholesalers. DAB shares regulatory responsibility with municipalities over alcohol beverage retail sales and licensees.

DAB issues the following retail alcohol beverage permits:

(1) Sports club "Class B" (liquor) – clubs for specific sports may sell intoxicating liquor if all the following apply:

- The facilities are not open to the general public.
- The facilities are operated solely for golf, tennis, curling, ski-jumping, or yachting.
- The municipality does not issue such licenses.
- If a municipality issues "Class B" licenses **and** the club was not issued a liquor license under sec. 176.05 (4a), Wis. Stats. (1979) **and** does not currently hold a "Class B" license.

(sec. [125.51\(5\)\(a\)](#), Wis. Stats.)

(2) Sports club Class "B" (beer) – retailers may sell beer if all the following apply:

- The facilities are not open to the general public.
- The facilities are operated solely for golf, tennis, curling, ski-jumping, or yachting.
- The municipality does not issue such licenses.

(sec. [125.27\(1\)\(a\)](#), Wis. Stats.)

(3) Public facility and airport "Class B" (liquor) – designated concessionaires may sell liquor within a county or municipally owned airport or public facility.

- A Class "B" (beer) license must be obtained from the municipality the airport or public facility is located in.

"Concessionaire" means a person designated by resolution of a county or municipality owning an airport or public facility to operate premises in the airport or public facility.

"Public facility" means an arena, coliseum, related exposition facility, or center for the performing or visual arts.

(sec. [125.51\(5\)\(b\)](#), Wis. Stats.)

(4) Vessel Class "B" (beer) and "Class B" (liquor) – retailers may sell beer and liquor for consumption on a vessel (boat) having a regular place of mooring located in any Wisconsin waters if:

- The vessel is certified by the U.S. Coast Guard, classed by the American Bureau of Shipping, or covered by liability insurance.

AND meets one of the two following criteria:

- The vessel has an approved passenger capacity of 40 or more individuals, serves food, and liquor and beer sales on the vessel account for less than 50 percent of food and beverage gross receipts.
- The vessel has an approved passenger capacity of 100 or more individuals and liquor and beer sales on the vessel account for less than 50 percent of gross receipts.

The permittee may store beer or liquor purchased for sale on the vessel or property owned or leased by the permittee near the vessel's regular place of mooring (secs. [125.27\(2\)](#) and [125.51\(5\)\(c\)](#), Wis. Stats.).

(5) Operator's (Bartender's) Permit - Authorized operators supervise the sales and service of alcohol beverages. DAB issued operator's permits are valid in any Wisconsin municipality and may be used at any licensed or permitted premises in Wisconsin. The qualifications to obtain and hold an operator's permit are the same as for municipally issued operator's licenses (secs. [125.175](#) and [125.17](#), Wis. Stats.).

4. LICENSE TYPES & AUTHORIZATIONS

A. Retail Licenses

(1) Class "A" (Beer) - Authorizes sales of beer in any quantity in original packages for off-premises consumption.

- Examples: convenience stores, drug stores, liquor stores, grocery stores
- Initial and renewal fees are set by municipal ordinance.
- Not subject to state-imposed quota.

(sec. [125.25](#), Wis. Stats.)

(2) "Class A" (Liquor) - Authorizes sales of intoxicating liquor in any quantity in original packages for off-premises consumption.

- Examples: convenience stores, drug stores, liquor stores, grocery stores
- Initial and renewal fees are set by municipal ordinance but must be at least \$50 and no more than \$500.
- Not subject to state-imposed quota.

(sec. [125.51\(2\)](#), Wis. Stats.)

(3) "Class A" (Cider Only) – Authorizes the sale of only cider to consumers in original packages for off-premises consumption.

- Examples: convenience stores, drug stores, liquor stores, grocery stores
- A retailer must possess a Class "A" (Beer) license to obtain a "Class A" (Cider Only) license.
- No initial or annual fee.
- Not subject to state-imposed quota.
- Not required if the business holds a "Class A" (liquor) license

(sec. [125.51\(2\)\(e\)](#), Wis. Stats.)

(4) Class "B" (Beer) - Authorizes the sale of beer to consumers for on- and off-premises consumption.

- Examples: bars, restaurants
- The only business that can be conducted on a Class "B" premises is the sale and service of alcohol beverages with the following exceptions under sec. [125.32\(3m\)](#), Wis. Stats.:
 - Hotels
 - Restaurants, including those located in or a part of a mercantile establishment
 - Grocery store and tavern combinations
 - Sporting goods store and tavern combinations located in towns, villages, and 4th class cities
 - Novelty store and tavern combinations
 - A bowling center or recreation premises
 - Clubs, societies, and lodges that have existed for at least 6 months prior to the date of filing application.
 - Movie theaters
 - Painting studios
 - Temporary "Class B" premises
 - An axe throwing facilities
- Initial and renewal fees are set by municipal ordinance but cannot be more than \$100.
- Not subject to state-imposed quota.

(sec. [125.26](#), Wis. Stats.)

(5) "Class B" (Liquor) – Authorizes the sale of intoxicating liquor to consumers.

- Licensees may sell intoxicating liquor to consumers in the following ways:
 - For on-premises consumption by the glass and not in the original package or container.
 - For off-premises consumption by the glass if sealed with a tamper evident seal (e.g., cocktails-to-go).
 - Wine in the original package or container in any quantity for off-premises consumption.
 - Opened and recorked/capped bottles of wine if sold with a meal.
 - If allowed by municipal ordinance, distilled spirits in any quantity in the original package or container for off-premises consumption.
 - Examples: bars, restaurants
 - Licensees may prepare premixed drinks containing intoxicating liquor in bulk for sale to consumers.
 - May only be issued to an applicant that holds or has applied for a Class "B" (beer) license (secs. [125.51\(1\)\(a\)](#) and [125.51\(3\)\(f\)](#), Wis. Stats.).
 - Cannot be issued for premises which do not meet the restaurant sanitation standards set by the Department of Agriculture Trade and Consumer Protection (DATCP) (sec. [125.68\(5\)](#), Wis. Stats.).
 - Municipal ordinances set initial and renewal fees for the following "Class B" retail licenses:
 - Regular licenses which must cost at least \$50 and no more than \$500.
 - Reserve licenses whose initial issuance must cost at least \$10,000. The annual renewal fee for a reserve license is the same fee charged for a regular license.
 - Premier economic development district licenses whose initial issuance must cost at least \$30,000. The annual renewal fee for a premier economic development district license is the same fee charged for a regular license. For more information about PEDD licenses, see Part 10.E.
 - Above-quota (restaurant/hotel/theater/qualifying event venue) licenses whose fees are not subject to state-imposed limitations.
 - Subject to state-imposed quota.
(sec. [125.51\(3\)](#), Wis. Stats.)
- (6) "Class C" (Wine Only) – Authorizes sales of wine by the glass or in an opened original container for on-premises consumption.
- A "Class C" (wine) license cannot be issued for premises which do not meet the restaurant sanitation standards set by the Department of Agriculture Trade and Consumer Protection (DATCP) (sec. [125.68\(5\)](#), Wis. Stats.).
 - Initial and renewal fees are set by municipal ordinance but cannot be more than \$100.
 - Not subject to state-imposed quota.
(sec. [125.51\(3m\)](#), Wis. Stats.)

