



## CITY OF WAUKESHA

### Administration

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<b>Committee:</b> Ordinances & Licenses	<b>Committee Meeting Date:</b> 7/9/2018
<b>Agenda Item Number:</b> 18-1015	<b>Common Council Meeting Date:</b> 7/17/2018
<b>Submitted By:</b> Brian Running, City Attorney	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> Rich Abbott, Finance Director RA	<b>City Attorney's Office Review:</b> Brian Running, City Attorney BER
<b>Subject:</b> Development of a policy for issuance of Class C wine licenses to non-restaurant businesses.	

#### Details:

The city has received an application for a Class C wine license from a painting studio. By state statute, Class C licenses are only to be issued for restaurants, but the definition of "restaurant" allows almost any business that serves food to be considered a restaurant. Before issuing Class C licenses to non-restaurant businesses, the council should set a policy for determining which businesses can and cannot qualify as "restaurants." See the memo that accompanies this cover sheet for more explanation.

#### Options & Alternatives:

If no policy is set, then each application for a Class C license from a non-restaurant business will have to be analyzed on an ad hoc basis, with no set standards. This would result in inconsistency in issuing licenses, unfairness to applicants, and applicants not knowing in advance whether their businesses will qualify or not. This alternative is not recommended.

#### Financial Remarks:

There may be a small increase in revenues from additional Class C licenses, but the increase is expected to be minimal.

#### Staff Recommendation:

City Attorney's office recommends that a policy for determining eligibility for Class C licenses be developed and recommended to the council for adoption.