



City of Waukesha
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Committee: Ordinance and License	Date: 12/12/2022
Common Council Item Number: 22-5386	Date: 12/20/2022
Submitted By: Brian Running	City Administrator Approval: Click here to enter text.
Finance Department Review: Click here to enter text.	City Attorney's Office Review: Click here to enter text.
Subject: Discussion of amendment to Municipal Code §9.09 and §9.115 to allow for issuance of Class B licenses for premises on County Park land.	

Details:

The Committee recently received an application for a Class B beer license from an applicant that intends to operate a beer garden at Minooka Park. The project has already been approved by the County, and a drawing showing the boundaries of the beer garden, approved by the County, will be submitted. However, current City Code sections 9.09 and 9.115 prohibit the issuance of Class B licenses for premises on public property, preventing the issuance of the license. The context of those sections indicates that it was intended to apply to City-owned public property under the jurisdiction of the Parks, Recreation, and Forestry Department. The City may not have an interest in controlling what goes on in County-owned park lands not under PRF authority. The proposal is to amend the code so it only applies to City-owned public property. This would allow the County to have beer gardens or other alcohol sales in their parks within the City.

Options & Alternatives:

Maintain the current prohibition of Class B licenses on public property.

Financial Remarks:

There is no financial aspect to this proposal.

Executive Recommendation:

Evaluate whether the City has an interest in preventing alcohol sales on County-owned land, and if not, consider amendment of City Code sections to allow it.