B. Operators' (Bartenders') Licenses

Authorized operators supervise the sales and service of alcohol beverages. All licensed or permitted premises are required to have authorized operators or someone having the privileges of an authorized operator on the premises during open hours.

A person has authorized operator privileges if they are

- If the licensee is a sole proprietor, the licensee
- If the licensee is a sole proprietor, A member of the licensee's immediate family that is at least 18 years old and resides in the licensee's household
- If the licensee is a partnership, the partners of the partnership
- The agent of an LLC or corporation
- A person holding a manager's license

Operator's license fees are set by municipal ordinance.

Operator's license applicants must pass a DAB-approved responsible beverage server training course or be named on a retail license, operator's license or permit, or manager's license within the last 2 years of application.

(sec. [125.17](#), Wis. Stats.).

C. Managers' Licenses

If a municipality elects to issue manager's licenses, the person has responsibility of or authority over:

- Personnel management of all employees, whether or not the person is authorized to sign employment contracts.
- Terms of contracts for the purchase or sale of goods or services, whether or not authorized to sign the contracts.
- Daily operations of the premises.

License fees are set by municipal ordinance but may not cost more than \$25.

(sec. [125.18](#), Wis. Stats.)

D. Provisional Licenses

- (1) Provisional Retail Licenses – Allow retail license applicants to sell alcohol beverages while waiting for a decision on their original (new) application. The beverage type and way it is sold are limited to the type of license applied for.

If a municipality issues retail licenses, it must issue provisional retail licenses. Municipalities must designate the official that has authority to issue provisional licenses and may pass ordinances establishing standards for issuing them.

The following conditions apply to provisional licenses:

- May be issued only to persons applying for Class "A" (Beer), "Class A" (Liquor), Class "B" (Beer), "Class B" (Liquor), or "Class C" (Wine) licenses, authorizing only the activities allowed under that type of license.
- Provisional licenses expire 60 days after issuance or when the holder is issued a retail license, whichever comes first.

- The municipal official may revoke licenses if they discover the holder made false statements on the application.
- Provisional "Class B" licenses may not be issued if prohibited by quota.
- No person may hold more than one provisional retail license for each type of license applied for per year.
- The license fee is no more than \$15 and established by municipal ordinance.

(sec. [125.185](#), Wis. Stats.)

- (2) Provisional Operator's Licenses – Authorize the same activities as a regular operator's license while an applicant waits for a decision on their original application. If a municipality issues operator's licenses, it must issue provisional operator's licenses. Municipalities must designate the official who has authority to issue provisional operator's licenses and may pass ordinances establishing standards for issuing them.

- Valid for up to 60 days or until the original license application is issued or denied, whichever comes first.
- The license fee is no more than \$15 and established by municipal ordinance.

(sec. [125.17\(5\)](#), Wis. Stats.)

E. Temporary Licenses

- (1) Temporary Retail Licenses – Authorize beer or wine sales at a picnic or similar gathering of limited duration, meeting of the post, fair, or single-day, multiple location event, such as a "beer or wine walk."

A temporary Class B license may only be issued to:

- Bona fide clubs
- County or local fair associations or agricultural societies
- Churches, lodges, or societies that have been in existence for at least six months prior to the date of application
- Veterans' organization posts
- Chambers of commerce or similar civic or trade organizations organized under Wis. Stat. [Ch. 181](#) to promote economic growth and opportunity within a local geographical area

Temporary Class "B" (Beer) – Authorizes sales of beer on specific premises for a specific duration.

- License fee is no more than \$10 and set by municipal ordinance.
- Authorized operators must supervise sales and service on the premises.
- If authorized by the municipality, underage persons may be allowed on a temporary Class "B" licensed premises.
- Beer Walks – A municipality may issue temporary Class "B" licenses for beer walks under certain conditions. See the "Beer or Wine Walks" section below.

(sec. [125.26\(6\)](#), Wis. Stats.)

Temporary "Class B" (Wine) – Authorizes sales of wine on specific premises for a specific duration.

- The same licensee may not hold more than two Temporary "Class B" licenses in a 12-month period.
- License fee is no more than \$10 and set by municipal ordinance.
- If a licensee applies for both a temporary "Class B" and a Class "B" license, the fee for both licenses is no more than \$10. The fee is \$10 regardless of whether you are applying for one or both types of temporary alcohol beverage licenses.
- Authorized operators must supervise sales and service on the premises.
- If authorized by the municipality, underage persons may be allowed on a temporary "Class B" licensed premises for purposes of acting as designated drivers.
- Wine Walks – A municipality may issue temporary "Class B" licenses for wine walks under certain conditions. See the "Beer or Wine Walks" section below.

(sec. [125.51\(10\)](#), Wis. Stats.)

- (2) Beer or Wine Walks – A single day event where customers are served a glass of beer or wine at multiple locations (e.g., jewelry stores, art galleries, clothing boutiques, salons, furniture stores, etc.) during shopping visits.

A municipality may issue Temporary Class "B" (beer) licenses and Temporary "Class B" (wine) licenses to qualified organizations, including a chamber of commerce or similar civic or trade organization organized under Ch. 181 to promote economic growth and opportunity within a local geographical area.

Beer Walk

A municipality may issue an unlimited number of Temporary Class "B" (beer) licenses to a qualified organization for the same date and time. The qualified organization is the licensee and sponsor of the single-day, multiple-location event. The following requirements apply:

- Participants must pay an admission fee, and no additional fee is charged for service of beer.
- Municipalities may authorize the licensee to allow underage persons on the licensed premises.
- No person may serve beer after midnight.
- Municipalities may charge up to \$10 for each Temporary Class "B" (beer) license issued for the event.

