

Proper Grounds for Alcohol Beverage Establishment Disciplinary Action

The following are just some of the reasons that the Common Council can refuse to renew, can suspend, or can revoke an alcohol beverage license. Note that some are subjective and may only be determined after a proper hearing process.

Grounds for Suspension, Non Renewal, or Revocation

1. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the operation of an alcohol beverage establishment on behalf of the licensee, employees, or patrons.
2. Failure of the licensee to operate the premise in accordance with the floor plan and plan of operation submitted to the City as part of his or her license application.
3. Violation of any state law or city ordinance prohibiting the sale of alcohol to underage persons, or to any person intoxicated or bordering on the state of intoxication.
4. Operation of the tavern in such a manner that it constitutes a nuisance or permitting conduct that has a substantial adverse effect on the health, safety or convenience and prosperity of the immediate neighborhood.

Please note that an establishment being in poor physical condition is not a valid reason for non-renewal, suspension or revocation of an alcohol beverage license. Property maintenance complaints can be directed to the Department of Neighborhood Services at 286-2268.

Find Out About License Applications Via E-Notify

Go to www.milwaukee.gov/eservices or www.milwaukee.gov/enotify to sign up for E-Notify (this only takes a minute). Then you can sign-in and check the "Licenses Applied For" box under "Location based notification" and any other categories or topics you'd like to be informed about. Once you choose your topics, just sit back and wait for the pertinent information to come directly to you!

Important Contact Information

License Division
Room 105, City Hall
200 E. Wells St.
Milwaukee, WI 53202
(414) 286 - 2238

For a list of currently-licensed alcohol beverage establishments, or other licensing information, please visit:

<http://www.milwaukee.gov/license>

Information about Common Council and committee meetings is available at:

<http://legistar.milwaukee.gov/calendar>

Information about Common Council files is available at:

<http://legistar.milwaukee.gov/mattersearch>



Prepared by the Public Information Division,
Common Council – City Clerk's Office
(1-26-2016)

So You've Got A Problem Tavern? (Or Liquor Store)





Introduction

Places that serve alcohol are a part of the fabric of Milwaukee. From corner bars to crowded beer halls and nightclubs, this is, after all, a town that's been called "Brew City." Most of these places – officially called "alcohol beverage establishments" – are well run, orderly, and safe. This webpage, however, is for those instances when you and your neighbors feel a local establishment has gotten out of hand and is harming your quality of life. The following are just some of the reasons that the Common Council can refuse to renew, can suspend, or can revoke an alcohol beverage license. Note that some are subjective and may only be determined after a proper hearing process.



Two Important Things to Know

First, the Common Council doesn't have absolute authority over alcohol beverage establishments. The Wisconsin State Legislature has declared that the regulation of these establishments is a matter of "statewide concern." This means there are limits to what the City may or may not do as it attempts to regulate them. It is also because of this that there are sometimes elaborate procedures for not renewing, suspending or revoking an alcohol beverage license.

Second, once a license to operate an alcohol beverage establishment is granted, that license is considered property, much like a house or a car. This means that the Common Council can't take the license away without providing the licensee due process of law.

The Process

So what can you do if you believe a tavern is in violation of city ordinances?

1. Talk to the owner or operator. This might seem obvious, but it is easy to overlook. Private, civil communication beats a formal process every time. Most owners want to be good neighbors and respond to the reasonable concerns of those around them.
2. Call the police. Many things that happen at unruly establishments aren't just inconvenient, they're crimes. Make a record of when you call and about what. Records like that can be very helpful during the hearing process.
3. Communicate with your Common Council representative. The general number is 286-2221.
4. File a complaint. These must be written and, in some cases, notarized. They should be filed with the License Division. The complaint can be brief, but should set forth the reasons you think warrant discipline against the establishment. Please be advised that if you don't mention a particular reason in your original complaint, that reason cannot be used against the establishment as grounds for discipline.

Important Note: Do not wait until the date on which a license is to expire to file your complaint!



5. Attend a hearing. Whenever a licensee is faced with potential discipline, he or she will be scheduled to appear before a meeting of the Common Council's Licenses Committee. These meetings are held approximately once every three weeks at City Hall. They are almost always held during the day. Notices of these meetings are mailed in advance. It is extremely important that citizens attend these hearings. Unfortunately, merely submitting a letter for the record is not enough!

Hearings can be quite lengthy, but, again, the Common Council must safeguard the rights of license-holders. At a hearing, sworn testimony will be taken, evidence read into the record and, eventually, the members of the committee will make a recommendation to the Common Council. That recommendation will probably be heard at the next Council meeting. Please be aware that the recommendation is not final until the Common Council acts. It may accept, reject, or amend the recommendation.

Members of the Licenses Committee cannot consider "hearsay" evidence. You must testify only to what YOU have seen and heard.