

ALCOHOLIC BEVERAGES Consumption on Town Property

Definitions:

1. Alcoholic beverages, for purpose of this policy, shall mean fermented malt beverages and wine, and excludes intoxicating liquors.
2. Intoxicating liquor means distilled liquor having an alcohol content of equal to or greater than 0.05% by volume.
3. Indirect charge means the cost of an alcoholic beverage is included in the ticket price, included in the cost of meal, a donation is required, or any other consideration other than direct purchase.

The Town is exempt from civil liability for any damage to any person or property caused by the consumption of alcoholic beverages by any person if the Town has issued a license or permit to sell, dispense, or give away alcoholic beverages on property owned or leased by the Town.¹

The Town cannot issue a Temporary/Picnic license to any group or individual for the sale of intoxicating liquor. The Town may issue Temporary/Picnic Class B licenses for the sale of fermented malt beverages and/or wine to certain groups, but not to individuals. Such a license is necessary for a group to charge, directly or indirectly, for alcohol. Qualifying groups under this policy include bona fide clubs, churches and societies that have been in existence for at least six months prior to application, and posts of veterans' organizations.² The Town Clerk shall require a list of the officers and a copy of the bylaws to be included with the application.

There is no limit to the number of Temporary/Picnic Class B fermented malt beverage licenses that may be issued to a qualified organization, but not more than two (2) Temporary/Picnic Class B wine licenses may be issued to any group in any 12 month period.³ The fee for a temporary license shall not exceed \$10.00⁴ A group may apply for both licenses for the same fee.

No group holding a Town issued Temporary/Picnic Class B license may allow the consumption of intoxicating liquor on Town property. Each licensed group shall be responsible for enforcement of this prohibition.

¹ S. 125.04(1)

² S. 125.51(10)

³ S. 125.51(10)

⁴ S. 125.26(6)

Approved date: 07/01/04

Revised date:

A person with an operator's license, commonly called a bartender's license, must immediately supervise those serving or selling the alcoholic beverages. The Town may issue a temporary operator's license to persons donating their services to nonprofit corporations.⁵

Private gatherings by invitation which are held on Town property do not require a license if the event is closed to the public, and there is no charge (direct or indirect) for the alcohol.⁶ The Town shall be exempt from liability for alcohol consumed at private gatherings.

A copy of this policy shall be issued to any group or individual reserving the use of Town property, and the responsible party shall sign for receipt of the policy.

⁵ S. 125.17(4)

⁶ WTA

Approved date: 07/01/04

Revised date: