



Legislation Details (With Text)

File #: 150578 **Version:** 0

Type: Ordinance **Status:** Passed

File created: 9/1/2015 **In control:** COMMON COUNCIL

On agenda: **Final action:** 9/22/2015

Effective date:

Title: An ordinance relating to the granting and issuance of "Class A" alcohol beverage licenses to applicants selling only cider.

Sponsors: THE CHAIR

Indexes: ALCOHOL - REGULATION AND LICENSING, LICENSES

Attachments: 1. Notice Published on 10-8-15

Date	Ver.	Action By	Action	Result	Tally
9/1/2015	0	COMMON COUNCIL	ASSIGNED TO		
9/3/2015	0	LICENSES COMMITTEE	HEARING NOTICES SENT		
9/8/2015	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
9/22/2015	0	COMMON COUNCIL	PASSED	Pass	15:0
9/29/2015	0	MAYOR	SIGNED		
10/8/2015	0	CITY CLERK	PUBLISHED		

150578
ORIGINAL

THE CHAIR

An ordinance relating to the granting and issuance of "Class A" alcohol beverage licenses to applicants selling only cider.

81-21.5 cr

90-1-4.5 cr

90-5.5 cr

This ordinance provides that the common council shall grant, and the city clerk shall issue, a "Class A" license for the retail sale of cider (0.5% to 7.0% alcohol) if the following apply:

- The application is made for a "Class A" license containing the condition that retail sales of intoxicating liquor are limited to cider.
- The applicant holds a Class "A" fermented malt beverage retailer license issued for the same premises for which the "Class A" license application is made.

There shall be no fee for a "Class A" cider-only license. However, the applicant shall pay all publication fees.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-21.5 of the code is created to read:

81-21.5. "Class A" Cider License. 1. There shall be no fee for a "Class A" cider license. However, the applicant shall pay all publication fees associated with the license.

2. A "Class A" cider license shall be valid for the same period as the Class "A" fermented malt beverage retailer license issued for the same premises.
(See s. 90-5.5.)

Part 2. Section 90-1-4.5 of the code is created to read:

90-1. Definitions.

4.5. CIDER shall mean any alcohol beverage that is obtained from the fermentation of the juice of apples or pears and that contains not less than 0.5% alcohol by volume and not more than 7.0% alcohol by volume. "Cider" includes flavored, sparkling and carbonated cider.

Part 3. Section 90-5.5 of the code is created to read:

90-5.5. License for Cider Sales Only. 1. GRANTING AND ISSUANCE. Notwithstanding s. 90-14, upon application, the common council shall grant, and the city clerk shall issue, a "Class A" license to the applicant if the following apply:

a. The application is made for a "Class A" license containing the condition that retail sales of intoxicating liquor are limited to cider.

b. The applicant holds a Class "A" fermented malt beverage retailer license issued for the same premises for which the "Class A" license application is made.

2. SALES LIMITED TO CIDER. Notwithstanding s. 125.51(2)(a), Wis. Stats., and s. 90-3-5 of this code, a person issued a "Class A" license under sub. 1 may not make retail sales, or provide taste samples, of any intoxicating liquor other than cider.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

City Clerk

LRB159661-1

Jeff Osterman

08/10/2015