



ALCOHOL BEVERAGE ESTABLISHMENT, NEW LICENSE INFORMATION

OFFICE OF THE CITY CLERK-LICENSE DIVISION
200 E WELLS ST, ROOM 105, MILWAUKEE, WI 53202
(414) 286-2238 E-MAIL ADDRESS: LICENSE@MILWAUKEE.GOV
WWW.MILWAUKEE.GOV/LICENSE

This information was created to assist persons filing applications to hold alcohol beverage retail establishment licenses. This brief overview does not replace the applicant's responsibility to review Chapter 90 of the Milwaukee Code of Ordinances ("MCO") related to alcohol beverage regulations and licensing requirements.

A copy of the complete alcohol beverage regulations and licensing requirements established in Chapter 90, MCO is available at www.milwaukee.gov/ordinances

► **QUALIFICATIONS, CLASSIFICATIONS, KEY DEFINITIONS.** See s. 90-1, MCO, for key definitions, s. 90-4 for classifications of licenses, and s. 90-6 for license qualifications related to age and residency.

► **APPLICATION CERTIFICATION.** Effective 7/1/10, the Office of the City Clerk—License Division must certify that your application is complete before your application can be referred to the licensing committee for its recommendation as to whether or not your license should be issued. Certification of your application as complete cannot be made until 10 days after all of the following has occurred:

1. Completed application has been properly filed by the applicant.
2. Neighborhood has been notified by our office of your application.
3. Sworn Assurance form has been properly filed with our office by the applicant (see step 18).

► **HEARING SCHEDULED WITHIN 3 CYCLES:** Applications are required to be referred to the licensing committee within 3 full cycles of the Common Council (generally 9 weeks) after the date the application was certified as complete.

Keep informed of changes online under "View What's New!" at www.milwaukee.gov/license

Additional References: Ch. 90, Milwaukee Code of Ordinances, www.milwaukee.gov/ordinances; Ch.125, Wis. Stats., www.legis.state.wi.us/rsb/stats.html; WI Department of Revenue, www.dor.state.wi.us/forms/alcohol/index.html

► LIST OF APPLICATIONS, FORMS REQUIRED

1. **Original Alcohol Beverage License Application (AT-106).**
2. **Auxiliary Questionnaire – Alcohol Beverage License Application (AT-103a).**
3. **Addendum to Original Alcohol License Application (ccl-124).**
4. **Plan of Operation Supplement (ccl-124d).**
5. **Detailed Floor Plan.** Completed as part of and attached to **Plan of Operation Supplement (ccl-124d).**
5. **Alcohol Beverage Related Licenses Application (ccl-122c).** For Class "B" and "C" applicants only, when applicable.
6. **Tavern Entertainment License Supplement (ccl-122i).** For Class "B" and "C" applicants only, when applicable.
7. **Statement of Stock Ownership (ccl-124e),** for applicants who are corporations or limited liability companies.
8. **Schedule for Appointment of Agent (AT-104),** for applicants who are corporations or limited liability companies.
9. **Application for Cigarette and Tobacco Products License (CTP-200),** for applicants wishing to offer cigarettes or tobacco products for sale on the premises.
10. **Authorized Representative Statement (ccl-100a),** for license holders who wish someone to pick up the license who is not the licensee; a partner, if a partnership; or agent, officer or member, if a corporation or LLC.

Table 1. Sales and Service Restrictions related to Each Type of Alcohol Beverage Retail Establishment License.

