ORDINANCE REGULATING ALCOHOL BEVERAGES AND LICENSES
TOWN OF STANTON, DUNN COUNTY, WISCONSIN

Town of Stanton Ordinance No. 16

The Town Board of the Town of Stanton, Dunn County, Wisconsin, hereby adopts this ordinance pursuant to Wis. Stat. § 125.51(3)(b).

Ordinance No. 16, adopted May 19, 2026, supersedes all prior ordinances related to alcohol beverage licensing within the Town of Stanton.

On April 6, 2026, the electors of the Town voted to discontinue the Town's "dry" status established in February 1999.

1.01 Purpose. The Town Board of the Town of Stanton, Dunn County, Wisconsin, finds that it is in the best interest of the public to regulate the sale and use of alcohol beverages within the Town. Further, the adoption of this ordinance for such regulation will promote government and good order of the Town for its commercial benefit and for the health, safety, welfare, and convenience of the public.

1.02 Statutory Authority. This ordinance is enacted pursuant to Chapter 125, Wis. Stats., including §125.10, and the general police powers granted under Wis. Stat. §60.22.

1.03 Definitions. The definitions contained in Section 125.02 of the Wisconsin Statutes are hereby adopted and made a part of this ordinance by reference. "Town Clerk", and "Town Board" refer to the Town Clerk, and Town Board of the Town of Stanton.

1.04 Licenses and Permits Required. No person, except as authorized by this ordinance and Chapter 125 of Wisconsin Statutes, shall within the Town of Stanton serve, sell, distribute, vend, offer, or keep for sale at retail or wholesale, deal or traffic in or engage in any other activity for which a license or permit is authorized under this ordinance.

1.05 Licenses Classes and Fees. There shall be the following classes of licenses, which when issued by the Town Clerk under the authority of the Town Board after the payment of the appropriate fee hereinafter specified, shall permit the holder to sell, deal, or traffic in alcohol beverages as provided in Chapter 125 of Wisconsin statutes. Except as otherwise provided in this section, the full license fee shall be charged for the whole or fraction of any year.

Note: listing of all types of licenses does not indicate availability.

(a) "Class B" Liquor License. Authorizes the retail sale of intoxicating liquor by the glass and not in the original package or container for consumption on the premises where sold or for consumption off the premises if the licensee seals the container of intoxicating liquor with a tamper-evident seal as defined by Wis. Stat. Sec. 125.02(20g) before the intoxicating liquor is removed from the premises. In addition, wine may be sold in the original package or container in any quantity to be consumed off the premise where sold. **Fee: $500.00 per year**

(b) "Reserve Class B" Liquor License. Any Class B license issued as a new license from the unissued pool after December 1, 1997, shall be classified as a "Reserve Class B" liquor license, which shall only be issued after a one time issuance fee of Ten Thousand ($10,000.00) Dollars is paid the municipality, in addition to the regular annual municipal license fees. Once issued, it shall have all the rights of a "Class B" license pursuant to the Village Code and the State Statutes. This Ordinance is subject to exceptions and rules of the State of Wisconsin Chapter 125 provisions as amended by Chapter 27 of the 1997 laws of Wisconsin and further amendments thereto which are made a part of this Code provision. **Fee: $10,000**

(c) Class "B" Fermented Malt Beverage. Authorizes sale of beer for consumption on or off the premises where sold. Fee: **$250.00 per year**

(d) Class "C" Retail Wine License. Authorizes the sale of wine to be consumed by the glass or in opened containers on the premises where sold or off the premises if the licensee seals the container of wine with a temper-evident seal as defined by Wis. Stat. Sec. 125.02(20g) before the wine is removed from the premises. This license also authorizes the sale of wine in the original package or container to be consumed off the premises where sold, but does not authorize the sale of fermented malt beverages or any intoxicating liquor other than wine. **Fee: $500.00 per year**

(e) "Class A" Liquor License. Authorizes the sale of intoxicating liquor to consumers only in original packages or containers for off-premises consumption only. **Fee: $500.00 per year**

(f) Class "A" Fermented Malt Beverage. Authorizes the sale of beer to consumers in original packages or containers for off-premises consumption only. **Fee: $250.00 per year**

(g) Transfer of License from place to place: $25.00

(h) Transfer of License from person to person: None

(i) Operator's License (Bartenders)(Annual): $25.00

(j) Provisional Operator's License: $15
(Valid for 60 days or until regular Operator's License Issued)

1.06 License Requirements and Restrictions.

(1) License Year. The license year shall be from July 1 to June 30 following. Liquor licenses may be issued at any time during the year. The fee for the license shall be pro-rated according to the number of months or fractions thereof remaining until the following June 30. (Wis. Stat. Sec. 125.51(9).

(2) Application Procedure. All applications for a license authorized under this ordinance and Chapter 125 of the Wisconsin Statutes shall be made in writing on forms prescribed by the State Department of Revenue, as approved by the Town Board. The application shall describe the physical premises, including every room and storage space, to be covered by the license. Applications shall include a detailed floor plan and site map identifying all areas where alcohol

beverages will be stored, sold, served, or consumed. All applications shall be signed and sworn to by the applicant as provided by Section 887.01 of the Wisconsin Statutes.

(3) Filing of Application. All applications shall be filed with the Town clerk. At the time of filing, the applicant shall pay to the Town Clerk the cost of publication of the application and the fee for the license as established in Section 1.05 of this ordinance. All applications must be on file with the Town Clerk at least fifteen (15) days before the Town Board may grant or deny the application.

(4) Qualifications of Applicants.

(a) All individuals, partners, and all officers and directors of Wisconsin corporations applying for licenses under this ordinance must meet all of the following qualification:

i. Have attained the legal drinking age;

ii. Be a Wisconsin resident continuously for at least ninety (90) days immediately prior to the date of filing application, except no residency requirements shall exist for officers and directors of corporations and nonprofit organizations.

iii. Does not have an arrest or conviction record subject to Section 111.321, 111.322 and 111.335 of Wisconsin Statutes.

(b) All officers and directors of foreign corporations must meet the qualifications of Subsections (a) i and iii stated above.

(c) All corporations must designate an agent pursuant to Section 125.04(6) of the Wisconsin Statutes. The agent must meet the qualifications of (a) i and iii stated above and must, with respect to character, record, and reputation, be satisfactory to the Department of Revenue. Each corporate agent must have full written authority and control of the premises.

(d) All applicants for operator's licenses shall provide proof of successful completion of a Responsible Beverage Server Training Course approved by the State of Wisconsin.

(5) Qualifications for Renewal of Licenses. All applicants for renewal of licenses shall, before such application is approved by the Town Board, furnish to the Town Board proof of operation of a business by the applicant requiring such a license. The Town Board may consider the applicant's compliance history, including ordinance violations, law enforcement incidents, delinquent taxes, and compliance with fire, health, and building regulations.

(6) Inspection of Application and Premises. The Town Clerk shall notify the building inspector and fire inspector of all license and permit applications. These officials shall inspect or cause to be inspected each application and premises to determine whether the applicant and the premises sought to be

licensed comply with the regulations, ordinances, and law applicable thereto and the applicant's fitness for the trust to be approved. These officials shall furnish to the Town Board in writing the information derived from such investigation. No license or renewal of license provided for in the ordinance shall be issued without an inspection or re-inspection of the premises and a satisfactory report is issued as herein required.

(7) Health and Sanitation Requirements. No license shall be issued for any premises which does not conform to the sanitary, safety, and health requirements of the State Department of Industry, Labor and Human Relations pertaining to buildings and plumbing, to the rules and regulations of the State Department of Health and Social Services applicable to restaurants and to all such ordinances and regulations adopted by the Town.

(8) Delinquent Taxes, Assessments and Claims. No license shall be granted for any premises for which taxes (real or personal), assessments, or other claims of Town are delinquent and unpaid, or to any person delinquent in payment of such claims to the town. In the event of the sale of the premises or transfer of a license during a license year, the Town Board shall condition the granting of a license upon payment of real estate or personal property tax prorated to the date of sale. The Town Treasurer shall estimate the tax rate to be used.

(9) Location of Premises.

(a) Issuance for sales in dwellings prohibited. No license shall be issued to any person for the purpose of possessing, selling, or offering for sale any alcohol beverages in any dwelling, house, flat, residential apartment, or other building which is not a tavern, wedding barn, event center, restaurant, supper club, store, or other type of building where alcohol beverages are normally sold or consumed by the public.

(b) Distance Restrictions. No license shall be issued for any premises located within five hundred (500) feet of a school, church, park, or other place of public gathering, unless specifically approved by the Town Board after consideration of public health, safety, and welfare.

(c) Zoning Compliance. All licensed premises must comply with applicable County zoning ordinances. No license shall be issued for a location not properly zoned for the proposed use.

(d) Compatibility Review. The Town Board may consider the compatibility of the proposed use with surrounding properties, traffic patterns, and community character when reviewing applications.

1.07 Regulation of Licensed Premises and Licenses.

(1) Posting Licenses. Licenses issued under this ordinance shall be posted and displayed as provided by Section 125.04(10) of Wis. Stats. Failure to post a license as required therein shall be a presumption of operating without a license.

(2) Gambling and Disorderly Conduct Prohibited. Each licensed premises shall at all

times be conducted in an orderly manner; and no disorderly, riotous or indecent conduct or gambling shall be allowed at any time or on any such premises.

