



CITY HALL
215 Church Avenue
P.O. Box 1130
Oshkosh, WI 54903-1130

JESSI L. BALCOM
City Clerk

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Deputy City Clerk

MELISSA BOOTHE
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Temporary Class "B"/"Class B" Retail (Picnic) License

Temporary Class B Retail Licenses May be Granted & Issued Only To:

- (1) Bona fide clubs.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application.
- (4) Posts of veterans organizations.
- (5) Chambers of commerce or similar civic or trade organizations organized under ch. 181, Wis. Stats.

The forms need to be completed in full and signed by officers from question 1-f.

The middle initial for each officer must be included on the application.

A layout/map of the event needs to be attached to the application (SUNNYVIEW EXPO CENTER & LEACH AMPHITHEATER EVENTS DO NOT NEED A MAP)

The **person in charge of the event needs to have taken the Responsible Beverage Service course in the last 2 years or hold a current Oshkosh operator's license** – this is per State Statute. A copy of the certificate needs to be attached. If using a current license we can look that up. These forms need to be filed in the City Clerk's Office at least **15 DAYS** prior to a Common Council meeting for approval; the Common Council meets the second and fourth Tuesday of every month. Please review the time frame of your event to meet this required filing date. At the time of filing the application fee of \$10.00 needs to be paid.

Name of Event: _____

Fee \$10.00 Per Event

APPLICATION FOR TEMPORARY CLASS "B" RETAILER'S LICENSE – CITY OF OSHKOSH

NOTE: Include a map of the requested license area

The named organization applies for: (check appropriate box (es).)

- Temporary Class "B" license to sell fermented malt beverages at picnics/similar gatherings under s. 125.26 (6), Wis, Stats.
- Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51 (10), Wis. Stats.

At the premises described below during a special event said organization agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (Bona fide club, church, lodge or society, veteran's organization or fair association):

- (a) Name _____
- (b) Address _____ City of Oshkosh
- (c) Date organized _____/_____/_____
- (d) If corporation, give date of incorporation _____/_____/_____
- (e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s.77.54 (7m), Wis. Stats., check here _____

(f) **Names (include middle initial) and home addresses of all officers:**

President _____

Vice President _____

Secretary _____

Treasurer _____

(g) **Manager/person in charge of affair:** First _____ Initial _____ Last _____

Date of Birth _____/_____/_____ Address _____

Phone No. _____ **Class Attendance Date** _____

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD, SERVED, CONSUMED OR STORED & AREAS WHERE ALCOHOL BEVERAGE RECORDS WILL BE STORED:

(a) Street number _____

(b) Do premises occupy all or part of building: _____

(c) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. DATE & TIMES FERMENTED MALT AND/OR WINE WILL BE SOLD AT YOUR EVENT:

Date ____/____/____ Start: _____ End: _____

Date ____/____/____ Start: _____ End: _____

Date ____/____/____ Start: _____ End: _____

Date ____/____/____ Start: _____ End: _____

4. Are you aware that all beverages must be dispensed and possessed in the original container, a transparent or semi-transparent container (per municipal code-section 4-23 adopted 10/28/2003)? yes no

5. How many stations will you have at your event _____ the person in charge must be capable of supervising & controlling the alcohol sales of the venue – **IF** you have multiple stations it is suggested that there be licensed operators at each station. (Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2))

6. Describe what precautions will be taken to prevent service and/or consumption of beer/alcohol to underaged persons _____

Amplified sound or music shall not be permitted after 10:00 p.m. Sunday through Thursday and after 11:00 p.m. on Friday and Saturday evenings. This section shall not be construed to limit the authority of the police department to respond to complaints and take any appropriate action in response thereto.

REQUEST FOR:

_____ WAIVER OF FENCING FOR BEER GARDEN

_____ NO CARRY-INS IN A CITY PARK

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

DECLARATION

Officer: _____

Officer: _____

FOR OFFICE USE ONLY

Date Filed: ____/____/____

Date Approved: ____/____/____

Chief of Police Signature: _____

Council Date: ____/____/____

License No: _____

Additional Information

May be Granted and Issued only to:

- (1) Bona fide clubs.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application.
- (4) Posts of veterans organizations.
- (5) Chambers of commerce or similar civic or trade organizations organized under ch. 181, Wis. Stats.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)
- (3) The written application shall be filed with the clerk of the municipality in which premises are located:
Class "B" (Beer):
 - a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)
 - b. At least 15 days prior to the granting of the license for events lasting 4 or more days."Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.
- (4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required.

Fee: Determined by the municipality, but may not exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress. A municipality may issue up to 20 licenses to the same licensee for a single event, if each license is issued for the same date and time.

Restrictions:

- (1) License may not be issued to individuals.
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.
- (3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.
- (4) License may cover either a specified area or the entire picnic grounds.
- (5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)
- (6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)
- (8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/"Class B" licensed picnic area. (s. 125.32(6), Wis. Stats.)
- (9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society, chamber of commerce or similar civic or trade organization or veterans' post in any 12 month period. A municipality may issue up to 20 wine licenses to the same licensee if: 1) each license is issued for the same date and times, 2) the licensee is the sponsor of an event held at multiple locations within the municipality on this date and at these times, 3) an admission fee is charged for participation in the event and no additional fee is charged for service of alcohol beverages at the event, and 4) within the immediately preceding 12-month period, the municipality has issued these multiple licenses for fewer than 2 events. In addition, each event for which multiple licenses are issued shall count as one license toward the 2-license limit.
- (10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.