Wine Walk

A municipality may issue up to 20 Temporary "Class B" (wine) licenses to the same qualified organization for the same date and time. The qualified organization is the licensee and sponsor of the event. The following requirements apply:

- Participants must pay an admission fee for the event, and no additional fee is charged for service of wine.
- Municipalities may authorize the licensee to allow unaccompanied underage persons on the licensed premises if the underage person is a designated driver and identified by the licensee (e.g., wristband).
- No person may serve wine after 9:00 pm.
- Qualified organizations may receive only two Temporary "Class B" (wine) licenses during a 12-month period. The wine walk event counts as one license regardless of how many licenses were issued for that event.

- Municipalities may issue Temporary "Class B" (wine) licenses for no more than two such events during a 12-month period.
- (3) Temporary Operator's Licenses – Authorize the same activities as an Operator's license to persons employed by or donating their services to nonprofit organizations for a temporary event. The following conditions apply:
- Licenses may be issued without the responsible beverage server training course requirement of a regular operator's license.
 - No person may hold more than two temporary operator's licenses per year.
 - Licenses are valid for up to 14 days.
- (sec. [125.17\(4\)](#), Wis. Stats.)

5. QUALIFICATIONS

A. Retail Licenses

Individual Applicants

Individual applicants for retail alcohol beverage licenses must meet the following qualifications:

- (1) Be 21 years of age or older
- (2) Have no arrest or conviction record, subject to secs. [111.321](#), [111.322](#), and [111.335](#), Wis. Stats. (Wisconsin Fair Employment Act)
- (3) Are a continuous Wisconsin resident for at least 90 days
- (4) Provide proof of a Wisconsin seller's permit, as required under sec. [77.61\(11\)](#), Wis. Stats.

Exception: No seller's permit is required for:

- Applicants for Temporary "Class B" and Class "B" licenses who are not required to hold a seller's permit (secs. [125.04\(5\)\(d\)3 c and d](#), Wis. Stats.).
- Applicants for "Class A", Class "A", "Class B", Class "B", and "Class C" licenses who are not required to hold a seller's permit because their sales are exempt as [occasional sales](#) under sec. [77.54\(7\)](#), Wis. Stats. Generally, for-profit retailers must hold a seller's permit if their sales of taxable products are \$2,000 or more in a calendar year.

Contact DOR at (608) 266-2776 or dorsalesanduse@wisconsin.gov if you have questions about Wisconsin sales tax or the requirements to hold a seller's permit.

- (5) Not be a habitual law offender or convicted of a felony, subject to secs. [111.321](#), [111.322](#), and [111.335](#), Wis. Stats., unless pardoned

See [Appendix A, Alcohol Beverage Retail License Qualifications Matrix](#), for a quick reference guide of basic alcohol beverage qualifications by business entity type.

(sec. [125.04\(5\)](#), Wis. Stats.)

Criminal History and Wisconsin Fair Employment Law

Wisconsin Fair Employment Law prohibits discrimination of employment and licensure based on an arrest or conviction records that are not substantially related to the activities authorized by the license.

A felony conviction does not automatically disqualify someone from holding an alcohol beverage license. If the felony has been pardoned or if the felony was not substantially related to the activities authorized by the license, the felony record does not automatically disqualify the applicant.

Municipalities determine whether a criminal offense is substantially related to the business of selling alcohol beverages. In making a licensing decision, the municipality may consider the nature of the violation, the time that has elapsed since the violation, and the person's overall record in the community.

Partnerships

- Each partner must meet all the individual qualifications listed in Part 5, except only the partnership must submit proof of a Wisconsin seller's permit.
- Each partner must be listed on the license application.

Corporations, Nonprofit Organizations, Associations, Cooperatives and Limited Liability Companies

The following must meet individual qualifications 1, 2, and 5 in Part 5:

- All officers and directors of a corporation, including nonprofit organizations, associations, cooperatives
- All members and managers of a limited liability company (LLC)

Corporations are required under Wis. Stats. [Ch. 180](#) to have at least one officer. Limited liability companies may have one or more members.

The entity must appoint an agent who is responsible for all alcohol beverage activities on the licensed premises

- The agent must meet the individual qualifications listed in Part 5, except that only the corporation or limited liability company must submit proof of the seller's permit.
- The license is not valid until the agent is approved by the municipal licensing authority.

(secs. [125.04\(5\)\(c\)](#), [125.04\(6\)](#), and [125.51\(3m\)\(c\)](#), Wis. Stats.)

Training Course

Individuals, partners, and agents of corporations, including nonprofit organizations, associations, cooperatives, and limited liability companies must successfully complete a Wisconsin approved responsible beverage server training course within the past two years **unless**:

- The person is renewing a license.
- Within the past two years, the applicant:
 - held a manager's or operator's license

- held, or was the agent of a corporation, including a nonprofit organization, association, cooperative, or limited liability company that held a Class "A" (beer), "Class A" (liquor), Class "B" (beer), "Class B" (liquor), or "Class C" (wine) license in Wisconsin

[Approved classroom and online courses](#) are listed on the DAB's website at revenue.wi.gov. Search "Alcohol Seller/Server." Only the successful completion of approved courses satisfies this training requirement.

(sec. [125.04\(5\)\(a\)5](#), Wis. Stats.)

B. Operator's Licenses

Individual applicants for operator's licenses must meet the following qualifications:

- Be 18 years of age or older
- Have no arrest or conviction record, subject to secs. [111.321](#), [111.322](#), and [111.335](#), Wis. Stats. (Wisconsin Fair Employment Act)
- Not be a habitual law offender or convicted of a felony, subject to secs. [111.321](#), [111.322](#), and [111.335](#), Wis. Stats., unless pardoned
- Successfully complete a DAB approved responsible beverage server training course before issuing the license if the individual is a new applicant.

Exception: Temporary operator's license applicants are not required to complete a responsible beverage server training course.

See the section on Criminal History and Wisconsin Fair Employment Law on page 13. The same considerations for criminal history apply to operator's license applicants as they retail license applicants.

(secs. [125.04\(5\)](#) and [125.17](#), Wis. Stats.)

C. Premises Description

What is a premises?

The premises of an alcohol beverage license is the area identified in the license document where alcohol beverages are sold, served, consumed, or stored and related records are kept. This is the only location where alcohol beverages are authorized to be sold, served, consumed, or stored when a license is granted. Peace officers, including DAB Special Agents, have inspection authority over all licensed premises in the state.

What are the qualifications of a lawful premises?

Real Property – The premises is a fixed location describing land, buildings, or both. A premises is not mobile.

Particularly Described – A premises must be specifically described. The description of the premises must describe the land or buildings, or both, to be licensed, including detailed descriptions of the rooms within such buildings. The premises may include outdoor patios, yards, or other outdoor spaces, subject to municipal ordinances and procedures.

Complete Control – A retail license may be granted only to a person that owns the premises or has written permission from the owner (lease). Further, the premises cannot be shared by another person.

