

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Administrative & Judiciary Committee

DATE OF MEETING: December 5, 2018 (Wednesday)

PLACE OF MEETING: City Hall – 415 Main Street (Room 112)

TIME OF MEETING: 6:00 P.M.

PURPOSE OF MEETING

1. Call to Order and roll call
2. Approval of minutes from the previous meeting(s)
3. Public Input: (limited to 3 minutes/individual)

Consideration and possible action on the following items:

Administrative

4. Approval of Operator's Licenses as listed on report dated December 5, 2018
5. Approval of City of Onalaska Fee Schedule
6. Approval of Special Events Permits for:
 - a. Sole Burner – Coulee Region Run / Walk on April 28, 2019 starting at 2700 Midwest Drive, Onalaska from approximately 8am – 1pm
7. Approval of Class B Liquor License for Meghan E. Schoh, d/b/a Unwined, LLC, 201 Main Street, Onalaska, starting on January 1, 2019
8. Possible consideration to proceed with a plan /ordinance change to allow on-line beer / liquor purchases with drive-up pick-up services within the City of Onalaska with adequate conditions outlining requirements for businesses that would qualify
9. Miscellaneous licensing reporting

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the Committee may attend this meeting to gather information about a subject over which they have decision making responsibility.

Therefore, further notice is hereby given that the above meeting may constitute a meeting of the Common Council and is hereby noticed as such, even though it is not contemplated that the Common Council will take any formal action at this meeting.

NOTICES MAILED TO:

Mayor Joe Chilsen	Tamara Thomson
Ald. Jerry Every	Jessica Abnet
Ald. Jim Olson	
* Ald. Jim Binash - Chair Admin & Vice Chair Jud	Alex Deshler
* Ald. Diane Wulf -	Meghan Schoh
Ald. Kim Smith	
* Ald. Ron Gjertsen - Chair Jud & Vice Chair Admin	
City Attorney Dept Heads City Administrator	
La Crosse Tribune Coulee Courier	Omni Center
WXOW WKTY WLXR WKBT WLAX FOX	Onalaska Public Library
*Committee Members	

Date Notices Mailed and Posted: 11/29/18

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.

Judiciary

10. **Ordinance 1623-2018** to annex land located in the Southeast 1/4 of the Northwest 1/4 and part of the Southeast 1/4 of the Southwest 1/4 in Section 1, Township 16 North, Range 7 West from the Town of Medary to the City of Onalaska (Crestwood Property Annexation) (First and Second Reading)
11. **Ordinance 1624-2018** to annex land located in the Southeast 1/4 of the Southwest 1/4 in Section 1, Township 16 North, Range 7 West from the Town of Medary to the City of Onalaska (Manske Annexation) (First and Second Reading)
12. **Ordinance 1625-2018** to amend Chapter 2 of Title 9, Section 11 of the Code of Ordinances of the City of Onalaska relating to Sewer User Charge Rates (First and Second Reading)
13. **Ordinance 1626-2018** to amend Section 9 of Chapter 3 of Title 2 of the Code of Ordinances of the City of Onalaska relating to Director of Inspection; Deputy Directors (First and Second Reading)

Adjournment

12-05-2018 2:56 PM

F O R M S R E G I S T E R

PACKET: 02601 License Packet Dec Operators

SEQUENCE: License #

ID	PERIOD	-----NAME-----		LICENSE CODE
05435	11/08/18- 6/30/19	KEENEY	BRAEDEN	OPRATOR OPERATORS - 1 YEAR
05441	11/19/18- 6/30/20	VOIGTSCHILD	JUSTIN	OPRATOR OPERATORS - 2 YEAR
05443	11/26/18- 6/30/20	HART	HUNTER	OPRATOR OPERATORS - 2 YEAR
05444	11/26/18- 6/30/20	ZANGEL	ANNA	OPRATOR OPERATORS - 2 YEAR
05445	11/30/18- 6/30/20	WOOD	KYLE	OPRATOR OPERATORS - 2 YEAR
05448	12/03/18- 6/30/20	RENDLER	SADIE	OPRATOR OPERATORS - 2 YEAR

Type of Fee	Fee Amount	Ordinance Reference	When Due
Marches and Public Assemblies			
0-299 people	\$0.00	7-20-5	per event
300-499 people	\$250.00	7-20-5	Upon application
500-999 people	\$350.00	7-20-5	
1,000 or more people	\$500.00	7-20-5	
Bicycle Registration /Duplicate Registration			
	no charge	10-2-7(b)(2) &(5)	
Cemetery Fees			
Plot	\$860.00	8-4-3(2)	
Infant	\$290.00	8-4-3 c(3)	
Opening Fees Adult			
Full Burial M-F (7am-3pm)	\$710.00	8-4-3 (c)(2)	
Ashes M-F (7am-3pm)	\$340.00	8-4-3 (c)(3)	
Full Burial Outside Business Hours/Saturday/Sunday/Holiday	\$1,000.00	8-4-3 (c)(2)	
Ashes Burial Outside Business Hours/Saturday/Sunday/Holiday	\$475.00	8-4-3 (c)(3)	
Transfer Fee	\$65.00	8-4-3 (d)(2)	
Opening Fees Infant			
Full Burial M-F (7am-3pm)	\$290.00	8-4-3 (c)(1)	
Ashes M-F (7am-3pm)	n/a	8-4-3 (c)(3)	
Full Burial Outside Business Hours/Saturday/Sunday/Holiday	\$420.00	8-4-3 (c)(1)	
Ashes Burial Outside Business Hours/Saturday/Sunday/Holiday	n/a	8-4-3 (c)(3)	
Burial of Ashes in Monument	\$60.00	8-4-8(d)	
Marker and Monument Fee	\$85/lot	8-7-3(1) and (2)	
Replacement Animal Tags/ Various Licenses			
	\$5.00	7-18-1	
Dogs/Cat (spayed or neutered)	\$14.00	7-1-3 (3)	Annual
Dogs/Cat (intact)	\$25.00	7-1-3 (3)	Annual
Dog/Cat Late Fee (per animal)	\$25.00	7-1-3 (3)	Annual
Bees	\$50.00 /original	7-22-1	
	\$20 / renewal	7-22-1	Annual
NSF			
	\$30.00	3-1-1(a)	
Administration Fee			
	\$40.00		
Public Records			
	\$.25 per page/\$5.00 per CD/actual cost of storage device (USB)	3-3-4(f)	
Title Searches			
	\$30.00 (\$25.00 Clerk & \$5.00 Water Department)		
Special Common Council Meeting			
	\$250.00	2-2-11(b)	
Tax Exempt			
	\$20.00/parcel		

Type of Fee	Fee Amount	Ordinance Reference	When Due
PARKS AND RECREATION FEES			
Building			
<u>Rowe Park</u>			
Shelter #1 (Capacity 100)			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$55.00		
Group 4	\$80.00		
Shelter #2 (Capacity 90)			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$55.00		
Group 4	\$80.00		
<u>Community Park</u>			
Park Shelter (Capacity 75)			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$55.00		
Group 4	\$80.00		
Lions Shelter (Capacity 75)			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$50.00		
Group 4	\$75.00		
<u>Glen Fox Park</u>			
Park Shelter (Capacity 75)			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$55.00		
Group 4	\$80.00		
<u>Van Riper Park</u>			
Shelter #1 (Capacity 75)			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$75.00		
Group 4	\$100.00		
Shelter #2 (Capacity 75)			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$50.00		
Group 4	\$75.00		
<u>Community Center</u>			
1/2 Day (4 hours) -Cap. 100			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$75.00		
Group 4	\$100.00		

Type of Fee	Fee Amount	Ordinance Reference	When Due
Full Day (Capacity 100)			
Group 1	N/C		
Group 2	\$50.00		
Group 3	\$125.00		
Group 4	\$175.00		
Omni Center			
Shelter 1/2 Day (Four hours) (Capacity 200)			
Group 1	\$25.00		
Group 2	\$75.00		
Group 3	\$125.00		
Group 4			
Shelter Full Day (Capacity 200)			
Group 1	N/C		
Group 2	\$50.00		
Group 3	\$100.00		
Group 4	\$175.00		
Meeting Room (Capacity 75)			
Group 1	N/C		
Group 2	Call 781-9566 x603 to book		
Group 3	Call 781-9566 x603 to book		
Group 4	Call 781-9566 x603 to book		
Banquet Hall (Capacity 250)			
Group 1	N/C		
Group 2	Call 781-9566 x603 to book		
Group 3	Call 781-9566 x603 to book		
Group 4	Call 781-9566 x603 to book		
Sports Fields (No Lights)			
Community Park			
Group 1	N/C		
Group 2	\$20.00		
Group 3	\$50.00		
Group 4	\$75.00		
Van Riper Park			
Group 1	N/C		
Group 2	\$20.00		
Group 3	\$50.00		
Group 4	\$75.00		
Sports Field (Lights)			
Community Park			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$75.00		
Group 4	\$150.00		
Van Riper Park			
Group 1	N/C		
Group 2	\$25.00		
Group 3	\$75.00		
Group 4	\$150.00		

Type of Fee	Fee Amount	Ordinance Reference	When Due
ZONING/PLANNING PERMIT FEES			
Preliminary Plat	\$200 + \$25/lot	13-9-76 (d)(1)	
Final Plat	\$150 + \$10/lot	13-9-76 (e) (1)	
Certified Survey Map	\$75 + \$10/lot	13-9-76 (a)	
Rezoning	\$300.00	13-8-9 (a) (3)	
PCID/PUD	\$700.00	13-3-4(b)	
Creation of Medical Campus District (MCD)	\$400.00	13-3-62	
Substantial Change to Medical Campus District (MCD)	\$400.00	13-3-62	
Medical Campus District (MCD) update	\$200.00	13-3-62	
Downtown Planned Unit Development (D-PUD)	\$700.00	13-3-17(b)	
Conditional Use Permit	\$250.00	13-8-9 (a) (5)	
Conditional Use-Class 1 Collocation	\$3,000.00	13-6-6(1)(E)(2)(x)	
Conditional Use-Class 2 Collocation	\$250.00	13-6-6(1)(F)(4)	
Conditional Use-Radio Broadcast/Antenna	\$250.00	13-6-6(2)(b)(2)(vi)	
Variance	\$300.00	13-8-40(a), 13-8-41(f)	
Board of Zoning			
Administrative Appeals	\$100.00		
Tax Increment Financing (TIF) Application	\$1,000.00		
Street Vacations/Right of Way Discontinuance	\$300.00		
Republication Fee*	\$100.00		
* for CUP, Rezoning/PUD, Variance, Street Vacation/ROW Discontinuance			
Zoning Verification Letters	\$24/residential \$100/commercial		
Airport Overlay Zoning District - Land Use Checklist	\$45.00		
Sign			
if under 35 square feet	\$20.00	13-6-19(c)	
if over 35 square feet	\$.60/per square foot	13-6-19(c)	
Site Plan Permit Fees			
Accessory Structure w/ disturbed areas of 1,200 s.f. or less & principle structures of 250 s.f. or less	\$75.00		
Parking Lot construction/reconstruction and/or other site improvements w/out principle structure/other projects	\$150.00		
Building/Structural additions-disturbed are of 1,201 s.f. or more for accessory and 251 s.f. or more for principle structure additions	\$250.00		
New Construction (including Class 1 Telecommunication Tower Construction)	\$350.00		
Impact Fees			
Green Fee	\$638.47/acre		
Park Fee/Unit	\$922.21/unit		
Park Fee/Unit w/Land	\$448.52/unit		
Topography Map	\$10/acre	13-9-76 (b)	
Stormwater Permit Application Fees			
Residential			
<1 acre of disturbance	\$75.00	15-2-8; 15-2-6(c)	
>1 acre of disturbance	\$150.00	15-2-8; 15-2-6(c)	
Commercial			
<1 acre of disturbance	\$100.00	15-2-8; 15-2-6(c)	
>1 acre of disturbance	\$200.00	15-2-8; 15-2-6(c)	
Subdivision/Condo Plat			
<10 acres	\$200.00	15-2-8; 15-2-6(c)	
>10 acres	\$400.00	15-2-8; 15-2-6(c)	
Permit Fees will double if work is commenced before permit is issued			

Type of Fee	Fee Amount	Ordinance Reference	When Due
Erosion Control Permit Application Fees			
<1 acre of disturbance	\$75.00	15-2-8; 15-2-6(c) 15-1-15(a)	
>1 acre of disturbance	\$150.00	15-1-15(a)	
Commercial			
<1 acre of disturbance	\$100.00	15-1-15(b)	
>1 acre of disturbance	\$200.00	15-1-15(b)	
Subdivision/Condo Plat			
<10 acres	\$200.00	15-2-8; 15-2-6(c)	
>10 acres	\$400.00	15-2-8; 15-2-6(c)	
Permit Fees will double if work is commenced before permit is issued			
Fill/Excavation Permit Application Fees			
<1 acre of disturbance	\$75.00		
>1 acre of disturbance	\$150.00		
Commercial			
<1 acre of disturbance	\$100.00		
>1 acre of disturbance	\$200.00		
Subdivision/Condo Plat			
<10 acres	\$200.00		
>10 acres	\$400.00		
Permit Fees will double if work is commenced before permit is issued			
Building Inspection:			
Residential Permit Fees			
State Application Processing - 1 or 2 family residence (new construction)	\$250.00	administrative fee	
Building, adding, altering and replacing accessory structures (includes porches, decks and egress windows)	\$0.25/square feet of all area (\$50.00 minimum fee)	15-1-15 (a)	
Swimming Pools (over 15 feet in diameter)	\$100.00	15-1-15(a)	
Razing/Demolition (over 200 square feet)	\$50.00 (accessory structures) \$100.00 (residences)	15-1-15(a)	
Residential Moving	\$100.00	15-1-15(a)	
Residential Certificate of Completion	\$25.00	15-1-15(a)	
Residential Zoning Permit (Plan Review)	\$50.00	15-1-15(a)	
Residential Roofing (over 200 square feet)	\$50.00	15-1-15(a)	
Reinspection Fee	\$50.00	15-1-15(a)	
Permit Fees will double if work is commenced before permit is issued			

City of Onalaska

Type of Fee	Fee Amount	Ordinance Reference	When Due
Commercial Permit Fees			
Commercial Permission to Start (Limited to Footing, Foundation and Excavation)	\$100.00	15-1-15(b)	
Commercial (Non warehouse) and Multi Family Structures	\$0.40/square feet for first 15,000 square feet, add \$0.20 additional square feet (\$100 minimum and \$40,000 max)	15-1-15(b)	
Remodeling and Build-outs	\$0.40/square feet for first 15,000 square feet, add \$0.15 additional square feet (\$100 minimum and \$40,000 max)	15-1-15(b)	
Commercial City Construction State Plan Review	Building Plans HVAC Plans Fire Alarm System Fire Suppression	15-1-15(b)	
Area (Square Feet)			
Less than 2,500	\$250.00 \$150.00 \$90.00 \$30.00		
2,500-5,000	\$300.00 \$200.00 \$60.00 \$60.00		
5,001 - 10,000	\$500.00 \$300.00 \$100.00		
10,001 - 20,000	\$700.00 \$400.00 \$150.00		
20,001 - 30,000	\$1,100.00 \$500.00 \$200.00		
30,001 - 40,000	\$1,400.00 \$800.00 \$350.00		
40,001 - 50,000	\$1,900.00 \$1,100.00 \$500.00		
50,001 - 75,000	\$2,600.00 \$1,400.00 \$700.00		
75,001 - 100,000	\$3,300.00 \$2,000.00 \$1,000.00 \$1,000.00		
	(new or addition less than 50,000 ft ² or alterations less than 100,000 ft ²)		
Commercial Warehouse Structure	\$0.25/sq. ft. for first 15,000 sq. ft. and \$0.15 per additional sq. ft. (\$40,000 Max. \$100 Min.)	15-1-15(b)	
Commercial Wrecking	\$100.00	15-1-15(b)	
Commercial Moving	\$100.00	15-1-15(b)	
Commercial Certificate of Completion	\$50.00	15-1-15(b)	
Multi-Family Certificate of Completion	\$50.00 + \$5.00/unit	15-1-15(b)	
Commercial Roofing over 1,000 square feet	\$100.00	15-1-15(b)	
Commercial Miscellaneous (misc. interior and exterior modifications)	\$100.00	15-1-15(b)	
Class 1 Collocation	\$600.00		
Class 2 Collocation /Radio Broadcasting	\$250.00		
Re-Inspection Fee	\$50.00		
Electrical/Low Voltage Permit Fees:			
Commercial Permit Fees: New Construction, Remodels and Additions Fees: (minimum fee for all commercial - added to additional permits)			
Commercial (Non-warehouse) and Multi Family Structures	\$50.00	15-1-73 (2) (a)	
Warehouse Structures	\$0.09 per square foot	15-1-73 (2) (a)	
200 AMP Meter	\$45.00	15-1-73 (2) (a)	
320 & 400 AMP Meter	\$60.00	15-1-73 (2) (a)	
600 AMP Meter	\$80.00	15-1-73 (2) (a)	
800 AMP Meter	\$100.00	15-1-73 (2) (a)	
1000 + AMP Meter	\$125.00	15-1-73 (2) (a)	
Additional Meters	\$4.00 per additional meter	15-1-73 (2) (a)	
Miscellaneous Work not addressed above (includes 1 inspection)	\$50.00	15-1-73 (2) (a)	
Residential Permit Fees: (minimum fee for all residential - added to additional permits)	\$50.00	15-1-73 (2) (a) (a)	
Service Upgrades	\$55.00	15-1-73 (2) (a) (b)	
Residential Construction, Remodels and Addition Fees	\$0.05 per square foot		
Miscellaneous Work not addressed above (includes 1 inspection)	\$50.00		
Re-Inspection or Additional Inspection Fee	\$50.00		