Type of Alcohol Beverage License	Type of Alcohol Beverages Permitted	Consumption on Premises, Restrictions	Sale for Off-Premise Consumption, Restrictions	Permitted Hours of Operation [1]
Class "A" Malt	Beer, Fermented Malt Beverages	Not permitted	Quantities of no more than 4.5 gallons at any one time. [2]	8 a.m. to 9 p.m. [3]
Class "A" Liquor	Wine, Intoxicating Liquors	Not permitted	No restriction on quantity sold.	8 a.m. to 9 p.m.
Class "B" Beer [5]	Beer, Fermented Malt Beverages	By the glass or in an opened original container.	Off-premises sales between 8 a.m. to 9 p.m. only.	Sun. – Thurs.: 6 a.m. to 2 a.m.; Fri. – Sat.: 6 a.m. to 2:30 a.m. [4]
Class "B" Tavern [5]	Beer, Fermented Malt Beverages, Wine, Intoxicating Liquors	Intoxicating Liquor: By the glass only; bottle service not permitted. All Other Alcohol: By the glass or in an opened original container.	Off-premises sales between 8 a.m. to 9 p.m. only. Intoxicating Liquor: Restricted quantities of no more than 4 liters at any one time. Wine (if restaurant): Restricted quantities of no more than 1 bottle at any one time; must be re-corked between 6 a.m. and midnight.	Sun. – Thurs.: 6 a.m. to 2 a.m.; Fri. – Sat.: 6 a.m. to 2:30 a.m. [4]
Class "C" Wine [6]	Wine only	By the glass or in an opened original container. Restricted quantities of no more than 1 bottle at any one time.	Restricted quantities of no more than 1 bottle at any one time; must be re-corked between 6 a.m. and midnight.	Sun. – Thurs.: 6 a.m. to 2 a.m.; Fri. – Sat.: 6 a.m. to 2:30 a.m.

[1] Unless more restrictive hours are established under the plan of operation approved by the Common Council as part of the license.

[2] Limitation of 4.5 gallons does not apply if a Class "A" Liquor license is also held for the same premises by the same entity.

[3] Sales permitted between 8 a.m. to 11 a.m. for certain breweries operating 3rd shifts and selling to employees. See s. 90-15-2, MCO.

[4] On January 1, premises holding Class "B" licenses are not required to close.

[5] "Service Bar Only" Designation: Provides same privileges as Class "B" Beer/Tavern, except all alcohol beverages shall be served only to patrons seated at tables.

[6] Eligibility Restricted: Sale of alcohol beverages must account for less than 50% of gross receipts. See s. 90-4-9-c and d, MCO.

► **HOW TO APPLY FOR LICENSE.**

Step 1. Complete Original Alcohol Beverage License Application (AT-106).

If applying for the Class “B” Fermented Malt Beverage License and Class “C” Wine License, only one application and publication fee of \$10 is required.

The “Premise description” as listed on the application under question #9 will appear on your license.

Class “B” and “C” applicants Only: If the premises has been licensed before as a Class “B” establishment, and you wish to expand on what was listed as the premises description, ex: add a sidewalk café, a PERMANENT EXTENSION OF PREMISES must be applied for and approved before this area can be utilized.

Step 2. Complete Auxiliary Questionnaire-Alcohol Beverage License Application (AT-103a).

Must be completed by the individual, all partners, the agent of a corporation or limited liability company, all officers and directors of a corporation, and all members of a limited liability corporation.

As part of this form, applicants are required to provide detailed information regarding all arrests and convictions in their application. Failure to do so may result in prosecution.

A detailed arrest and conviction report may be obtained from the Milwaukee Police Department, Open Records Section, 2333 N. 49th Street - 2nd Floor (49th St. between North & Lisbon), if proper identification is presented.

Step 3. Complete Addendum to Original License Application (ccl-124).

Must be completed by the individual, all partners, or the agent.

Step 4. Complete Plan of Operation (ccl-124d).

Establishing Age Distinctions: Effective June 7, 2008, an ordinance has been established that permits Class “B” Tavern operators to restrict by age the patrons allowed in their establishments.

Complete the “Age Distinction for each day” column on page 2 of the Plan of Operation Supplement to specify a minimum age limit.

The Licenses Committee and Common Council must first approve any age limit before it can be enforced.

Step 5. Complete Detailed Floor Plan (attachment to ccl-124d).

The floor plan must be filed on 8 ½ X 11 inch sized paper. A separate sheet of paper must be filed for each floor included in the premises description.

Step 6. Complete Alcohol Beverage Related Licenses Application (ccl-122c).

License holders must complete the **Alcohol Beverage Related Licenses Application** form (ccl-122c), in order to apply for tavern entertainment and other related licenses.

See the enclosed **Class “B” and “C” Alcohol Beverage Establishment Entertainment Licenses** information sheet (ccl-122b) for information related to the types of entertainment permitted under certain types of entertainment licenses or permits.