(3) Employment of Underage Persons. No retail licensee shall employ any person to serve, sell, dispense, or give away any alcohol beverage who has not attained 18 years of age.

(4) Safety and Sanitation Requirements. Each licensed premises shall be maintained and conducted in a sanitary manner and shall be a safe and proper place for the purpose for which used.

(5) Closing Hours/Hours of Operation. No premises licensed under this ordinance may remain open for the sale of alcohol beverages beyond the hours authorized under Wis. Stat. §125.32(3) and §125.68(4). The Town Board and Dunn County reserves the right to impose more restrictive hours of operation than those established under state law when necessary to protect the public health, safety, and welfare.

(6) Quotas.

(a) "Class B" license: The number of persons and places that may be granted a retail "Class B" liquor license under this ordinance in the town is limited as provided in Section 125.51(4) of Wis. Stats.

(b) No more than one retail Class "A" or Class "B" liquor license shall be issued to any one (1) person.

(7) Violations by Agents and Employees. A violation of this ordinance by an authorized agent or employee of a licensee shall constitute a violation by the licensee.

(8) Noise and Outdoor Activities.

(a) Outdoor music, entertainment, or amplified sound shall not unreasonably disturb neighboring properties.

(b) The Town Board and Dunn County Zoning may impose specific hours or restrictions on outdoor operations.

(9) Nuisance Prohibited. No licensed premises shall be operated in a manner that constitutes a public nuisance, including excessive noise, traffic congestion, litter, or disorderly conduct.

(10) Premises Management. Licensees shall maintain adequate supervision of the premises, including parking areas, to prevent unlawful or disruptive behavior.

(11) Licensed Operator Required. At all times when alcohol beverages are being sold or served, there shall be on the premises a licensed operator or the licensee, except as otherwise provided by Wis. Stat. §125.32(2).

1.08 Form and Expiration of Licenses. All licenses shall be numbered in the order in which they are issued and shall state clearly the specific premises for which

granted, the date of issuance, the fee paid and the name of the licensee and, unless sooner revoked, shall expire on June 30 thereafter except as otherwise provided. The Town Clerk shall affix the Clerk's affidavit as required by Section 125.04(4) of Wis. Stats.

1.09 Transfer of Licenses.

(1) From Place to Place. Every alcohol beverage license may be transferred to another place or premises within the same municipality. Transfers shall be approved by the Town Board upon application on blanks furnished by the State Department of Revenue and the payment of the fee prescribed by Section 125.04(12) (a), Wis. Stats. Proceedings considering such transfer shall be conducted in the same manner and form as the original application. No retail licensee is entitled to more than one transfer during the license year.

(2) From Person to Person. Licenses issued under this ordinance may be transferred to another person only under the terms and conditions as provided by Section 125.04(12) (b) of Wis. Stats.

1.10 Revocation and Suspension of Licenses

(1) Grounds for Revocation, Suspension, or Refusal to Renew. The Town Board may revoke, suspend, or refuse to renew any license issued under this ordinance under the procedures described herein upon the finding of a violation of this ordinance or Chapter 125 of Wis. Stats.

(2) Procedure. A license may be revoked or suspended pursuant to Section 125.12(2) of Wis. Stats. The Town Board may refuse to renew a license pursuant to Section 125.12(3), Wis. Stats.

(3) Revocation. Any license issued under this ordinance may be revoked or suspended, or not renewed, if a licensee or employee, agent or representative thereof violates any applicable provision of this ordinance or of Chapter 125 of the Wis. Stats. or any other applicable state or federal alcohol beverage law. Proceedings for revocation, suspension or non-renewal shall be governed by Wis. Stats. Sec. 125.12

(4) Effect of Revocation of License. When a license is revoked under this section, the revocation shall be recorded by the clerk and no other license issued under this ordinance may be granted within twelve (12) months of the date of revocation to the person whose license was revoked. No part of the fee for any license so revoked may be refunded.

(5) Repossession of License. Whenever any license under this section shall be revoked or suspended, the licensee will surrender the license to the Town Clerk. The Town Clerk shall have the right to take physical possession of the suspended or revoked license wherever it may be found and file it in the Clerk's office.

1.11 Separability of Provisions. Should any section or provisions of this ordinance of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining portions of the ordinance. Future amendments to Wis. Stats. are hereby incorporated in this ordinance by reference.

1.12 Effective Date. This ordinance shall take effect from and after its passage and posting as provided by law.

Adopted this May 19, 2026, by the Town Board of the Town of Stanton, Dunn County, Wisconsin.

Karl Hackbarth, Chairman

Nick Schaff, Supervisor

Melissa Schutz, Supervisor

Attest: Valerie A Windsor
Windsor, Clerk/Administrator

5/19/2026
Date

Valerie