Permit Fees will double if work is commenced before permit is issued

City of Onalaska

Type of Fee	Fee Amount	Ordinance Reference	When Due
HVAC Permit Fees:			
	Based on Project Value (including time and materials)		
\$0 - \$2,000 (total cost)	\$45.00	15-1-57 (a)	
\$2,001 - \$3,000	\$50.00	15-1-57 (a)	
\$3,001 - \$4,000	\$60.00	15-1-57 (a)	
\$4,001 - \$5,000	\$70.00	15-1-57 (a)	
\$5,001 - \$6,000	\$80.00	15-1-57 (a)	
\$6,001 - \$7,000	\$90.00	15-1-57 (a)	
\$7,001 - \$8,000	\$100.00	15-1-57 (a)	
\$8,001 - \$9,000	\$110.00	15-1-57 (a)	
\$9,001 - \$10,000	\$120.00	15-1-57 (a)	
>\$10,000	\$120 add \$2.50/additional \$1,000 or part thereof	15-1-57 (a)	
Re-Inspection Fee	\$50.00		
Permit Fees will double if work is commenced before permit is issued			
Plumbing Permit Fees			
	Based on Project Value (including time and materials):		
\$0 - \$2,000 (total cost)	\$45.00	15-1-35 (b)	
\$2,001 - \$3,000	\$60.00	15-1-35 (b)	
\$3,001 - \$4,000	\$75.00	15-1-35 (b)	
\$4,001 - \$5,000	\$90.00	15-1-35 (b)	
\$5,001 - \$6,000	\$105.00	15-1-35 (d)	
\$6,001 - \$7,000	\$120.00	15-1-35 (e)	
\$7,001 - \$8,000	\$135.00	15-1-35 (f)	
\$8,001 - \$9,000	\$150.00	15-1-35 (g)	
\$9,001 - \$10,000	\$165.00	9-1-50(d)(4)	
\$10,001 - \$50,000	\$175 for first \$10,000 & add \$4 for each additional \$1,000 or part thereof	15-1-35 (h)	
>\$50,000	\$350 for each \$50,000 plus \$3.50 for each additional \$1,000 or part thereof	15-1-35 (i)	
Sewer Connection	\$30.00		
Sewer Relay	\$30.00		
Water Connection	\$30.00		
Water Relay	\$30.00		
New Well Permit	\$5,000.00		
Well Permits	\$25.00		
Lift Station/Sanitary Sewer Service Fees in Certain Areas**		In addition to the foregoing there shall be a connection charge for certain areas - See Engineering Department for fee information	** Based on CPIU Midwest
Re-Inspection Fee	\$50.00	District CPI on 1/1 of each year	
Permit Fees will double if work is commenced before permit is issued			
		15-1-35 (k)	

Type of Fee	Fee Amount	Ordinance Reference	When Due
ENGINEERING/PUBLIC WORKS DEPARTMENT FEES			
REFUSE/RECYCLING			
Cart Size Change - Garbage	\$50.00		
Cart Size Change - Recycling	\$50.00		
Additional Container- Garbage	\$70.00	8-3-5(d)	
Additional Container - Recycling	\$30.00	8-3-5(d)	
Cart Replacement (lost, damaged, destroyed)	\$85.00	8-3-5(e)	
YARD WASTE			
Yard Waste Sticker	\$20.00		
Miscellaneous Permit Fees			
Sidewalk	\$15/stretch	6-2-2 (d) (1)	
Street Opening	\$25.00 + actual fees (with Public Works Permission	6-2-3 (f) (2)	
Street Opening Renewal	\$25.00	6-2-3(e)	
Driveway Approaches	\$20/opening	6-2-4	
Street Privelege	\$25.00 + actual City costs	38870	
Dumpster	\$25.00	6-2-7 (c)	
Miscellaneous Inspection Fees			
Long Grass Abatement	Contractor Cost + Administrative Fee	8-1-7(e)(3)	
Snow Removal	Greater of \$75/side or Actual Cost + Administrative Fee	6-2-8(b)(2)	
Printing Fees			
Black and White Copies/Prints			
8 1/2 x 11 - Letter Size	\$0.25		
8 1/2 x 14 - Legal Size	\$0.50		
11 x 17 Ledger Size	\$0.50		
17 x 22 -Arch C	\$3.00		
22 x 34 -Arch D	\$5.00		
34 x 44 - E size, up to Arch E	\$6.00		
Small Street Maps	\$2.00		
Large Street Maps	\$10.00		
Color Copies/Prints			
8 1/2 x 11 - Letter Size	\$1.00		
8 1/2 x 14 - Legal Size	\$1.00		
11 x 17 Ledger Size	\$2.00		
17 x 22 -Arch C	\$9.00		
22 x 34 -Arch D	\$12.00		
34 x 44 - E size, up to Arch E	\$15.00		
Aerial Photo & Full Color Maps-Copies or Prints			
8 1/2 x 11 - Letter Size	\$1.00		
8 1/2 x 14 - Legal Size	\$1.00		
11 x 17 - Ledger Size	\$2.00		
17 x 22 - Arch C	\$15.00		
22 x 34 - Arch D	\$20.00		
34 x 44 - E size, up to Arch E	\$30.00		
Small Zoning Maps (color only)	\$10.00		
Large Zoning Maps (color only)	\$15.00		
Query/Service Products			
Products that require the creation of an original document by a staff person involving compute time, calculations and/or data retrieval			
Black and White			
8 1/2 x 11 - Letter Size	\$1.00		
8 1/2 x 14 - Legal Size	\$1.00		
11 x 17 Ledger Size	\$2.00		
17 x 22 -Arch C	\$15.00		
22x34-Arch D	\$17.00		
34x44 -E size up to Arch E	\$19.00		

City of Onalaska

Type of Fee	Fee Amount	Ordinance Reference	When Due
Color Prints			
8 1/2 x 11 - Letter Size	\$2.00		
8 1/2 x 14 - Legal Size	\$2.00		
11 x 17 Ledger Size	\$4.00		
17 x 22 -Arch C	\$18.00		
22x34-Arch D	\$21.00		
34x44 -E size up to Arch E	\$24.00		
Aerial Photo & Full Color Maps-Prints			
8 1/2 x 11 - Letter Size	\$2.00		
8 1/2 x 14 - Legal Size	\$2.00		
11 x 17 Ledger Size	\$4.00		
17 x 22 -Arch C	\$24.00		
22x34-Arch D	\$29.00		
34x44 -E size up to Arch E	\$39.00		
Misc.			
Mailing Labels	\$1.00 per page		
Faxes	.25 per page		



CITY OF ONALASKA

415 Main Street • Onalaska, WI 54650-2953 • (608) 781-9530 fax (608) 781-9534 • www.cityofonalaska.com

SPECIAL EVENT PERMIT APPLICATION GENERAL EVENT INFORMATION

Official Name of Special Event: Sole Burner - Coulee Region

Start Date: April 28, 2018

End Date: April 28, 2018

	MON	TUES	WED	THURS	FRI	SAT	SUN
Setup							6:00am
Start							8:00am
End							1:00pm
Cleanup							2:00pm

Location of Event: Park/Public Property _____
 Public Street/Sidewalk/Alley/Right of Way _____
 Private Property 2700 Midwest Dr. Onalaska
 Other _____

Please List Streets (and include map) That May be Closed or Otherwise Affected by the Event:

Midwest Drive, Theater Rd., Rudy St., Braund, PH, Sycamore, Gilster, Mayfair Court Rd., Court Rd.