Step 7. Complete Tavern Entertainment License Supplement (ccl-122i).

(For Class “B” and “C” license holders only.)

Applicants must complete the **Tavern Entertainment License Supplement** form (ccl-122i) in order to apply for Tavern Amusement (Cabaret), Tavern Dance, Instrumental Music or Pre-Recorded Music Machine Premises (Record Spin) Licenses.

The type(s) of entertainment granted will be listed on a certificate that is issued with your license. In order to change this, a Request to Change the Plan of Operation for a Tavern Amusement License must be applied for, approved, and a new certificate issued before you can deviate from the current plan of operation.

Step 8. Complete Statement of Stock Ownership (ccl-124e).

Applicants who are corporations or limited liability companies must complete statement. Recognized

charitable or fraternal organizations and hotel operations are exempt from this requirement.

[!] An officer of a corporation or a member of an LLC must sign the statement.

Step 9. Complete Schedule for Appointment of Agent (AT-104).

Applicants who are corporations or limited liability companies must complete schedule.

Step 10. Complete Application for Cigarette and Tobacco Products License (CTP-200).

Applicants who wish to offer cigarettes or tobacco products for sale on the premises must file this application.

Ban on Flavored Cigarettes Enacted: It is illegal to sell fruit-, candy-, or clove-flavored cigarettes. On September 22, 2009, the U.S. Food & Drug Administration announced a ban on cigarettes with flavors characterizing fruit, candy or clove.

Vending Machines Sales Prohibited: Per a new U.S. Food & Drug Administration rule effective June 20, 2010, it is illegal to sell cigarettes through vending machines.

Step 11. Provide required signatures on all forms.

Depending upon the type of legal entity for which an application is filed, the following persons are required to sign the application forms:

If the legal entity is a(n)...	Then the person(s) required to sign the form is/are....
Individual	The individual applicant.
Partnership	All partners.
Limited Liability Company	One member (agent can sign only if agent is also member of LLC).
Corporation	2 officers, unless corporation has only one officer, then one officer signs (agent can sign only if also an officer of corporation).

Step 12. Provide the required notarizations on all forms.

Commissioned notaries public, including attorneys, must impress notary seals on each page notarized.

[!] Any applications filed without required notarial seals will be returned.

The License Division may notarize your documents, provided the person whose signature is going to be notarized is present. There is a \$.50 per page charge for notarizing documents.)

Changes to notarized forms can only be made by the person who signed the form.

(Optional) Step 13. Complete Authorized Representative Statement (ccl-100a).

License holders who wish someone to pick up the license who is not the licensee; a partner, if a partnership; or agent, officer or member, if a corporation or LLC must complete this form.

Step 14. Copy entire application for records and future reference.

Certain forms are not longer in duplicate form, and no copies will be provided to you.

Step 15. File application and additional required forms with the appropriate license fee.

Restricted Hours, Walk-In Customer Service

Applicants for new alcohol beverage retail establishment licenses seeking assistance in filing applications, or wishing to file applications in person rather than by mail, may do so in our office Monday to Friday (except holidays) during the following times only:

10:00 a.m. to 12:00 p.m.

1:30 p.m. to 4:00 p.m.

Applicants must have application forms completed prior to arrival. Our office is unable to assist applicants in the completion of the entire application; assistance is limited to answering specific questions regarding completion of the application.

[!] Incomplete applications or those submitted without Proof of Ownership, Lease or Offer to Purchase will not be accepted.

Proof of Identity Required. All persons filing or amending applications in-person, or picking up licenses or permits, must provide proof of identity.

Fees: No license will be issued unless and until the following fee amounts have been paid in their entirety:

License Type	Fee*
Class "A" Malt	\$360
Class "A" Liquor	\$510
Class "A" Liquor and Malt	\$860
Class "B" Beer	\$110
Class "B" Tavern	\$610
Class "C" Wine	\$110
*Fee amounts listed above are for alcohol beverage retail establishment licenses only, and include the \$10 publication fee.	
See Related Licenses Application (ccl-122c) for other applicable license fees.	

Only the \$10 publication fee must be submitted at the time the renewal application is filed. Make checks payable to: *City of Milwaukee*.

