

CITY OF CHIPPEWA FALLS, WISCONSIN

NOTICE OF PUBLIC MEETING

In accordance with the provisions of the Wisconsin State Statutes, Sec. 19.84, notice is hereby given that a public meeting of:

Committee #3

Transportation, Construction, Public Safety and Traffic
Will be held on Tuesday, February 17, 2015 at 4:30 pm in the City Hall Council
Chambers, 30 W. Central Street, Chippewa Falls, WI

Items of business to be discussed or acted upon at this meeting are shown on the agenda below:

1. Discuss draft ordinance entitled: An Ordinance Amending the Restrictions on Class "A" Intoxicating Liquors Code Section §12.03(4)(f) of the Chippewa Falls Municipal Code. Possible recommendations to the Council.
2. Discuss what neighboring communities pay for ambulance services provided by the City. Possible recommendations to the Council.
3. Adjournment

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY.

NOTE: REASONABLE ACCOMMODATIONS FOR PARTICIPATION BY INDIVIDUALS WITH DISABILITIES WILL BE MADE UPON REQUEST. FOR ADDITIONAL INFORMATION OR TO REQUEST THIS SERVICE, CONTACT THE CITY CLERK AT 726-2719.

Please note that attachments to this agenda may not be final and are subject to change.
This agenda may be amended as it is reviewed.

CERTIFICATION OF OFFICIAL NEWSPAPER

I hereby certify that a copy of this notice has been posted on the City Hall bulletin board and a copy has been given to the Chippewa Herald on February 12, 2015 at 10:15 am by BNG.

AN ORDINANCE AMENDING THE RESTRICTIONS
ON CLASS "A" INTOXICATING LIQUORS CODE
SECTION, SECTION §12.03(4) (f) OF THE
CHIPPEWA FALLS MUNICIPAL CODE

THE CHIPPEWA FALLS COMMON COUNCIL DO ORDAIN AS FOLLOWS:

1. That §12.03(4) (f) OF THE CHIPPEWA FALLS MUNICIPAL CODE, which presently provides as follows:

12.03 INTOXICATING LIQUOR, FERMENTED MALT BEVERAGES AND TOBACCO.

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- (4) LICENSE RESTRICTIONS.

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- (f) Restriction on Class "A" Licenses. It is the intent of the City Council and purpose of this provision to provide for a high level of supervision and security in the storage and retail sale of intoxicating beverages under a Class A Intoxicating Liquor license and Class A Fermented Malt Beverage license. Purposes include, but are not limited by enumeration, to restrict access of minors, prevent shoplifting, provide for only licensed clerks or those directly under the supervision of the licensee, to supervise checkout areas so that proper identification and age of purchaser is made by sales clerks. Grocery stores, if otherwise properly licensed, may sell such beverages for consumption away from the premises only on the following conditions:

1. Retail sales are contained in separate secure portion of the facility which has a separate public access door to the outside. There may be only one lockable customer entrance, not to exceed 10 feet in width, between secured portion and the rest of the grocery store.
2. Separate checkout facilities are used in the area specified in 1. above.
3. Properly licensed salespeople only are operating and supervising sales and checkouts.

4. Storage of such beverages, if not in the separate, secured portion itself, may be in another portion of the licensed premises which is not accessible to the public. Such storage must be in a locked, secured area and be accessible only by the licensee or under the licensee's supervision. Any transfer from storage to retail areas must be conducted under the supervision of licensee and in such person's immediate possession.
5. Premises which hold a combination Class "A" (beer) and "Class A" (liquor) license may display and sell alcoholic beverages outside of the secured and separate area if the following restrictions and limitations are met:
 - a. Less than 50% of total gross sales from the secured portion and the off-secured portion combined are registered in the off-secured portion. The licensee must maintain a secure portion or area consistent with the ordinance. This secure portion must serve as the primary area for alcohol sales and the majority of alcoholic beverages displayed and sold on the entire premises must be from the secure portion area.
 - b. The primary alcohol sales area, the secure portion, must be locked and secure when alcohol sales are prohibited by ordinance or state law to prevent the public from entering during those hours.
 - c. Coolers used for the sale and/or display of alcoholic beverages which are located outside of the secured area must be securely locked during all hours in which such products are prohibited from sale. Alcoholic beverages not secured in coolers must have notices prominently and unmistakably displayed to notify customers and patrons of prohibited sales times and hours.
 - d. Any alcoholic beverages which are displayed or offered for sale outside of the secured portion may not be located or displayed within 50 feet of any entry or exit door which is used by the public.
 - e. Camera and recording equipment is required. All check-out and register areas together with all areas where alcoholic beverages are displayed for sale

outside of the secured portion must be monitored by an electronic camera with all activities recorded; and

1. Such equipment must be operation at all times during which the business is open and provide a clear view of the area and the activity within the area with sufficient detail to aid in an investigation; and
 2. All digital recordings required under this section shall be retained for a minimum of 21 calendar days. The recordings required hereunder shall be made available to law enforcement at any time.
- f. Cash register system requirements must be met. All cash registers must be set up in an operation mode which:
1. Prompts employees to check and/or determine the appropriate age of the customer/buyer/procurer during the transaction process;
 2. Requires age verification to complete the transaction; and
 3. Prevents all underage employees from completing alcohol beverage transactions by requiring a person of legal age to complete the transaction.
- g. Retailers must file a formally documented procedure that includes a progressive discipline procedure for employees that unlawfully sell fermented malt beverages to underage persons. This policy shall be part of the application and taken into consideration by the Council in determining whether or not to grant a license(s).
6. The following restrictions shall apply to anyone applying for a Class A Fermented Malt Beverage License.
- a. Cold beer must be sold out of coolers and coolers must be locked from 9:00 p.m. to 8:00 a.m.