Location of Event Parking: Available at UHC and area businesses that are closed on Sundays

Estimated Attendance Per Day:

0-299 300-499 500-999 1,000-4999 5,000+

Estimated Attendance Entire Event:

0-299 300-499 500-999 1,000-4999 5,000+

Number of Booths:

0-24 25-49 50-74 75-100 100+

Advertising Will Consist of:

- Pre-event advertising through yard or other signs
- Temporary directional / other signage during the event (no more than 24 hrs in advance)
- Promotional Brochure / Flyer – copy must be provided with application

Type of Event:

- Festival / Music Concert
- Rally / Memorial
- Parade
- Run / Walk Greater than 5K
- Public Assembly
(For political purposes)
- Other _____
- Religious / Educational
- Street / Block Party
- Fun Run / Walk A Thon
- March Utilizing Public Property
- Sport (fishing, soccer, etc.)

Event Will Have:

- Bounce House
- Rock Wall
- Amplified Sound
- Vehicles
- Animals
- Other high-risk activity _____
- Bungee Jump
- Dunk Tank
- Marching Units
- Water Slides

Permit & Other Requirements:

<input type="checkbox"/> Alcohol will be served, sold, raffled, etc.	Class B Permit
<input type="checkbox"/> Food & Non Alcoholic Beverages	Health Permit
<input checked="" type="checkbox"/> Non-Food related sales and/or display booths	
<input checked="" type="checkbox"/> Tent and/or canopy	Fire Dept. Planning / Inspection Diggers Hotline must be contacted minimum of 3 days before digging
<input type="checkbox"/> Large Generator(s) requiring a separate Electric panel box to be wired off of it	Inspections permit
<input type="checkbox"/> Fires or candles	Fire Dept.
<input type="checkbox"/> Fireworks	Fire Dept.
<input type="checkbox"/> Activities in park outside normal operating hours	Waiver required by City Council
<input checked="" type="checkbox"/> Barricades / Detours (city streets, roads, etc.)	Approval by Police & Public Works
<input type="checkbox"/> State Hwy Closures	DOT permit required - organizer contracts with private company to install
<input type="checkbox"/> Cooking Equipment	Fire Dept.
<input type="checkbox"/> Solid Waste & Recycling	Disposal Containers & Haul Away

Arrangements Have Been Made For:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Restrooms & Hand Washing | <input type="checkbox"/> Tent Heating |
| <input checked="" type="checkbox"/> Event Insurance | <input checked="" type="checkbox"/> Public Safety / EMS Services |
| <input checked="" type="checkbox"/> Fire Extinguishers | <input checked="" type="checkbox"/> Advertising Banners/ / Signs |
| <input checked="" type="checkbox"/> Drinking Water | <input type="checkbox"/> Grey Water & Grease Removal |
| <input checked="" type="checkbox"/> Weather Contingencies | <input type="checkbox"/> LP Gas |

In the Event of Severe Weather:

Open and Available Shelter Locations Will Include:

United Healthcare building will be open to all participants and volunteers in the case of severe weather or emergency.

Identify Who Will Cancel the Event if Necessary: (name, title, phone number, and e-mail)

Alex Deshler ; Community Development Manager ; 608-792-8312 ; alex.deshler@cancer.org

Public Safety Site Plan:

Attach a schematic drawing of the event site location. The drawing must be legible and drawn to scale. The public safety plan must include the following items if they will be provided, or if they are required.

• Booths, stages and event structures
• First Aid Station(s)
• Information / Ticket Booths
• Fences
• Tents
• Boundaries of the Event
• Exits & Gates (gates must be numbered)
• Fire Extinguishers
• Severe Weather Shelters
• Fire / EMS access Road

• Security Staff
•
• Emergency Contact Event Personnel
• Assembly Area & Approximate Occupant Amounts
• Event Parking
• Barricades
• Generators
• Temporary Roadways
• Signed detour route per MUTCD

Provide any additional information the City should consider or may be relevant to a review of this application.

Organization(s) Sponsoring Event:

Name: United HealthCare
Address: 2700 Midwest Dr. Onalaska
City: Onalaska State WI Zip 54650

Check this box if this organization is tax exempt and provide proof with this application and include a copy of your organization's WI Sales and Use Tax Exempt Certificate.

Check this box to send invoices to this organization.

Name: American Cancer Society
Address: 1285 Rudy St. Ste. 103
City: Onalaska State WI Zip 54650

Check this box if this organization is tax exempt and provide proof with this application and include a copy of your organization's WI Sales and Use Tax Exempt Certificate.

Check this box to send invoices to this organization.

CONTACT INFORMATION

****Primary and/or Secondary Contacts Must Be Onsite at All Times of the Event****

Primary Contact: Alex Deshler
Daytime Phone: 608-783-5001 x102 Cell #: 608-792-8312
Email: alex.deshler@cancer.org
Address: 1285 Rudy St. Ste. 103
City: Onalaska State WI Zip 54650

Secondary Contact: Shelly Lafky
Daytime Phone: 608-783-5001 x100 Cell #: _____
Email: shelly.lafky@cancer.org
Address: 1285 Rudy St. Ste. 103
City: Onalaska State WI Zip 54650

EMERGENCY CONTACT INFORMATION

The public will be notified of a safety and/or security issue(s) in the following manner:

- Contacting Local Police and Fire Services
- Local Radio Station
- Other Posted online - on the website and on social media
- Onsite PA System
- Word of Mouth

If a Private Security Firm has Been Contracted, List Their Information Below:

Security Provider: _____

Contact Person: _____ Phone Number: _____

Location of Provider at Event Site: _____

Location of Missing Persons Station: _____

EVENTS PERMIT FEE SCHEDULE

Permit fees shall be based upon the anticipated number of participants expected to attend the listed event, as determined by the City Clerk, and based upon the following fees. Permit fee is due when the application is submitted. Permit fee is nonrefundable if event is cancelled. If event is rescheduled for a date within 6-months, the permit fee would apply to the rescheduled date; if the event is rescheduled for a date later than 6-months of the original event date the permit fee is nonrefundable.

<u>PERMITTYPE</u>	<u>PERMIT FEE</u>
PARADES	\$0
SPECIAL EVENT	0 – 299 Participants = \$0 300 – 499 Participants* = \$250.00 500 – 999 Participants* = \$350.00 Over 1,000 Participants* = \$500.00 Events two (2) or more days: = \$100.00**

*Please invoice us for this!
Thanks ☺
-Alex

*Attendance shall be based on the highest attendance over the last two years of the event. New events with no prior participation shall automatically fall under subsection (c) 300 to 499 people unless event organizers anticipate 1,000 or more people in attendance.

**Multi day events (e) shall be in addition to the fee based on the number of attendees.

If the Event Takes Place on City Property (Parks, City Streets, or Other City Owned Facilities) in Whole or In Part:

I have reviewed the proposed location for the event and determined suitability for our proposed use.

There are no requested changes, upgrades or safety concerns identified
OR

I am requesting the following changes or upgrades:

I understand and acknowledge that it is the event organizer's responsibility to inspect the area the event is to take place and notify the City's Inspection Department (608.781.9541) of any safety concerns.

I have reviewed and have considered the Contingency Plan information provided by the City of Onalaska along with this application.

I have reviewed and understand the City's Insurance Requirements for Special Events as described in this document.

I have enclosed the event's Public Safety Site Plan.

I have enclosed other information that we believe is necessary or helpful to describe the planned event.

SIGNATURE

I am allowed to sign this application on behalf of the event sponsor. The information contained in this application for a Special Event permit is true, correct, and complete to the best of my knowledge. If there are any changes to the Special Event, I agree that I will promptly notify the City of Onalaska of these changes and request approval of them.