No Overlap – The premises may not overlap with or be connected to any other separately licensed or permitted premises or with any prohibited business activity. A premises does not overlap or connect to another premises if the areas are separated by floor-to-ceiling walls, and each have their own separate entrance. To determine if two licenses may be issued for the same or a connecting premises, see [Appendix B, Allowable Alcohol Beverage License Combinations](#). No more than two licenses may be issued for the same premises.

Contiguous – All real property included in the licensed premises must be physically connected.

Acceptable Premises Description Examples

Standalone building: The premises is located at 1234 Main St., Realtown, WI 12345 and includes only the first-floor bar room, dining room, kitchen, north storage room, and south office of the 5,000 square foot building.

Building including living quarters: The premises is located at 1234 Main St., Realtown, WI 12345 and includes the first-floor bar room, dining room, kitchen, north storage room, and the north closet of the second-floor apartment of the 5,000 square foot building.

Shared building: The premises is located at 1234 Main St., Ste 101, Realtown, WI 12345 and includes the entire 1,000 square foot suite, back storage room, four parking spaces located at the north end of the parking lot, and a 20 square foot fenced in outdoor patio to the east.

Festival or community event 1: The premises is located at PDQ Park (7890 Main St., Realtown, WI, 12345). A 5,000 square foot tent will be constructed in the northeast corner of the park bordering the tree line and northern fence. All alcohol beverage sales and consumption will occur at this tent. Premises includes the adjacent north park office and the space between the tent and the office. Beverages and records will be securely stored in the north park office for the duration of the event.

Festival or community event 2: The premises is the 1,000 square foot tent within the southwest corner of the parking lot located at XYZ Church at 3456 Main St., Realtown, WI, 12345. All sales and storage of alcohol beverages and records will occur within the 1,000 square foot tent in the southwest corner of the parking lot.

Festival or community event 3: The premises is the 20 square foot tent and 20 square foot section of parking lot behind it within the southwest corner of the parking lot located at PDQ Park (7890 Main St., Realtown, WI 12345). Alcohol beverages will be stored on a refrigerated truck behind the tent. Sales and record retention will occur within the tent.

6. FORMS

Municipal retail license applications are available to municipalities at [revenue.wi.gov \(Forms/Alcohol Beverages\)](https://revenue.wi.gov/Forms/Alcohol%20Beverages). Municipalities are responsible for providing copies to applicants if requested. State law requires municipalities to use a replica of the alcohol beverage license forms prepared by the division. There is no state law requiring application forms to be provided to applicants in any specific method, such as mailed, in-person, or electronically.

Note: DAB does not publish manager's and operator's license application forms.

Application forms include:

A. Alcohol Beverage License Application ([AB-200](#))

Required for all new and renewal retail alcohol beverage licenses. Always include Form AB-100, *Individual Questionnaire*, with Form AB-200.

B. Alcohol Beverage Individual Questionnaire ([AB-100](#))

The following individuals must provide this form as a part of a complete application package:

- Individuals (sole proprietors)
- Partners of a partnership
- Officers and directors of a corporation, nonprofit organization, association, or cooperative
- Members and managers of a limited liability company
- Agent or successor agent appointed by a corporation, nonprofit organization, association, cooperative or limited liability company

Attach to Form AB-200 as appropriate.

C. Alcohol Beverage Appointment of Agent ([AB-101](#))

Completed for corporations, nonprofit organizations, cooperatives, associations, and limited liability companies when:

- Appointing an agent when applying for an original license or,
- Replacing an agent of an alcohol beverage license with a successor agent

The agent must be satisfactory to the municipality with respect to character, record, and reputation. Successor agents must be approved by the municipality.

D. Temporary (Picnic) License Application ([AB-220](#))

Used by the following organizations to sell beer and/or wine at a picnic or similar gathering, meeting of the post, or fair:

- Bona fide clubs
- County or local fair associations, or agricultural societies
- Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application
- Veterans' organization posts
- Chambers of commerce or similar civic or trade organizations organized under Ch. 181 to promote economic growth and opportunity within a local geographical area.

For a wine or beer walk, the qualified organization should attach a list of participating locations and premises descriptions to the application **or** submit a separate application for each location participating in the beer or wine walk.

E. Common Application Questions

Are there additional requirements if the applicant business is owned by another separate business entity?

Yes, if a business is owned by another business entity, applicants must list the individuals, partners, officers, directors, and members and/or managers of the business entity that owns the applicant business and provide Form AB-100, *Individual Questionnaire*, for each person.

How do I identify the individuals that need to be listed on an application for a business?

Modern businesses structures can be complex. Ask for an organizational chart to determine who needs to be listed on the application.

What is the DFI Registration Number and where is this found?

Every corporation, limited partnership, limited liability partnership, and limited liability company must register with Wisconsin Department of Financial Institutions (DFI) to do business in Wisconsin. This number is assigned to the entity when it registers with DFI. It can be found using the Department of Financial Institution's [Corporate Records Search](#) and is listed as the "Entity ID". A license applicant who is a sole proprietor or partnership may not have a DFI Registration Number.

Is a DFI Registration Number required in order to hold an alcohol beverage license?

No, a DFI Registration Number is not required in order to hold an alcohol beverage license. Not all business entity types are required to have them. This information is requested on Forms AB-200 and 220 to provide additional information to municipalities to determine the legitimacy of an applicant.

What do I do if the DFI corporate records search indicates that the business entity status is administratively dissolved?

A registered business entity is required to file annual reports with DFI. If they fail to do so, the entity could be administratively dissolved until the reporting requirements are made current. This does not impact alcohol beverage licensing qualifications, and the municipality may continue to process the application as they would any other. However, consider bringing this to the attention of the business so that they can correct the issue with DFI.

What entity name should be used on the application?

The alcohol beverage license and seller's permit must share the same legal name. If the alcohol beverage license is issued to a partnership or corporation, the seller's permit must also be issued to the partnership or corporation (not the agent, officer, or partner). A limited liability company (LLC) alcohol beverage license must be in the LLC's legal name (not the trade name or owner's name).

Exception: The seller's permit for an LLC may be issued in the name of the owner if the LLC has only one owner and the LLC is disregarded as a separate entity from the owner for sales and income tax purposes. If an LLC applies for an alcohol beverage license and furnishes a seller's permit that is not in the legal name of the LLC, the municipality should call DOR at (608) 266-2776 or email DORSalesandUse@wisconsin.gov to verify whether the seller's permit is valid for the LLC.

7. LICENSE APPROVAL PROCESS

Retail alcohol beverage licenses, except those issued by the City of Milwaukee, expire on June 30. State law requires municipalities to follow the process below when an application is received.