- b. Warm beer cannot be displayed on the sales floor, in bulk or otherwise, but can be sold on request from secure back area of store.
- c. No sales of single or loose container alcoholic beverages are allowed unless from a secure room according to restrictions listed above in subsection 12.03 (4)(f).
- d. Only properly licensed salespeople shall operate and supervise sales and checkouts.
- e. Advertising of alcoholic beverages shall be only allowed in the nonsecured portion of the grocery store to the following extent:
 - 1. Weekly grocery newspaper ad with liquor ad included can be posted in-store, one location at front of store and/or these can be available to customers.
 - 2. In-store hand bill with liquor ad may be available for customer pickup at courtesy counter area only.
 - 3. Signs in liquor window adjoining nonsecured area. Limited to neon only without price marque, ie. no pricing information in or on window.
 - 4. Sign in liquor entrance. Limited to one 18" X 36".
- f. Retailer must file formally documented procedure that includes a progressive discipline procedure for employees that unlawfully sell fermented malt beverages to underage persons. This policy shall be part of the application and taken into consideration by the Council in determining whether or not to grant a Class A fermented malt beverage license.

be amended to provide as follows:

12.03 – INTOCICATING LIQUOR, FERMENTED MALT BEVERAGES AND TOBACCO.

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(4) LICENSE RESTRICTIONS.

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(f) Restrictions on Class “A” Licenses. It is the intent of the City Council and purpose of this provision to provide for a high level of supervision and security in the storage and retail sale of intoxicating beverages under a Class A Intoxicating Liquor license and Class A Fermented Malt Beverage license. Purposes include, but are not limited by enumeration, to restrict access of minors, preventing shoplifting, provide for only licensed clerks or those directly under the supervision of the licensee, to supervise checkout areas so that proper identification and age of purchaser is made by sales clerks. Businesses, stores, retail premises, and like premises, where the sale of intoxicating liquor and fermented malt beverages is less than 90% of total gross sales (hereinafter “premises” or “retailers”), if otherwise properly licensed, may sell such beverages for consumption away from the premises only on the following conditions:

1. Properly licensed salespeople only are operating and supervising sales and checkouts.
2. Storage of such beverages must be in a locked, secured area and be accessible only by the licensee or under the licensee’s supervision. Any transfer from storage to retail areas must be conducted under the supervision of licensee and in such person’s immediate possession.
3. Premises which hold a combination Class “A” (beer) and “Class A” (liquor) license may display and sell alcoholic beverages if the following restrictions and limitations are met:
 - a. There shall be no sales of intoxicating liquor or fermented malt beverages when alcohol sales are prohibited by ordinance or state law.
 - b. Coolers used for the sale and/or display of alcoholic beverages must be securely locked during all hours in which such products are prohibited from sale. Alcoholic beverages not secured in coolers must have notices prominently and unmistakably displayed to notify customers and patrons of prohibited sales times and hours.

- c. Any alcoholic beverages which are displayed or offered for sale may not be located or displayed within 50 feet of any entry or exit door which is used by the public.
- d. Camera and recording equipment is required. All check-out and register areas together with all areas where alcoholic beverages are displayed for sale must be monitored by an electronic camera with all activities recorded; and
 - 1. Such equipment must be operational at all times during which the business is open and provide a clear view of the area and the activity within the area with sufficient detail to aid in an investigation; and
 - 2. All digital recording required under this section shall be retained for a minimum of 21 calendar days. The recordings required hereunder shall be made available to law enforcement at any time.
- e. Cash register system requirements must be met. All cash registers must be set up and in an operational mode which:
 - 1. Prompts employees to check and/or determine the appropriate age of the customer/buyer/procurer during the transaction process;
 - 2. Requires age verification to complete the transaction; and
 - 3. Prevents all underage employees from completing alcohol beverage transactions by requiring a person of legal age to complete the transaction.
- f. Retailers must file a formally documented procedure that includes a progressive discipline procedure for employees that unlawfully sell fermented malt beverages to underage persons. This policy shall be part of the initial application and taken into consideration by the Council in determining whether or not to initially grant a license(s).
- g. Cold beer sold out of coolers must be locked from 9:00 p.m. to 8:00 a.m.
- h. Advertising of alcoholic beverages shall be only allowed on the premises to the following extent:

1. Weekly grocery newspaper ad with liquor ad included can be posted in-store, one location at front of store and/or these can be available to customers.
2. In-store hand bill with liquor ad may be available for customer pickup at counter areas.
3. If there is a separate secure, liquor section with a window, neon signs may be placed on the window but without pricing information.
4. If there is a separate entrance to a liquor section a sign maybe placed in the liquor entrance but limited to one.

DATED this ____ day of _____, 2015

COUNCIL PRESIDENT: _____

FIRST READING: _____

SECOND READING: _____

APPROVED: _____
Gregory S. Hoffman, Mayor

ATTEST: _____
Bridget Givens, City Clerk

PUBLISHED: _____