Alex Deshler

(Sign Name)

10/11/18

(Date)

Alex Deshler

(Print Name)

Community Development Manager; ACS

(Print Title with Organization)

Return Completed Applications To:

Cari Burmaster, City Clerk

415 Main Street, Onalaska, WI 54650

(W) 608.781.9530 (F) 608.781.9534 cburmaster@cityofonalaska.com



CITY OF ONALASKA
INDEMNIFICATION, HOLD HARMLESS and REIMBURSEMENT AGREEMENT
(to be returned to City Clerk with Application Packet)

Special Event Name: Sole Burner - Coulee Region

Special Event Location: 2700 Midwest Dr. Onalaska, WI 54650

Event Organizer(s):
Alex Deshler ; American Cancer Society

The Event Organizer(s) (individually and collectively referred to as "Organizer") agree that said Organizer, not the City of Onalaska ("City"), shall be solely responsible for all incidents related to the Special Event, as named above. This responsibility of the Organizer to the City includes but is not limited to actions of the Organizer, its officers, employees, agents, and volunteers, along with event vendors, contractors, subcontractors, participants and visitors.

In consideration for the City's approval of the Special Event, except to the extent such claims arise from the negligence or misconduct of the City, the Organizer of the Special Event agrees to indemnify and hold harmless the City of Onalaska and its officers, council members, agents, employees and authorized volunteers, from, for, and against and agrees to defend the same from and against, any and all suits, claims, grievances, damages, costs, expenses, judgments and/or liabilities, including costs of defense and reasonable attorney fees, and further agrees to pay any settlement entered into or on behalf of, judgment entered against, the foregoing individuals and/or entities. The Organizer shall reimburse the City for costs incurred due to extraordinary damage to City property during the Special Event held by Organizer. Extraordinary damage shall be defined as damage to a City park or other City property in excess of normal wear and tear and which required repair in excess of routine maintenance. Request for Reimbursement for Extraordinary Damage shall be provided to the Organizer in the form of a detailed written accounting of the Extraordinary Damages and their repair cost as evidenced by written receipts or estimates. The accounting shall be submitted via first class mail, return receipt requested to the address Organizer provides on the Special Events Application. The Organizer shall remit payment no later than thirty (30) days from receipt of the accounting.

The Organizer shall abide by the City's insurance requirements for the event, including the addition of the City of Onalaska, and its officers, council members, agents, employees, and authorized volunteers as additional insured's for the event.

One or more waivers by either party of any provisions, terms or conditions of this Agreement shall not be construed by either party as a waiver of a subsequent breach of the same by the other party.

In the event any provisions of this Agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding on the parties.

This Agreement shall be governed and construed in accordance with the laws of the State of Wisconsin.

This Agreement constitutes the entire Indemnification, Hold Harmless and Reimbursement Agreement between the parties and any change, amendment or modification must be made in writing and executed by both parties.

The individual(s) signing this Agreement has the authority to enter into this Agreement on behalf of the Organizer of the Special Event and have read and understand the Agreement.

EVENT ORGANIZER

CITY OF ONALASKA

10/11/18
(date)

(date)

Alex Deshler
(signature)

City Clerk

Alex Deshler Organizer
(print name) (title)

. Mayor

(signature)

(print name) (title)

SPECIAL EVENT CONTINGENCY PLAN For Review Only

Event sponsors should review and consider the following issues when they are planning or preparing for an event. Many of these issues are required by one or more regulations, or are components of larger regulations. Considering other issues which may not be required should contribute to the planning and operation of the event. Developing responses to these questions should result in more productive and fruitful discussions with the various departments with the City during their review of the Special Events Application.

Weather related issues: rain, snow, severe storms, tornadoes, etc.

If the weather forecast includes bad weather, will the event be cancelled? If so, how will attendees be notified?

Develop a plan for the sudden onset of severe weather. Where will the people go and who is designated to assist in their safe arrival at the safe refuge place?

Is there an area of safe refuge in case of tornado?

Medical issues

Where will ambulance access to the event be in case one is needed? Who will conduct crowd control in the event of a medical emergency?

Will a first aid station, with trained first aid provider, be provided at the event? Where?

If applicable, is there adequate shade to prevent heat stroke? Will water be provided? Where?

Crowd Control

Who will monitor the barricades?

Who will work the entry gates? Maintain egress and access?

Who will patrol the area to prevent incidents from getting out of control?

Develop a plan for those patrolling the crowd of what to do if they encounter unruly behavior. Have communication equipment.

Security

Will there be Police Officers providing security? If so, contact the Police Department for applicable requirements or guidelines relating to the number necessary.

If volunteers or private agencies provide security, will they have appropriate phone numbers for EMS, Fire, and Police?

If applicable, what will security officials do if non-paying attendees breach the gate/perimeter? If a complaint is received, for example, for loud music, how and who will handle the complaint? Provide communications equipment. Portable radios, cell phones, and access to land lines.

If applicable, secure monies in an area not accessible to the attendees.

Logistics

Where will there be, or will there be, a staging area for support staff? What time will the crowd be disbursed and by whom?

Who will conduct clean up?

Remember to maintain fire lanes and access roads.

Appoint one person to oversee and take responsibility for the event. Who? Will an adequate amount of restroom facilities be provided? Where?

Is there adequate safe parking provided? Where?



CITY OF ONALASKA
Special Event Insurance Requirements.

(a) The applicant shall provide primary coverage insurance for the event. Any insurance or self-insurance maintained by the City of Onalaska, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. The applicant shall, no later than five (5) days prior to the start of the event, provide proof of insurance as follows:

1. General Liability Coverage. Coverage shall be occurrence coverage. Claims-made coverage is prohibited.

a. Commercial General Liability.

- (i) \$1,000,000 general aggregate – per event;
- (ii) \$1,000,000 products – completed operations aggregate;
- (iii) \$1,000,000 personal injury and advertising injury;
- (iv) \$1,000,000 each occurrence limit.

b. Insurance must include:

- (i) Premises and operations liability;
- (ii) Contractual liability, including coverage for the joint negligence of the City of Onalaska, its officers, council members, agents, employees, authorized volunteers and the named insured;
- (iii) Personal injury;
- (iv) Explosion, collapse and underground coverage;
- (v) Products and completed operations;
- (vi) The general aggregate must apply separately to the event and location.

2. Business Automobile Coverage. Such coverage is required if motor vehicles are used in relation to and before, during or after the event. This requirement does not apply to cover personal vehicles used by attendees or event personnel to arrive or depart from the event. Coverage limits shall be no less than \$250,000 each person, \$500,000 each accident for bodily injury, \$100,000 for property damage or \$500,000 combined single limit for bodily injury and property damage each accident.

3. Worker's Compensation and Employers Liability. Proof of such coverage shall be required consistent with Wis. Stats. Chap. 102 or any applicable Worker's Compensation Statutes of a different state. Coverage limits shall be no less than \$100,000 each accident, \$500,000 disease policy limit and \$100,000 disease per employee.
4. Liquor Liability. If the event holder sells alcoholic beverages, liquor liability insurance with coverage limits of no less than \$500,000 each occurrence and \$500,000 aggregate.
5. Fireworks Liability. If the event includes a firework display, then the event holder shall carry an additional \$1,000,000 in coverage.

- (b) All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the cleanup period after the event.
- (c) The City of Onalaska, and its officers, council members, agents, employees, and authorized volunteers shall be additional insureds on general liability, business automobile and liquor liability policies. The additional insured policy endorsement must accompany the certificate of insurance.
- (d) All policies shall require 30 day written notice to the City of Onalaska of cancellation, non-renewal or material change in the insurance coverage.
- (e) Insurance must be provided by an insurances carrier with the "Best" rating of "A-VII" or better. All carriers shall be admitted carriers in the State of Wisconsin.
- (f) All insurance must be primary and non-contributory to any insurance or self-insurance carried by the City of Onalaska.