A. Regular Retail Licenses

Application Forms: Ensure that the applicant properly completed all the required application forms. A complete application package generally includes all the following:

- Form AB-200, *Alcohol Beverage License Application*, for new and renewal applicants
- Form AB-100, *Alcohol Beverage Individual Questionnaire*, for all individuals, partners, officers, directors, members, managers, and agents of the applicant business
- Form AB-101, *Alcohol Beverage Appointment of Agent*, for applicants organized as corporations (including nonprofit organizations, associations, and cooperatives) or limited liability companies
- Proof of a seller's permit
- Proof that the applicants have completed the responsible beverage server training course
- Any other documents required by the municipality
- Payment for background check and publication fees

Waiting Period: After filing with the clerk, applications for new and renewal alcohol beverage licenses must undergo a waiting period of at least 15 days prior to a decision by the governing body (sec. [125.04\(3\)\(f\)](#), Wis. Stats.).

Waiting periods in the following two circumstances are established by municipal ordinance:

- Municipalities in Milwaukee County must establish a waiting period by ordinance under sec. [125.04\(3\)f2](#), Wis. Stats.
- For temporary Class "B" beer licenses issued for an event lasting less than 4 days, a municipality must establish a waiting period by ordinance under sec. [125.04\(3\)f3](#), Wis. Stats.

Publication: Applications for new and renewal Class "A" (Beer), Class "B" (Beer), "Class A" (Liquor), "Class B" (Liquor) and "Class C" (Wine) licenses must be published in a newspaper. The application must be printed in a daily newspaper on three successive occasions, or once if a weekly newspaper. The license applicant must pay the costs of publication as determined by the Wisconsin Department of Administration (DOA) for publication of legal notices (secs. [125.04\(3\)\(g\)](#) and [985.08](#), Wis. Stats.). There is no statutory timeline for publication; DAB recommends publishing seven days prior to the governing body's review.

Include all the following information in the newspaper:

- Applicant name (Form AB-200, Part A, Boxes 1 and 2)
- Premises address (Form AB-200, Part A, Box 10)
- Type of license applied for (Selection(s) in "License Requested" at the top of Form AB-200)
- A brief description of the premises to be licensed (Form AB-200, Part A, Box 20)

Publication is not required for the following:

- Operator's License Applicants
- Applications for temporary Class "B" beer or temporary "Class B" wine licenses

Governing Body Review: The applicant may appear before the municipal board or council to review the application. Applicants must meet the minimum qualifications to hold the license described in sec. [125.04\(5\)](#) and listed in Part 5 of this publication.

Municipalities have broad authority when considering new retail license applications and may consider factors beyond the minimum qualifications provided the municipality does not discriminate. Some examples of these factors are business plans, parking issues, and law enforcement access concerns.

If the governing body denies an application, the reason for the denial must be included in the governing body's minutes (written record).

Fees: Municipalities cannot issue retail licenses until the applicant pays the appropriate license fees. Cities and villages cannot require applicants to pay fees more than 15 days prior to the license issue date. Towns cannot require applicants to pay fees more than 30 days prior to the license issue date. If a retail license is issued outside of the license renewal cycle, fees must be prorated.

Issuance: If the governing body grants the license, the clerk will issue the alcohol beverage license document to the new licensee. Alcohol beverage license documents vary in appearance as they are prepared by each municipality, but must contain the following information:

- Exact legal name of the applicant
 - Sole proprietor: name of the sole proprietor
 - Partnership: the name of the partnership and the name of each partner
 - Corporation, limited liability company, nonprofit organization, association, club, etc.: the name of the entity to whom the license is issued and the name of the appointed agent
- The municipality that issued the license
- The county where the licensed premises is located
- A particular description of the licensed premises
- The type(s) of license ("Class B," Class C," Class "A", etc.)
- The type(s) of alcohol beverages authorized for sale
- The fee paid by the licensee for the license
- The date the license was granted by the municipal governing body
- The date the license was issued by the municipality
- The commencement date and expiration date of the license
- The signature of the municipal official authorized by the governing body to act as a signatory

(Tax [7.035\(4\)](#), Wis. Adm. Code)

Application Record Retention: Municipalities must retain applications for at least four years and allow inspection upon request.

Municipal Retail License Reporting: By July 15th each year, municipalities must send a list of licenses issued as of July 1 (excluding managers', operators', and temporary licenses) to DAB.

The list must include the following information for each licensee:

- Full legal name
- Trade Name
- Premises Address
- License Type
- Seller's permit number
- License expiration date
- Name of appointed agent (if applicable)

Information regarding [online reporting of retail alcohol beverage licenses](#) is available on the department's website.

B. Provisional Licenses

Application Forms: Municipalities may only issue provisional licenses after the municipal clerk receives a complete application package. See required documentation for retail licenses in Part 7.A and operators' licenses in Part 7.D.

Approval Process: Provisional retail license approvals are designated by municipal ordinance.

C. Temporary (Picnic) Retail Licenses

Application Forms: Municipalities must ensure that the applicant has properly completed all required application forms. A complete application package generally includes all the following:

- Form AB-220, *Temporary Alcohol Beverage License*
- Form AB-100, *Alcohol Beverage Individual Questionnaire*, for all officers, directors, and agent of the applicant organization
- Form AB-101, *Alcohol Beverage Appointment of Agent*
- Proof of a seller's permit, if the entity is required to hold one
- Any other documents required by the municipality
- Payment for license and background check fees

Approval Process: Temporary retail license approvals follow the general approval process outlined in Part 7.A but are not required to be published in the newspaper. Some municipalities may delegate the authority to issue temporary retail licenses to a municipal official by ordinance.

D. Operator's (Bartender's) Licenses

Application Forms: DAB does not provide standardized application forms for operator's licenses.

Approval Process: Operator's license approvals follow the general approval process outlined in Part 7.A, except that operator's licenses are not required to be published in the newspaper.

Issuance: Operator's license certificate documents vary in appearance as they are prepared by each municipality, but they should minimally contain the following information:

- Exact legal name of the applicant
- Issuance and expiration date

E. License Revocations and Suspensions

Complaint: Any resident of a municipality may file a sworn written complaint with the clerk alleging at least one of the following:

- A violation of Wis. Stat. [Ch. 125](#), or a municipal regulation conforming to the chapter
- A disorderly, riotous, indecent, or improper house
- Serving alcohol beverages to known habitual drunkards
- The licensee does not qualify for the license
- Violations involving certain controlled substances

Summons: Once the complaint is filed, the municipality must issue a summons requiring the licensee to appear before the municipality for a hearing. The summons must be signed by the clerk and include a copy of the complaint.

