

**ORDINANCE NUMBER 2024-13
VILLAGE OF CALEDONIA**

**AN ORDINANCE TO CREATE TITLE 7, CHAPTER 2, SECTION 19 OF THE CODE
OF ORDINANCES OF THE VILLAGE OF CALEDONIA RELATED TO THE
MUNICIPAL APPROVAL OF FULL-SERVICE RETAIL OUTLETS.**

The Village Board of the Village of Caledonia, Racine County, Wisconsin, hereby ordains as follows:

1. That Section 7-2-19 of the code of ordinances for the Village of Caledonia “Full-Service Retail Outlets” be, and hereby is, created to read as follows:

“SEC. 7-2-19 FULL-SERVICE RETAIL OUTLETS.

- (a) **Authority.** Approval by the Village of a full-service retail outlet application shall authorize the applicant to establish a full-service retail outlet and make full-service retail sales from that premises. Such authority shall be contingent on the applicant obtaining approval by the State of Wisconsin. This approval only applies to full-service retail outlets that are located off the production premises.
- (b) **Fee.** Each request for municipal consideration shall be subject to a \$50.00 fee.
- (c) **Eligible areas.** Areas included in any full-service retail outlet shall be owned by or under the control of the applicant or licensee. If the applicant seeks to encroach upon public property or a public thoroughfare, the applicant shall also obtain the applicable permits or privileges as provided in this Code.
- (d) **Type of alcoholic beverages for sale restricted.** The type of alcoholic beverages available for sale at any full-service retail outlet must be of the same type as that produced by the licensee. For example, a brewery can only sell fermented malt beverages at its full-service retail outlet and may not sell wine or other intoxicating liquor at its full-service retail outlet. The provision of taste samples is limited to those alcohol beverages authorized to be sold at the full-service retail outlet.
- (e) **Standards for approval.** The standards for Village approval of a full-service retail outlet are the same as are applied for any other retail license under Caledonia Municipal Code Sections 7-2-9 and 7-2-10, including a premises description to be provided by the applicant.
 - (1) A Class A or B Retail application does not need to be completed or reviewed by staff under Sec. 7-2-9 and 7-2-10 of the village code.
 - (2) Section 7-2-9(b) of the village code shall be applied to temporary locations as required by Village Staff.

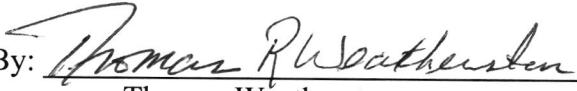
- (f) **Conditions.** The Village Board’s approval of a full-service retail outlet are subject to the same conditions set forth in Sec. 7-2-14 of this Code, which are applicable to all other retail licensed premises located within the Village.
- (g) **Approval.** If the Village Board approves the request for a full-service retail outlet, the Village Clerk shall issue the appropriate document to the Division of Alcohol Beverages confirming the Village’s approval and specifying the date, period of time, and specific location for which the full-service retail outlet shall be in effect.


State Law Reference: Wis. Stat. § 125.29(7) for Breweries; Wis. Stat. § 125.53(3) for Wineries; Wis. Stat. § 125.52(4) for Distilleries and Rectifiers.”

2. That this ordinance shall take effect upon adoption and publication as required by law.


Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin this 24th day of September, 2024.

VILLAGE OF CALEDONIA

By: 
Thomas Weatherston
Village President

Attest: 
Jennifer Olsen
Village Clerk

MEMORANDUM

Date: September 20, 2024
To: Village Board
From: Jennifer Olsen 
Village Clerk/Treasurer
Re: Ordinance 2024-13 – Producer Full Service
Retail Outlet



Pursuant to 23 WI Act 73, the Village is required to update its code of ordinances for certain alcohol licenses and permits. One of the new provisions enacted pertains to the Full-Service Retail Sales permit for Alcohol Producers, which includes breweries, wineries, distillers, and rectifiers.

Full-service retail sales permits are issued at the state level. Municipal approval is not required for full-service retail sales applications for outlets that are located on the production premises. However, as of May 1, 2024, off-site full-service retail sales permit applications require the approval of the municipality in which the full-service retail outlet is proposing to locate.

This approval is not a municipal license or permit—it is just an approval and a signature certifying as such on the Producer’s state application. The applicable statutes (Wis. Stat. §§ 125.29(7), 125.53(3) and 125.52(4)) require the municipal approval or denial for off-site full-service retail outlets to be based on the same criteria as the village would apply to any other retail license. Currently, the village’s ordinances do not contemplate off-site full-service retail outlets.

The Village of Caledonia had no such Alcohol Producer requests until recently. The reason for the expedited ordinance approval process is due to the short turnaround time required to approve a pending application for an event being held on October 6, 2024 at the River Bend Nature Center.

The only Board decision point is the limitation on the scope of alcohol beverages offered for sale at an off-site, full service retail outlet, and only with respect to alcohol beverages that are not of the same type as those made by the producer. The resolution as written does impose these limits but the Board may choose not to. For example, the ordinance as written does not allow a brewery that does not produce distilled alcohol to sell distilled alcohol at their retail outlet, nor may they sell beer that the brewery did not produce.