



**City of New Berlin**  
Community Relations/City Clerk's Department  
3805 South Casper Drive  
New Berlin, WI 53151-0921  
262-786-8610

**CITY OF NEW BERLIN**  
**GENERAL INFORMATION FOR OBTAINING AN ALCOHOL BEVERAGE LICENSE**

**APPLICANT QUALIFICATIONS:**

1. **AGE:** Individuals, all partners (including limited partners), officers, directors, and agents of corporations, members, managers, and agents of LLC companies and the officers, directors and agents of nonprofit organizations must be 21 years old.
2. **RECORD CHECK:** Individuals, officers, directors, members, managers and agents will be subject to a criminal background check. These individuals may not have an arrest or conviction record subject to the Fair Employment Act, may not be a "habitual law offender," or may not have been convicted of a felony which substantially relates to the alcohol beverage licensing activity. The Common Council will review and make decisions regarding information provided by the police department.
3. **SELLER'S PERMIT:** Applicants for retail licenses must provide proof they are in good standing for sales tax purposes by providing a current Wisconsin seller's permit.
4. **RESIDENCY:** Individuals, all members of a partnership and the agents of corporations and LLC companies must have 90 days of continuous residency in Wisconsin prior to their date of application. The following may be used to verify residency in Wisconsin for the required time period: Voter registration, motor vehicle registration, driver's license, residential lease or purchase agreement, income tax records.
5. **RESPONSIBLE BEVERAGE SERVER TRAINING COURSE:** Individuals, partners and agents of corporations and LLC companies must have successfully completed an approved responsible beverage server training course within the past two years prior to application. *This does not apply if the person is renewing a license or has, within the past two years, held a manager's or operator's license, or held or was agent of a corporation or LLC company that held a Class "A" beer, Class "B" beer, "Class A" liquor, "Class B" liquor, or "Class C" wine license.*
6. **HEALTH REQUIREMENTS:** "Class B" liquor licenses and "Class C" wine licenses may be granted but cannot be issued until the applicant has premises that meet the requirements of the Environmental Sanitation Section of the Wisconsin Department of Health and Social Services. In order to schedule an inspection, the applicant must contact the city's Inspections Department at 262-786-8610. A liquor license cannot be released until the premise has been approved by the Inspections Department. If you intend to sell food, you must also contact the Waukesha County Division on Environmental Health at 262-896-8300.
7. **OCCUPANCY PERMIT:** An Occupancy Permit must be issued by the city's Community Development Department prior to issuance of an alcohol beverage license if a premise has been newly constructed or renovated.
8. **PROXIMITY:** Unless waived by a majority vote of the governing body, a liquor license may not be issued within 300 feet of the main entrance of any church, school or hospital.
9. **RELINQUISHMENT:** If the premise is licensed to sell liquor, the previous liquor license must be relinquished before the Clerk's Office can release the new license. In order to begin the license application process, the applicant must provide a letter from the current license holder acknowledging that they agree to relinquish their license upon approval of the new license.

10. **GOOD STANDING:** In order to release any liquor license, all bills to the city must be paid in full (this includes, but is not limited to utility, personal property and property taxes) and applicant cannot have any delinquent liquor wholesaler's bills.

## GENERAL LICENSE REQUIREMENTS:

1. **WAITING PERIOD:** All applications for licenses to sell alcohol beverages must be filed 15 days prior to the granting of the license. *(This does not include temporary Class "B" (picnic) licenses lasting less than four days.)*
2. **PUBLICATION:** All applications are required to be published in the city's official newspaper with the cost of publication paid for by the applicant. This publication is to include the name and address of the applicant, type of license being applied for and the location of the premises to be licensed. *Publication is not required for temporary Class "B" picnic licenses.*
3. **COMMITTEE OF THE WHOLE/Common Council APPROVAL:** All liquor license applications must be approved by the Committee of the Whole and Common Council, which meet on the second and fourth Tuesdays of each month.

## HOLDERS OF LIQUOR LICENSES:

### **INDIVIDUALS**

1. If the applicant is a sole proprietor, they do not appoint an agent and are not required to fill out an AT-104.

### **PARTNERSHIPS**

1. The names of all partners, including limited partners, must be revealed in the application for a beer or liquor license. No agent is appointed, and the license is issued in the name of all partners.
2. Adding or dropping a partner requires application for a new license.

### **CORPORATIONS AND LLC COMPANIES**

1. Out-of-state corporations and out-of state LLC companies are ineligible for "Class C" wine licenses.
2. The 90-day state residency requirement is inapplicable to the officers and directors of corporations and the members or managers of LLC companies.
3. The agents of corporations and LLC companies must meet the 90-day state residency requirements.
4. All corporations and LLC companies must appoint an agent that is satisfactory to the governing body, and must be given full authority and control over the licensed premises and over all commercial activities on the premises relating to alcohol beverages.
5. In the case of the appointment of a new agent, the corporation or LLC must immediately notify the Clerk's Office in writing of the appointment of a new agent and the reason for cancellation of the previous agent.
6. A corporation or LLC company may apply for an alcohol beverage license prior to registration with the Secretary of State's Office and the license may be granted, but cannot be issued until the corporation/LLC has been registered to do business in the state.
7. If a corporation or LLC company changes its name or its officers, directors, stockholders or members or managers, the Clerk's Office must be notified within 10 days about any such change. Any new officers, directors, members or managers must complete and file with the Clerk's Office an Auxiliary Questionnaire. A new agent must complete this form, along with a Schedule for Appointment of Agent. *A new liquor license application is not needed.*