Hearing: The municipal governing body must meet to determine if the complaint is true, and if so, take the appropriate action.

- If the licensee denies the complaint, both the licensee and complainant may produce witnesses, cross-examine witnesses, and be represented by counsel.
- If the licensee does not appear for the hearing, the governing body will assume the complaint is true.

If the governing body determines the complaint to be true, they may suspend or revoke the license. The clerk must provide notice to the licensee the terms of the revocation or suspension.

Effect: If the license is revoked, the former licensee may not be refunded for the license fee or hold a new license for 12 months following the revocation.

Judicial Review: The decision of any municipality to revoke or suspend a license may be reviewed by a county circuit court.

Failure to follow the steps outlined above may be a violation of procedural due process. Consult a municipal attorney and/or local law enforcement as needed throughout the suspension or revocation process.

F. License Non-Renewals

Municipalities may deny license renewal only for the reasons listed under "Complaint" in Part 7.E. The governing body must send notice to the licensee indicating the reason(s) why the license will not be renewed and offer an opportunity for a hearing described under "Hearing" in Part 7.E. A county circuit court may review any municipal decisions to not renew a license. Failure to follow the steps outlined above may violate procedural due process. Consult a municipal attorney and/or local law enforcement as needed throughout the non-renewal process.

Licensees are required to apply for renewal of their alcohol beverage license annually under state law. Failure of a licensee to file for renewal of a retail license does not constitute non-renewal of a license. Rather, the license simply expires.

8. CHANGES TO RETAIL LICENSES

A. Subsequent Changes (30-Day Rule)

State law requires licensees to report any changes of fact from their latest application within 30 days of the change. A licensee must submit their changes in writing, in the manner preferred by the municipality (e.g. email, fax, U.S. mail), and provide any required additional documentation.

Examples of changes of fact include:

- Legal Business Name (if no other information has changed)
- Business Trade Name or DBA
- Removing an officer, director, member, or manager
- Adding an officer, director, member, or manager (Provide a Form AB-100 for the new person. A background check is required for this change.)
- Contact information including phone numbers, emails, or websites
- Mailing Address

(sec. [125.04\(3\)\(h\)](#), Wis. Stats.)

B. Transfers

Alcohol Beverage License transfers are limited by state statute. There are two types: person-to-person and place-to-place.

Person-to-Person

Retail licenses transfers from person-to-person are limited to the following circumstances: death of the licensee, disability of the licensee, bankruptcy, or assignment for the benefit of creditors.

The following persons may receive a transferred retail license under these circumstances:

- Court-appointed receiver because of foreclosure or proceedings to avoid bankruptcy
- Trustee when the licensee enters bankruptcy
- Personal representative or surviving spouse upon the death of the licensee
- Spouse, if the licensee becomes disabled and the spouse complies with all the requirements applicable to original applicants (sec. 125.04(12)(b), Wis. Stats.)
- Partner, if another partner dies during the license year and the deceased's equity is assigned to a surviving or new partner

Apply for the transfer using Form [AB-102](#), *Alcohol Beverage License and Permit Transfer Application* and Form [AB-100](#), *Alcohol Beverage Individual Questionnaire*. The recipient of a transferred license under these

circumstances must qualify to hold the license. See Part 5 for specific criteria. There is no fee for a person-to-person transfer.

State law does not prescribe a process to approve person-to-person transfers. DAB recommends municipalities enact ordinances describing the process. If an ordinance is not adopted, follow the procedure under Part 7.A.

Place-to-Place

A retail licensee may transfer a retail alcohol beverage license (except reserve "Class B" (Liquor) and licenses issued under sec. [125.51\(4\)\(v\)](#), Wis. Stats., from one premises to another within the same municipality with approval by the municipal governing body.

Licensees may transfer an eligible retail license once in a license year. The approval process for a place-to-place transfer is the same as the license approval process outlined in Part 7.A, except the following:

- The licensee should apply for the transfer using Form AB-102, *Alcohol Beverage License and Permit Transfer Application*.
- The transfer fee is \$10.

C. Change of Agent

If a change of agent is required before the license expires, licensees and municipalities must follow the procedure described below.

Application Forms: The municipality receives a written notice of an agent change using all the following forms:

- [AB-101](#), *Appointment of Agent*, filled out and signed by the licensee and the successor agent
- [AB-100](#), *Individual Questionnaire*, filled out by the successor agent

Interim Authority: Upon receipt of a complete change of agent package, the successor agent may act as the agent for the premises until the next regular or special meeting of the governing body.

Municipal Approval: If a peace officer or the governing body of the issuing municipality finds the successor agent unsatisfactory in character, record, or reputation, the retail license is not in effect until a suitable agent is identified and approved.

Successor agent approvals follow the general approval process outlined in Part 7.A, except that agent changes cost \$10, and there is no waiting period nor publication requirement.

D. Change of Ownership

Generally, if an ownership change happens near the renewal period, it is recommended the new licensee goes through the standard new license process. If this is not feasible, how the ownership change occurred will guide the process.

Purchase of the Business Entity

If the new owners of the licensee purchased the entire business (building, business entity, seller's permit, FEIN, etc.), this change should be treated as a subsequent change and follow the process under Part 8.A to subtract

and add the persons now involved in the business. If the business is a corporation (including nonprofits) or an LLC, a change of agent under Part 8.C may also be required.

Corporate Restructuring

If the business is changing FEIN or legal entity structure due to an ownership change or an internal restructuring (e.g., an LLC becoming a corporation), the business and municipality should follow the licensing procedure outlined in Part 7.A.

E. Changes to a Premises Description

The municipality nor the licensee can unilaterally amend the licensed premises description. A licensee may request to change the licensed premises at any time, but the municipality must approve the changes. Follow the process below to consider changes to a premises description.

Written Notice: A licensee must submit their request in writing, in the manner preferred by the municipality (e.g. email, fax, U.S. mail), and provide any required additional documentation.

Governing Body Review: The licensee will appear before the municipal board or council to review the requested change. If the premises is being expanded, the governing body should ensure that the expanded portions of the premises meet the premises qualifications identified in Part 5.C.

The governing body may approve or deny the change. The request should be considered and acted upon by the governing body, not the clerk. If the governing body denies the request, the reason for the denial must be included in the governing body's minutes (written record).

Issuance: If the governing body grants the change, the clerk will issue an updated alcohol beverage license document to the licensee reflecting the premises description change.