FOR OFFICE USE ONLY

City Clerk	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <u>need COI</u>	Date: <u>10-23-17</u>
Fire Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: <u>10-23-18</u>
Police Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <u>work w/ Sgt. Kelly on Traffic Control</u>	Date: <u>10-26-18</u> (all)
Public Works	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <u>COORDINATE BARRICADES WITH P.W.</u>	Date: <u>10-29-18</u>
Planning	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <u>If temporary signage is used, obtain permit.</u>	Date: <u>10/29/18</u> (all)
Parks & Rec	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: <u>10/29/18</u>
Site Diagram Sketch Attached:	<input type="checkbox"/> YES	<input type="checkbox"/> NO		Date: _____

GIS Dept. Map Prepared: ____/____/____

Insurance Required: YES NO Certificate of Insurance on File: YES NO COI Expires: ____/____/____

Special Class B License Required: YES NO Date of Special Class B Application: ____/____/____

Approved By A&J: ____/____/____ Date License Issued: ____/____/____

License No: _____

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

The City of Onalaska, and its officers, council members, agents, employees, and authorized volunteers
415 Main Street
Onalaska, WI 54650-2953

RE: COIR00008702; Soleburner of the Coulee Region; United Healthcare; Event Date: April 28, 2019

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- 1. In the performance of your ongoing operations; or
- 2. In connection with your premises owned by or rented to you.

However:

- 1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- 2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

- 1. Required by the contract or agreement; or
 - 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

November 5, 2018

City of Onalaska
Office of City Clerk
Cari Burmaster
415 Main Street
Onalaska, WI 54650

Re: Festival Foods Onalaska – 1260 Crossing Meadows Drive
Change of Premises for Alcohol Beverage License

Dear Onalaska City Council,

Festival Foods is launching an online grocery pickup service in select stores in Wisconsin. Customers using this service will be able to place an order online and provide a credit card to hold the order. The customer will then come to the local Festival store to complete the payment and pick up the order.

Festival Foods is seeking to amend the premises description on its current license to include the pickup location as follows:

One story 91,733 sq. ft., with separate wine and spirits entrance, storage and checkout, including designated stalls in parking lot for online grocery pickup.

We have attached a site map and floor plan for the store showing the location of the dedicated parking spaces. We have also included a copy of our Click N Go Procedure.

We are aware that this change will require approval and request that this proposed amendment be considered at the next available meeting. Please let me know the date our request can be heard as we will have a representative present to answer any questions.

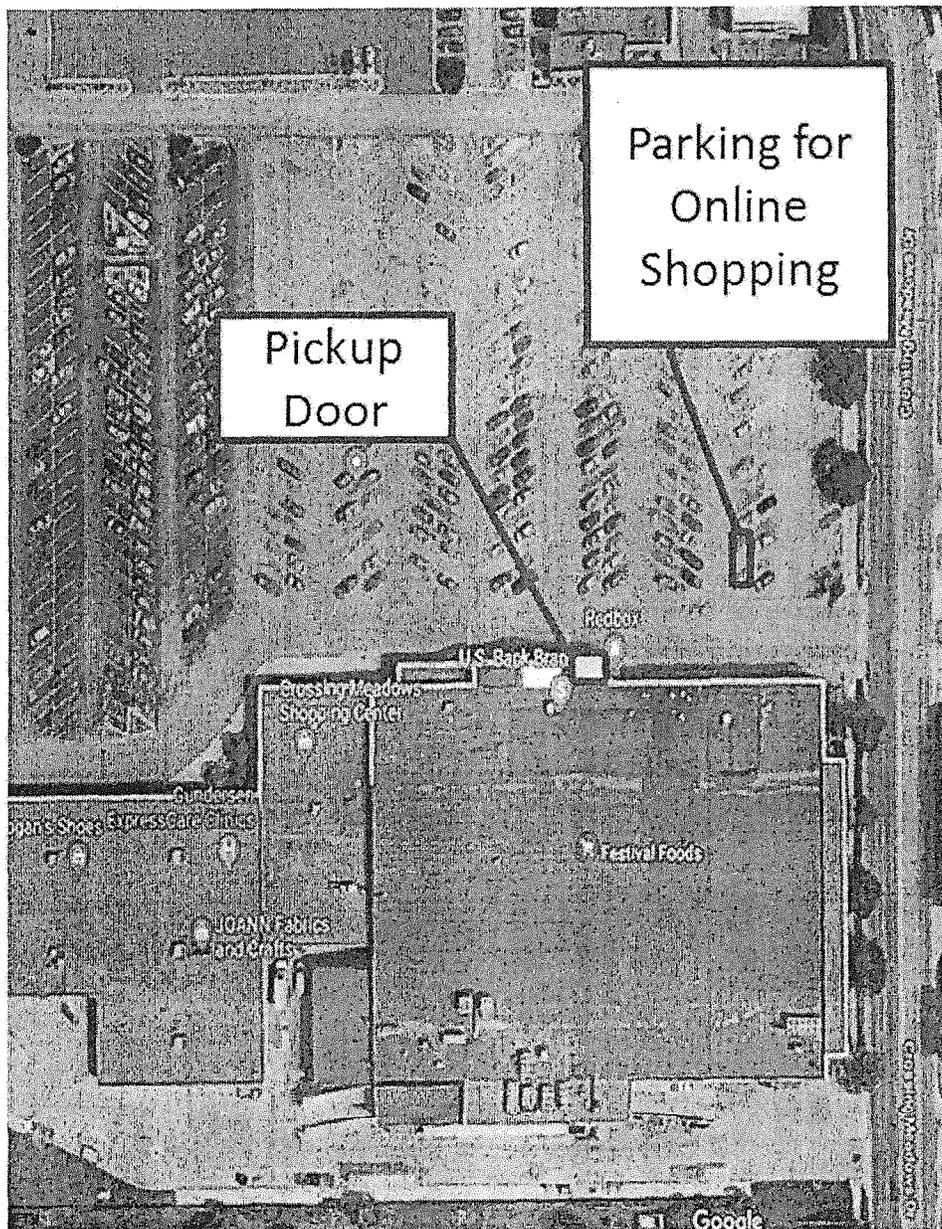
Please let me know if you have questions or require additional information.

Sincerely,

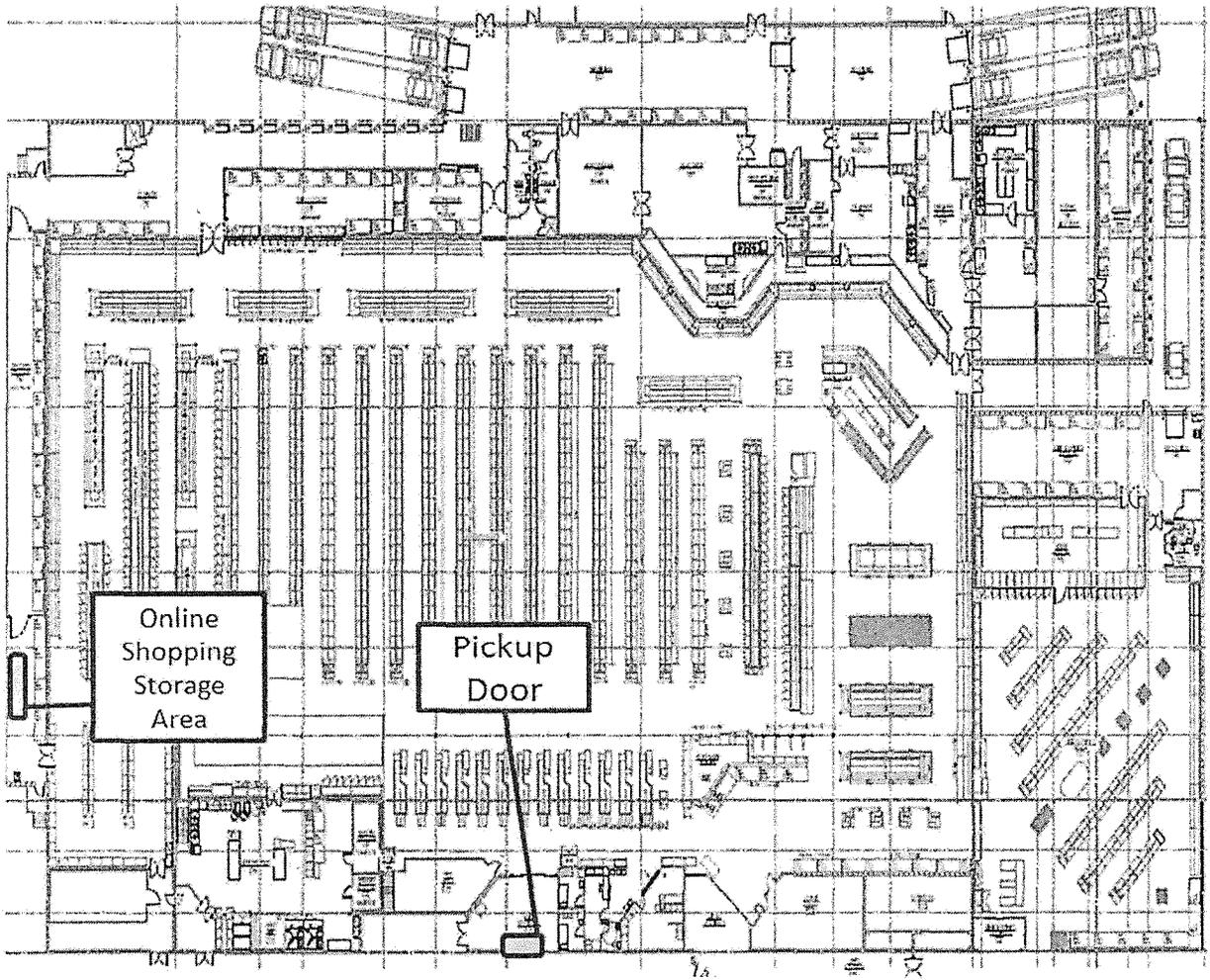
Tamra Thomson
Staff Accountant 1
Skogen's Festival Foods
3800 Emerald Drive East
Onalaska, WI 54650
608-779-2723
tthomson@festfoods.com
www.festfoods.com