[!] Applicants are responsible for the timely payment of any outstanding fees. No additional notices or bills will be provided related to payment of fees.

Step 16. File Proof of Ownership or Lease

Applicants must file with the license application documents showing proof of ownership, lease or offer to purchase related to the proposed licensed premises.

Leases or offers to purchase contingent upon the granting of the license are accepted.

Step 17. Post Notice of Public Interest (ccl-143b).

Effective July 1, 2010, all applicants for new alcohol beverage retail establishment licenses are required

to post a Notice of Public Interest (form ccl-143b) for the purposes of providing notice to the public that a new application has been filed and that written objections to the granting of the license based on the proposed operation of the licensed premises can be submitted by any interested party to the Office of the City Clerk-License Division.

See s. 90-5-8-a-2-c, MCO.

The Notice of Public Interest is required to be posted in a conspicuous place viewable to members of the public from the outside of the proposed licensed premises. The posting and maintaining of the notice shall be at the expense of the applicant.

The Notice of Public Interest is required to be posted upon filing of the new application with the Office of the City Clerk-License Division, and shall remain posted until the application is recommended for granting or denial by the Licenses Committee of the Common Council, or withdrawn by the applicant, whichever occurs first.

Replacement Notices of Public Interest are available online at www.milwaukee.gov/license. See "Notice of Public Interest, New Application" on the "Forms" webpage to create and print a replacement notice.

Step 18. File Sworn Assurance (ccl-143c).

Immediately after properly posting Notice of Public Interest, file with the Office of the City Clerk-License Division a sworn assurance related to the posting (form ccl-143c).

The Office of the City Clerk-License Division must certify that your application is complete before your application can be referred to the licensing committee for its recommendation as to whether or not your license should be issued.

Certification of your application as complete cannot be made until 10 days after the sworn assurance form has been properly filed.

Step 19. Complete fingerprinting step, if required.

All persons listed on the applications who are agents, officers, and members must be fingerprinted. If a nonprofit corporation, then only the agent must be fingerprinted.

The fingerprinting requirement also apply to stockholders owning 20% or more stock, if a corporation or a limited liability company.

Fingerprinting is conducted each weekday (excluding holidays) between the hours of 8:00 a.m. and 6:00 p.m. at the Police Administration Building, 951 N. James Lovell Street (7th St), Room 305.

If you are unsure if your fingerprints are on file, report to the above address or call (414) 935-7281 for confirmation.

If you do not reside locally, call (414) 935-7430 to find out how to comply with the fingerprint requirement. All fingerprints must be taken or on file prior to the Police Background Investigation.

Step 20. Complete interview step, if required.

After fingerprints of ALL APPLICANTS have been filed, the individual, all partners, or the agent of the corporation or Limited Liability Company will receive a written notice by mail to contact the Milwaukee Police Department-License Investigation Unit for a telephone interview.

You will be required to provide proof of residency and a signed lease or accepted offer to purchase for the tavern premises.

Note: Failure to comply with the fingerprinting and interview requirements in a timely manner will cause a delay in the certification of your application as complete.

Step 21. Complete Responsible Beverage Server Course.

Individual applicants, each partner, or the agent if a corporation or limited liability company must successfully complete an approved responsible beverage server-training course offered by the Milwaukee Area Technical College (414) 297-8370, or similar approved course (see "Training" on the Wisconsin Department of Revenue's website at www.dor.state.wi.us).

Applicants attending Wisconsin C.A.R.E., T.I.P.S. or N.R. A. must have certificates/diplomas, which indicate that the course complies with 125.04 & 125.17, Wis. Stats.

The server-training course does not need to be completed if one of the following are met:

1. Within the past 2 years, you held a Class "A", or Class "B" Liquor license, or a Class "B" Manager's license in Wisconsin.
2. Within the past 2 years, you held a Bartender's license in Wisconsin.
3. Within the past 2 years, you have already completed the course.

Note: Proof must be submitted to the License Division that a course was completed or if the license held was not issued by the City of Milwaukee.

Step 22. File state Seller's Permit.

A Wisconsin State Seller's Permit (or a clearance slip indicating you have filed for a seller's permit) must be submitted to the License Division. This can be obtained from the Wisconsin State Office Building, 819 N. 6th St., Room 408, or by calling 227-4000, <http://www.dor.state.wi.us/>. Not required for eleemosynary (non profit) organizations.