9. RESTRICTIONS

A. All Retail Alcohol Beverage Licenses

In addition to the qualifications listed in Part 5, the following restrictions apply to all alcohol beverage licenses:

- Retail alcohol beverage licenses may only be issued to the person that is profiting from the sale of alcohol beverages. A license issued to a person who is acting as a straw man, or on behalf of another person is issued contrary to state law (secs. [125.25\(2\)\(a\)](#), [125.26\(2\)](#), [125.51\(2\)\(b\)](#), [\(3\)\(c\)](#) and [\(3m\)\(c\)](#), Wis. Stats.).
- Generally, retail alcohol beverage licenses cannot be issued to a person with a direct or indirect interest in an alcohol beverage wholesaler or producer (e.g. distillery, winery, or brewery) (secs. [125.20 \(2\)\(b\)](#) and [125.20\(3\)\(a\)](#), Wis. Stats.).
 - **Exception:** Some exceptions apply for married persons, tenant/landlord relationships, and ownership interests of less than 10%. Contact the Division of Alcohol Beverages for assistance with interest restrictions.

B. Liquor Retail Licenses

Liquor licenses cannot be issued to an applicant indebted for liquor purchases for more than 30 days. (sec. [125.69\(4\)\(b\)](#), Wis. Stats.)

"Class A" or "Class B" (liquor) licenses cannot be issued for premises with the main entrance being less than 300 feet from the main entrance of a school (public, parochial, or tribal), hospital, or church, unless waived by a majority vote of the municipal governing body.

Exception: This restriction does not apply to:

- Premises licensed on June 30, 1947
- Premises licensed prior to a school, hospital, or church building being within 300 feet
- Restaurants located within 300 feet of a church or school if sales of alcohol beverages are less than 50 percent of the restaurant's gross receipts.

(sec [125.68\(3\)](#), Wis. Stats.)

C. Beer Licenses

Retail beer licenses cannot be issued to an applicant indebted for beer purchases for more than 15 days.

(sec. [125.33\(7\)\(b\)](#), Wis. Stats.)

10. MUNICIPAL QUOTA

A. What is a Municipal Quota?

State law restricts the number of "Class B" (Liquor) licenses each municipality may issue. Each municipality maintains its own quota, and the Division of Alcohol Beverages does not maintain historical records of "Class B" liquor license quotas.

Regular "Class B" licenses are the number of licenses granted or issued in good faith and in force on December 1, 1997.

Reserve "Class B" licenses are additional licenses that a municipality gained due to population growth, annexation, detachment, or license transfers.

A municipality's quota is the number of regular "Class B" liquor licenses plus the number of reserve "Class B" liquor licenses the municipality is authorized to issue.

B. Quota Calculation

First, identify the number of licenses issued in good faith on December 1, 1997. There is a worksheet that was completed around this time. A replication of this worksheet is published in [Appendix C, Quota Calculation Worksheet](#). This is the number of regular "Class B" licenses available to the municipality. Any license that was available, but unissued on December 1, 1997, became a reserve license or was eliminated.

Search municipal or local newspaper records for the information requested on the worksheet if the worksheet cannot be located. Look for records where the "Class B" liquor applications would have been published (around renewal time).

Since then, a municipality's quota of reserve licenses may increase for several reasons, including:

- A population growth of 500 persons (add one reserve license)
- Purchasing/transferring a license from a neighboring municipality (add one reserve license)

- Annexation increases a municipality's quota if the municipality has reached their "Class B" license quota at the time of the annexation and the annexed territory contains premises covered by a "Class B" license. (increase quota by the number of licenses in the annexed territory)
- Detachments decrease the quota by the number of licenses issued for a premises in the detached territory. Detachment does not decrease the municipality's quota to less than one license per 500 persons or less than one license total.

C. Above-Quota Licenses

A municipality may issue a license above its quota if the applicant meets any of the following requirements:

- A full-service restaurant with a permanent interior seating capacity of 300 or more persons.
- A hotel with 50 or more sleeping rooms and a restaurant seating 150 or a banquet room in which banquets attended by 400 persons may be held.
- An opera house or theater for the performing arts operated by a nonprofit organization.
- A qualifying event venue certified by the Division of Alcohol Beverages between January 1 and August 1, 2026.

Above-quota licenses are issued only to the original applicant. They cannot be transferred and do not become a part of the municipal quota.

Exception: A qualifying event venue above-quota license may be reissued to a new owner that is qualified under state law, provided the event venue operates the business as a qualifying event venue and the location remains the same (sec. [125.51\(4\)v.5.](#), Wis. Stats.).

D. Municipal License Transfer

Up to three reserve "Class B" licenses may be transferred by a municipality to a municipality whole or in part located in the same county.

The transferring municipality establishes the fee, but it must be at least \$10,000. Upon receipt of the fee from the licensee, the receiving municipality must pay the fee to the transferring municipality.

E. Premier Economic Development District

A municipality may designate a geographic area within the municipality as a Premier Economic Development District (PEDD) if all the following apply:

- An ordinance is enacted by at least a two-thirds vote of the governing body.
- The geographic area does not exceed 40 acres, and the boundaries of the geographic area are precisely identified in the ordinance.
- No part of the geographic area is physically separated from the rest of the geographic area. Except public streets, similar community infrastructure, and waterways, each portion of the geographic area must be contiguous with some other portion of the geographic area.
- The geographic area does not include any land zoned exclusively for industrial use or zoned exclusively for single-family or two-family residence.

- The PEDD has an estimated comprehensive new construction assessed valuation increase of at least \$20,000,000 certified by an independent third-party appraiser or marketing research firm.

A municipality designating a PEDD may issue up to two reserve "Class B" licenses, each with a minimum initial issuance fee of \$30,000.

A municipality may not designate more than one PEDD.

(sec. [125.51\(4\)\(u\)\(1\)](#), Wis. Stats.)

11. ALCOHOL BEVERAGE ORDINANCES

Wisconsin alcohol beverage laws describe several instances where a municipality may or must pass an ordinance prior to taking certain actions.

Required Ordinances

- Establish a fee for an operator's license (sec. [125.17\(3\)](#), Wis. Stats.)
- Designate a municipal official to issue provisional operator's licenses (sec. [125.17\(5\)\(a\)\(1\)](#), Wis. Stats.)
- Establish the fee and designate the municipal official who will issue provisional retail licenses (secs. [125.185\(1\)](#) and [\(3\)](#), Wis. Stats.)

Optional Ordinances

The following list is not exhaustive. Municipalities may pass any ordinance that is not in conflict with [Ch. 125](#).