Festival Foods Onalaska Online Grocery Pickup (Click N Go)



Festival Foods Onalaska Online Grocery Pickup (Click N Go)



Compliance & Ethics

Online Grocery Pickup (Click N Go)

Procedure Guide

Placing Order

- Customer visits festfoods.com and creates an account by providing applicable information such as phone #, zip code, email address, etc.
- The customer will be able to select the store of their choice from our 31 options currently in Wisconsin. Not all locations are providing this service at this time.
- Customer will be able to shop for goods at their desired location.
- Customer will be able to select a pick up timeframe no less than four (4) hours from the time of placing the order.
- No orders containing alcohol will be accepted after 3:00 p.m. for same day pick up.
- Customer completes the order by supplying their credit card information.
- Festival Foods authorizes and holds the card information, but funds are not transferred from the card.

The screenshots illustrate the following steps in the online grocery pickup process:

- Store Selection:** The user selects a store (SHEBOYGAN) from a list of 31 options. The page shows a map, store hours, and services available.
- Shopping Cart:** The user adds items to their cart. The cart shows items like 'Banana' and 'Apple' with their respective prices and quantities. The total is \$10.00.
- Checkout:** The user proceeds to checkout. The 'Payment Method' dropdown menu is open, showing 'Credit Card' as the selected option.
- Payment Method:** The user selects 'Credit Card' as the payment method. The page shows the card number, expiration date, and the 'Place Order' button.

- Credit Card is the only form of Payment for Click N Go.
- There will be a \$5 or 10% of total hold on your credit card until the order is completed.
- After completed select "Place Order"

Checkout Summary

Item Total:	\$1.00
Fee (10 Fee):	\$0.00
Provisional Hold:	(\$4.95)
Tax:	\$0.00
*Estimated Total:	\$1.00

*Sales tax included

Place Order

Cancel

Back

Next

Done

Close

- Where allowed by state and local law, customers can include alcoholic beverage products in their online grocery order through festfoods.com
- Orders containing alcohol will be flagged with notification explaining the restrictions around purchasing this product.
- The following verbiage will be included on all orders during checkout.

GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.

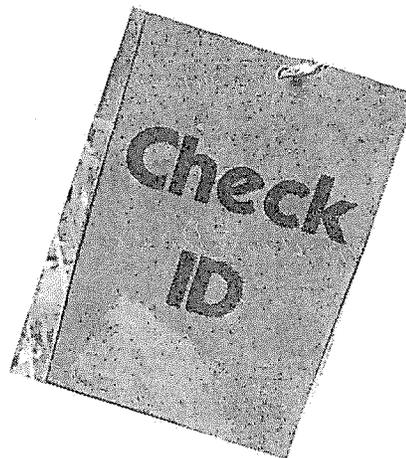
Sale of alcohol to minors is prohibited.

At pickup, you must show a valid photo ID confirming that you are age 21 or over. Accepted forms of ID are: Driver's License, State-issued Identification Card, U.S. Passport, Military ID Card, or Tribal ID in specific states, or other similar government issued ID's that are recognized within the state. No discounts, coupons, or tax-exempt sales may be applied to alcohol.



Picking/Staging

- On the day a customer is scheduled to pick up an order, a Festival Foods associate, identified as an "Online Shopper", will "shop" for the customer order in the store.
- All shopping is completed on the pickup day to ensure the customer receives the freshest products.
- If a customer's order contains alcohol product, it will be flagged with a "Check ID" sign so that the Online Shopper knows to card the guest at time of pickup.



- This sign will enable our online shoppers to clearly identify items that are subject to additional regulatory restrictions.
- All picked orders are kept in a secure backroom staging area, not open to the public, and only where Festival Foods employees are permitted to enter.

Customer Pickup: Order Review

- Online Grocery Pickup (Click N Go) is currently offered between 10am-7pm, 7 days a week (except holidays or other store closures).
- When the customer arrives they will park in a clearly defined parking stall within 150 ft. of the pickup door. They will then notify our online shopper of their arrival by calling or texting their name to our online shopper cell phone.
- Only online shoppers meeting the age requirements within the regulatory jurisdiction are allowed to handle and/or dispense orders with alcoholic beverage products.
- If alcohol is not allowed to be sold at the time of dispense, the associate will not complete the transaction. The item will be removed from the transaction and the physical product will be removed from the cart.
- Licensed operator must verify that the person placing the order is the same person picking the order up. Sale is only to be made by licensed operator.
- If the customer who placed the order is not the person driving the pick-up vehicle, the licensed operator will verify the driver is over 21 by verifying a photo ID. If the driver is not over 21 years of age, the item will be removed from the transaction and the physical product will be removed from the cart.
- If the person picking up the order containing alcoholic beverages is intoxicated, a manager will be called to the pick-up location to determine the sobriety for purposes of approving or denying the sale. If the customer is deemed to be intoxicated the item will be removed from the transaction and the physical product will be removed from the cart.
- If the customer is under 21 and/or cannot provide a valid ID, the alcohol beverage products will be removed from the transaction and the physical product will be removed from the cart.
- If over 21, the customer's order will be charged accordingly and the item will be placed into the customer's vehicle by our online shopper.

Customer Pickup: Dispensing

- Once the customer and online shopper have:
 - Reviewed any substituted items, fragile items, and out of stock items
 - Removed any rejected products that the customer no longer wants
 - Verified the customer's age and identification if the order contained any age restricted items (and if necessary, removed age restricted items)
- The customer is then charged for the items and the customer's account is charged with the final order amount (after removing the cost of any products removed from the order)

- The online shopper places the final order into the customer's vehicle, and the transaction is considered complete.



Municipal Regulation of “Click and Collect” Alcohol Sales¹

Claire Silverman, Legal Counsel, League of Wisconsin Municipalities



“Click and Collect” describes a practice where consumers order online from a retailer’s website and then pick up their orders at a local store. The use of Click and Collect has become increasingly popular as retailers in competitive markets look for innovative ways to serve customers, and customers have become accustomed to the comfort and convenience of ordering online.

Notably, many grocery stores and other similar retailers have begun offering Click and Collect and, for a small fee or free with a minimum order, will assemble the grocery order and deliver it curbside when the customer arrives to pick it up. It’s not hard to imagine the convenience factor as being off the charts for, among others, persons with busy work schedules, persons with small children in tow, and those with limited mobility.

While Click and Collect sales do not typically require municipal oversight or approval, oversight and/or approval may be desirable and/or necessary when the online sale includes alcohol beverages and, in particular, when the sale involves curbside delivery. Recently, some retailers with alcohol licenses have sought municipal approval to expand the description of their premises to include designated parking stalls used for the Click and Collect deliveries. This is

necessary since state law requires the licensed premises to be “particularly described” and include all areas where alcohol is stored or sold.²

To amend described premises during the license year, the licensee must file a written request with the municipality. The governing body has discretion to approve or disapprove the change.³ Municipalities can impose conditions in connection with allowing amendment of the premises but are limited in imposing conditions once the request to amend the premises description has been granted.⁴

This legal comment briefly summarizes state law requirements that come into play when Click and Collect involves the sale of alcohol beverages.