We cannot issue a license unless the LEGAL NAME on the Seller's Permit is the same as the LEGAL ENTITY NAME applying for the license.

Example: If the licensee applying for the license is ABC, Inc., then the seller's permit must read ABC, Inc. No variations of ABC, Inc. (such as ABC Corporation; ABC Company; ABC, LLC; etc.) can be accepted.

Step 23. File proof of legal entity registration.

Corporation or limited liability company applicants must register with the State of Wisconsin Department of Financial Institutions - Division of Corporate & Consumer Services. If your legal entity has not been registered, then call (608) 261-7577, or visit <http://www.wdfi.org/>.

The legal name registered must be the same as the legal entity name applying for the license. Proof that your registration has been filed and processed by the Department of Financial Institutions must be submitted to the License Division before your license can be issued.

Step 24. Purchase retail dealer's stamp.

Federal Law also requires purchase of retail liquor dealer's stamp. Call 1-800-937-8864 for details, or <http://www.ttb.gov/alcohol/retailers/index.htm>

Step 25. Pay special occupational tax.

Federal Bureau of Alcohol, Tobacco and Firearms: A special occupational tax must be paid before beginning business. Call 1-800-937-8864 or go to www.ttb.gov for information.

Step 26. Obtain occupancy permit.

A permit must be obtained from the City of Milwaukee, Development Center, Permit Desk, 809 N. Broadway, 1st floor, (414) 286-8211. See <http://www.mkedcd.org/build/pdfs/occcert.pdf>. The License Division will receive written notification directly from this department when all requirements are met.

[!] Bring a copy of license application to the Development Center for reference. The APPLICANT NAME and SUBJECT ADDRESS on the Certificate of Occupancy application must be the same as indicated on the license application.

Step 27. Get premise inspection.

Health Department inspection of the premises must be made and any deficiencies corrected. Contact the Health Department, 841 N. Broadway, (414) 286-3674, to make an appointment for inspection.

The License Division will receive written notification directly from this department when all requirements are met. Effective April 1, 2011, Food licenses are issued by the License Division.

Step 28. Determine whether other City licenses are required.

Other license and permits may be required.

Applications and information related to the following license and permits can be obtained online at www.milwaukee.gov/license, or from our office:

Class "B" Manager's License. A Class "B" Manager's license is required for the person managing the day-to-day operations of the Class B business if that person is not the individual proprietor, partner, or the agent of the corporation or limited liability company.

Class "D" Bartender's License. The licensee (Individual, Partners, Agent) does not need a bartender's license. (Officers and members do need a license.)

Members of a Licensee's family may be exempt if all of the following requirements are met:

1. Premises must be licensed as an individual or partnership.
2. Person must be an immediate family member (spouse, son, daughter, father, mother, mother-in-law, father-in-law, son-in-law, or daughter-in-law) Brothers or sisters are not eligible.
3. Person must be 21 years of age or older. If over age 18 and they do not have their own operator's license, they must be under the immediate supervision by the licensee, agent, adult member of the licensee's immediate family, or a person with an operator's license.
4. Person must be living in the same residence as the license.
5. Exemption is only applicable at the licensed family premises.

► GRANTING OF LICENSES

Step 1. Notice of hearing sent to applicant.

Notice is mailed to applicants who are required to appear before the Licenses Committee for hearings on whether their license applications should be recommended for renewal, nonrenewal or suspension due to neighborhood objections or negative police records.

[!] No regular meetings of the Licenses Committee and Common Council are scheduled during the month of August.

Step 2. Committee recommendation made.

The Licenses Committee makes its recommendation to the Common Council and then the Common Council votes on the recommendation at the next scheduled meeting. (Licenses are not granted by the Licenses Committee.)

Step 3. Holds placed by other city departments.

If all requirements for the Health Department and Department of Neighborhood Services are not met, they will place a hold on the issuance of your license at this time.

Step 4. Common Council grants/denies license.

Licenses are granted by the Common Council at regularly scheduled meetings, which are usually held once a month. Applicants do not appear before the Common Council.