- Allow municipal officials to sell fermented malt beverages without a retail license in a public park through an ordinance, resolution, rule, or regulation (sec. [125.06\(6\)](#), Wis. Stats.).
- Allow local law enforcement to authorize a Class "B" beer or "Class B" liquor licensee to allow underage individuals to be present in a room where alcohol beverages are not sold or served on a specific date (sec. [125.07\(3\)\(a\)\(8\)](#), Wis. Stats.).
- Prescribe forfeitures for license suspension/revocation for violations of Wisconsin's alcohol beverage laws or additional regulations that do not conflict with state law (sec. [125.10\(1\)](#), Wis. Stats.).
- Regulate contests or competitions for judging and tasting of home-made wine or beer (sec. [125.10\(1\)](#), Wis. Stats.).
- Prohibit consumption of fermented malt beverages on a pedal pub (sec. [125.10\(5\)\(a\)](#), Wis. Stats.).
- Designate a municipal official to issue operator's licenses (sec. [125.17\(1\)](#), Wis. Stats.).
- Establish standards for issuance of provisional licenses (sec. [125.17\(5\)\(a\)1.](#), Wis. Stats.).
- Issue and establish fees and standards for managers licenses (sec. [125.18\(1\)](#) and [125.68\(1\)](#), Wis. Stats.).
- Impose more restrictive sales hours for off-premises sales of fermented malt beverages for Class "A" and Class "B" beer licensees (sec. [125.32\(3\)\(d\)](#), Wis. Stats.).
- Allow "Class B" licensees to sell liquor in the original package for off-premises consumption in any quantity (sec. [125.51\(3\)\(b\)](#), Wis. Stats.).
- Designate a premier economic development district (sec. [125.51\(4\)\(u\)2.](#), Wis. Stats.).

- Impose more restrictive sales hours for off premises sales of liquor in the original, unopened package, container, or bottle for both "Class A" and "Class B" licensees (secs. [125.68\(4\)\(b\)](#) and [\(c\)3.](#), Wis. Stats.).

12. RESOURCES

- [League of Wisconsin Municipalities Alcohol Beverage Frequently Asked Questions](#)
- [Division of Alcohol Beverages Landing Page](#)

13. QUESTIONS

If you have a question about licensing for retail sales of alcohol beverages:

Write . . . Wisconsin Department of Revenue
Division of Alcohol Beverages
PO Box 8934
Madison, WI 53708-8934

Telephone . . . (608) 266-2526

Email . . . DORAlcohol@wisconsin.gov

Visit our website . . . revenue.wi.gov

APPENDIX A

Alcohol Beverage Retail License Qualifications Matrix

Business Type	Qualification						
	21+ years old	No arrest or conviction record*	Wisconsin resident for 90+ days	Appoint an Agent	Seller's Permit	Not a habitual law offender or convicted of a felony*	RBS Training Course Required
Individuals (Sole Proprietors)	YES	YES	YES	NO	YES	YES	YES
Partnerships	All partners	All partners	All partners	NO	Partnership	All partners	All partners
Corporations	All officers, directors, and agent	All officers, directors, and agent	Agent Only	YES	Corporation	All officers, directors, and agent	Agent Only
Nonprofit Organizations	All officers, directors, and agent	All officers, directors, and agent	Agent Only	YES	Nonprofit Organization, unless otherwise exempt by law.	All officers, directors, and agent	Agent Only
Limited Liability Companies	All members or managers and agent	All members or managers and agent	Agent Only	YES	Limited Liability Company	All members or managers and agent	Agent Only

* Subject to Wisconsin Fair Employment Law (Ch. 111).

APPENDIX B

Retail License Combinations Matrix

Note: No more than two licenses may be issued for the same premises.

	Class "A" Beer	"Class A" Liquor	"Class A" Cider	Class "B" Beer	"Class B" Liquor	"Class C" Wine	Temporary Class "B" Beer	Temporary "Class B" Wine
Class "A" Beer		YES	YES	NO	NO	NO	NO	NO
"Class A" Liquor	YES		NO	NO	NO	NO	NO	NO
"Class A" Cider	YES	NO		NO	NO	NO	NO	NO
Class "B" Beer	NO	NO	NO		YES	YES	NO	NO
"Class B" Liquor	NO	NO	NO	YES		NO	NO	NO
"Class C" Wine	NO	NO	NO	YES	NO		NO	NO
Temporary Class "B" Beer	NO	NO	NO	NO	NO	NO		YES
Temporary "Class B" Wine	NO	NO	NO	NO	NO	NO	YES	

KEY

YES

The combination of licenses is allowed on the same premises.

NO

The combination of licenses is not allowed on the same premises.



Only one license of each type may be issued for the same premises.

APPENDIX C

League of Wisconsin Municipalities - Legal Opinions

**“CLASS B” LIQUOR LICENSE QUOTA INFORMATION
AS OF DECEMBER 1, 1997**

Pursuant to Sec. 125.51(4)(bm), Stats., as created by 1997 Wisconsin Act 27, the undersigned clerk for the Town/Village/City of _____, County of _____, records the following information:

1. The population of the Town/Village/City of _____ as of December 1, 1997, as established by the Department of Administration population estimate provided to the municipality for purposes of shared revenue distribution: _____.
2. Number of “Class B” liquor licenses authorized to be issued by the Town/Village/City of _____ on December 1, 1997 (Note: This number is based on the state quota established by Wis. Stat. sec. 125.51(4) (1995-96).): _____.
3. Number of “Class B” liquor licenses actually granted or issued by the Town/Village/City of _____ as of December 1, 1997: _____.
4. Number of reserve “Class B” licenses the Town/Village/City of _____ authorized to issue as of December 1, 1997, as calculated below: _____.

**CALCULATION OF RESERVE “CLASS B” LICENSES
AUTHORIZED TO BE ISSUED BY THE MUNICIPALITY AFTER DECEMBER 1, 1997**

- A. Determine the number of unissued “Class B” liquor licenses by subtracting number actually issued (item 3. above) from the number of such licenses the municipality is authorized to issue (item 2. above): _____.

Note: If the number under item A. is 3 or less, this number becomes the number of reserve “Class B” licenses your municipality is authorized to issue as of December 1, 1997, and should be inserted into item 4. above.

If the number under a. is 4 or higher, continue the following:

- B. Number of unissued “Class B” licenses (i.e., item A.): _____
- C. Subtract 3 from B.: _____ -3

:"League of Wisconsin Municipalities"

1

League of Wisconsin Municipalities - Legal Opinions

- D. Remaining unissued "Class B" licenses: _____
- E. Divide D. by 2: _____
- F. If result in E. is a fraction, round down to nearest whole number: _____
- G. Add 3 to F. _____ +3
- H. Total reserve "Class B" licenses authorized to be issued: _____

(Insert in item 4. above.)

:"League of Wisconsin Municipalities"

2