

FARMERS MARKET DISCUSSION



OPTION 1: PREMISES EXTENSIONS

- Pick a location for the permanent licensed premises
 - Existing office is marked
 - There is no minimum size requirement
- The city *as the landlord* can impose lease restrictions that it cannot impose on other licensees:
 - Limit hours/days of operation
 - Limit specific business operations



OPTION 2: UNLICENSED GROUNDS

- Pick a location for the permanent licensed premises
 - Existing office is marked
 - There is no minimum size requirement
- The city *as the landlord* can impose lease restrictions that it cannot impose on other licensees:
 - Limit hours/days of operation
 - Limit specific business operations



ALCOHOL SERVICE AT FARMERS MARKET

- Alcohol Service Area
 - Option 1: Anywhere on premises
 - Option 2: Only from the office location
- Licensee Responsibility for Market
 - Option 1: Responsible for entire market by state statute
 - Option 2: Lease between City and licensee would have to spell out responsibility
- Ordinance Changes
 - Option 1: none
 - Option 2: may want to amend ordinances to restrict carry-in alcohol at market

ALCOHOL SERVICE AT FARMERS MARKET

- Minors on Premises
 - Option 1: Wis. Stat. 125.07(3)(a)3. allows for the presence of minors as long as the farmers market meets the state definition of “coliseum” owned by a municipality:
 - Defined as “a public multipurpose facility designed for activities of the public, which may include but are not limited to sports events, trade shows, conventions, seminars, concerts, banquets and fairs.”
 - Option 2: No issue because area is unlicensed
- Alcohol Consumption in Public Place
 - Option 1: No issue because area is licensed
 - Option 2: Exempt from Wis. Stat. 125.09(1) because land is owned by a municipality

ALCOHOL SERVICE AT FARMERS MARKET

- Private Rentals Outside of City-Sponsored Events
 - Option 1: No carry-ins allowed; caterer cannot serve alcohol
 - Option 2: City would have to decide whether carry-ins are allowed and whether to allow a caterer to serve
- Competitions Between Licensees
 - Option 1: Not feasible; cannot allow alcohol on a premises where it was not purchased
 - Option 2: Feasible for breweries, but not for “Class B” licensees.
 - Sales and advertising must be in the name of the licensee –125.51(7)
 - Cannot use another person’s license – 125.32(2m)

ALCOHOL SERVICE AT FARMERS MARKET

- Which Option gives the City the most control and flexibility?
 - As the landlord, the City can exercise extensive control over the activities on-site under both Options.
 - Option 2 has slightly more flexibility because there is no licensed premises that limits the City's options.
- Which Option has the greatest ability to generate revenue?
 - Option 1 likely has the greatest ability to generate revenue from the permanent licensee, if that person is made the sole provider during all events.
 - Option 2 likely has the greatest ability to generate revenue from private party rental; it will be more marketable for private rentals if they can choose their own caterer.