Licenses are valid for one year from the Common Council grant date. Please note that no meetings are held during the month of August.

Step 5. License is issued after holds released.

Applicants, for whom licenses are granted by the Common Council, can be issued on the date of granting, if all license fees have been paid and there are no holds on the issuance of the licenses related to other City departments, Responsible Beverage Server Course requirements, improperly filed State seller's permit or clearance slip, or no proof filed with the License Division that the Corporation or Limited Liability Company is registered with the State of Wisconsin, Department of Financial Institutions.

► PARTIAL REFUND OF LICENSE FEE

If an application is withdrawn or denied, you are eligible for a partial refund, provided the refund is requested no later than one year from the date of withdrawal or nonrenewal of the application.

If a license is not issued, the refund must be requested no later than one year from the date of application, unless the permit has been granted, in which case no later than one year from the date of granting of the license.

The \$10 publication fee is not refundable.

► POSTING OF LICENSES REQUIRED

Licenses and certificates of authorized entertainment must be posted in a conspicuous place on the premises.

FEDERAL TAX RESPONSIBILITIES, WHAT BUSINESS OWNERS NEED TO KNOW

As a business owner, you need to know your federal tax responsibilities. In addition to knowing about federal taxes, you need to make some basic business decisions.

Understanding and complying with tax requirements is a necessary aspect of doing business.

IRS WEB RESOURCES

Starting, Operating or Closing a Business

Whether you are a budding entrepreneur, or an established business owner, you will find everything you need to start and manage your business venture.

<http://www.irs.gov/businesses/small/article/0,,id=110417,00.html>

Business Taxes

The form of business you operate determines what taxes you must pay and how you pay them.

<http://www.irs.gov/businesses/small/article/0,,id=98966,00.html>

Checklist for Starting a Business

This checklist provides the basic steps you should follow to start a business.

<http://www.irs.gov/businesses/small/article/0,,id=98810,00.html>

Employer ID Number

An Employer Identification Number, also known as a Federal Tax Identification Number, is used to identify a business entity.

<http://www.irs.gov/businesses/small/article/0,,id=98350,00.html>

Online Application - Form SS-4

Apply online for the Employer Identification Number <http://www.irs.gov/businesses/small/article/0,,id=102767,00.html>

NON-PROFIT/CHARITABLE ORGANIZATIONS

Non-Profit organizations (tax exempt status) are required to register as (501) (c) (3) Organizations with the Internal Revenue Service, Department of the Treasury. If your legal entity has not been registered call 1 (800) 829-5500, or apply online at <http://www.irs.gov/charities/index.html> the legal name registered must be the same as the legal entity name applying for the license. A copy of your documentation from the Internal Revenue

Service confirming your status as a (501) (c) (3) organization must be submitted to the License Division before your license can be issued.

SMALL BUSINESS RESOURCES

These are just a few of the many government websites with business information.

[Small Business Administration](#) The SBA's Small Business Planner includes information and resources that will help you at any stage of the business lifecycle. <http://www.sba.gov/>

[Social Security Administration](#) Visit Business Services Online; a suite of applications enabling organizations and authorized individuals to conduct business with the Social Security Administration. This includes filing Forms W-2 electronically for free.

<http://www.socialsecurity.gov/>

[U.S. Department of Labor](#) The Employers' page provides information on Wages and Work Hours, Workplace Safety and Health, and Retirement and Health Benefits. <http://www.dol.gov/>

[State Links](#) This IRS.gov link will allow you to connect to your state's website for small business information.

<http://www.irs.gov/businesses/small/article/0,,id=101082,00.html>

[Department of Agriculture - Office of Small & Disadvantaged Business Utilization](#) The Mission of this office is to provide maximum opportunities for small businesses to participate in USDA contracting activities. <http://www.usda.gov/osdbu/>

[Business.gov](#) the official business link to the U.S. Government, is managed by the [U.S. Small Business Administration \(SBA\)](#) in a [partnership with 21 other federal agencies](#)

[FirstGov.gov](#) and [FirstGov En Español](#) As the U.S. government's official web portal, FirstGov.gov makes it easy for the public to get U.S. government information and services on the web. FirstGov.gov also serves as the catalyst for a growing electronic government.