Wisconsin law requires the following for alcohol sales:

1. Face-to-face sales to consumers at the licensed premises.⁵
2. Purchaser must be of legal drinking age (21 or older).
3. Seller must be a licensed operator or under the immediate supervision of a licensed operator.
4. No sales can be made to intoxicated persons.

In order to satisfy the requirement that the sale be face-to-face and that it take place on the licensed premises, an online order for alcohol beverages should not be consummated when the order is placed but, rather, when the order is picked up by the customer with the customer signing the credit card or paying at the retailer’s licensed premises. If the customer is picking up curbside, those parking spaces must be included in the licensee’s described premises since that is where the sale is taking place.

The requirement that all persons selling alcohol possess an operator’s license or be under the immediate supervision of someone with an operator’s license effectively means that those delivering alcohol curbside should have an operator’s license. “Immediate supervision” has been interpreted to mean that the person supervising must be able to see those being supervised at all times.⁶

Municipalities that receive requests to amend premise descriptions to allow Click and Collect with curbside delivery of alcohol must decide whether such sales should be allowed and, if so, what conditions are appropriately imposed to ensure that any such sales are done lawfully.

p.16

1. This article was inspired by a Nov. 7, 2017 memo on Click and Collect Alcohol Sales written by Julia Sherman at the Wisconsin Alcohol Policy Project.

2. Wis. Stat. §§ 125.25(3), 125.26(3), 125.28(3), 125.51(2)(c) and 125.51(3)(d).

3. *Alberti v. City of Whitewater*, 109 Wis.2d 592, 327 N.W.2d 150 (1982). See also Wis. Stat. sec. 125.04(3)(h).

4. *Wisconsin Dolls, LLC v. Town of Dell Prairie*, 2012 WI 76. The Wisconsin Alcohol Policy Project’s Nov. 7, 2017 memo on Click and Collect Alcohol Sales mentioned a variety of conditions that municipalities were considering or had adopted.

5. Wis. Stat. §§ 125.272 and 125.51(6).

6. OAG 9-10-62 (informal opinion).

Municipalities should review a retailer's policies for the Click and Collect operation before granting an expansion of the licensed premises and may want to include those policies as license conditions. Municipalities that want to allow Click and Collect alcohol sales may want to also adopt an ordinance governing such sales. A Wisconsin Alcohol Policy Project memo on Click and Collect⁷ suggests that municipalities inquire about the following before granting an expansion of the licensed premises to allow Click and Collect alcohol sales:

- What hours will alcohol orders be allowed?
- How is an alcohol order assembled?
- Who assembles the entire order? Is an itemized tape prepared?
- When is the credit card charged for the order?
- Is the individual who delivers the order a licensed operator?
- What equipment is provided to staff (e.g., is ambient light sufficient or is a flashlight needed to read the Id, a scanner to record the credit card sale or ID)?

7. See footnote 1.

Editor's Note:

If you are generally interested in municipal responsibility/authority for handling local health matters, please request the Legal Comment "Health 65," authored by Claire Silverman, League Legal Counsel, and published in the June 1999 *The Municipality*.

- Is the newly licensed area under video surveillance?
- When is the ID checked?
- Does the seller determine that the name on the order is the same name on the ID?

The memo notes that in addition to provisions relating to the above factors, some municipalities have adopted or considered the following provisions:

- A requirement that the system allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
- Notification of police when an apparently underage person or intoxicated person attempts an alcohol purchase.
- Imposing a minimum waiting period between order time and pick-up time for alcohol and tobacco.
- Requiring that images of the transaction (purchaser, ID card, vehicle, license plate) be captured and retained for a minimum period of time.
- Prohibiting tasting events in the parking lot.

Although municipalities may differ regarding whether Click and Collect alcohol sales should be permitted, those municipalities that wish to allow it should take measures to ensure that such sales are in compliance with state law.

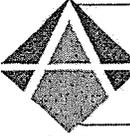
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About the author:

Claire Silverman is Legal Counsel for the League. Her responsibilities include supervising the legal services provided by the League, answering questions of a general nature for officials and employees of member municipalities, writing legal articles for the League's magazine and amicus briefs in appellate cases involving issues of statewide concern to municipalities, organizing an annual institute for municipal attorneys, and educating local officials on a variety of topics pertaining to their duties. In addition, she coordinates legal material for the League's web page. Claire joined the League staff in 1992. Contact Claire at cms@lwm-info.org



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Municipal Code – City of Madison
Alcohol Beverages Regulated, Chapter 38
Section 38.07

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIVCH32--45_CH38ALBERE_38.07GERE

38.07 - GENERAL RESTRICTIONS.

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

(1)
Public Place. No owner, lessee or person in charge of a public place may permit the consumption of alcohol beverages on the premises of the public place, unless the person has an appropriate retail license or permit. This subsection does not apply to municipalities, buildings and parks owned by counties, regularly established athletic fields and stadiums, school buildings, churches, premises in a state fair park or clubs.

(2)
Possession of Alcohol Beverages on School Grounds Prohibited. Pursuant to the provisions of Wis. Stat. § 125.10, the City of Madison does hereby adopt and incorporate into this Subsection the provisions of Wis. Stat. § 125.09(2), inclusive of all future amendments to any provisions of this section of the Wisconsin Statutes. (Am. by Ord. 11,624, 6-28-96; Rep. & Rec. by ORD-07-00118, 9-22-07)

(3)
Restrictions on Delivery of Beer, Wine and Intoxicating Liquor.

(a)
No person may peddle any alcohol beverage from house to house where the sale and delivery are made concurrently.

(b)
For delivery of beer, wine, and intoxicating liquor, payment or payment arrangements shall be made in person at the licensed establishment prior to delivery. (Am. by ORD-10-00073, 8-12-10)

(c)
The person paying for the keg/beer/wine coolers/intoxicating liquor must be at least 21 years of age and shall provide the licensed establishment with two forms of identification. The types of identification and identifying factors (e.g. driver's license number, physical descriptors, address, etc.) shall be recorded by the licensed establishment. The identifying information shall be retained by the retailer for at least two years from the date of sale and must be made available at the request of law enforcement or the Alcohol License Review Committee, pursuant to an active investigation by the Madison Police Department, City Attorney, or ALRC regarding alleged Chapter 38 MGO/ Wis. Stat. ch. 125 violation(s). (Am. by ORD-10-00073, 8-12-10)

(d)
When purchasing kegs of beer, the person paying for the keg(s) must sign a receipt indicating how many kegs are being purchased and where they will be delivered.

(e)
Delivery of any alcoholic beverage shall not be made unless the person who provided the identification is at the point of delivery and signs for receipt of the alcohol. The licensed establishment shall retain the signed delivery receipt for at least two years from the date of sale and make it available at the request of law enforcement or the Alcohol License Review Committee, pursuant to an active investigation by the Madison Police Department, City Attorney, or ALRC regarding alleged Chapter 38 MGO/ Wis. Stat. ch. 125 violation(s).

(f)
Any person who violates this subsection is subject to a forfeiture of not more than \$1,000.

(g)
Transactions under this subsection shall comply with Sec. 38.07(16), MGO. (Cr. by ORD-10-00073, 8-12-10)

(4)

Online Ordering and Curbside Pickup of Alcohol Beverages.

(a)

No establishment shall allow online purchase of alcohol beverages and curbside delivery of such purchases ("Click and Collect"), without first obtaining a "Change of Premises" from the Madison Common Council, upon recommendation of the Alcohol License Review Committee (ALRC) to license that portion of the establishment's parking lot that will allow vehicles to park for purposes of picking up their online order.

1.

The licensed establishment shall file a detailed operation plan with their "Change of Premises" form that clearly details how their "Click and Collect" operation will function. The operation plan shall include the licensee's protocol for assuring that underage persons and intoxicated persons do not pick up alcohol via the "Click and Collect" program.

2.

Failure of licensee to provide a detailed operation plan with their "Change of Premises" application shall result in the City of Madison Clerk's Office not forwarding the "Change of Premises" form to the ALRC for consideration.

(b)

No establishment holding an alcohol beverage license shall allow online purchase and pick-up of alcohol beverages unless the sale is consummated on the licensed premises.

1.

Payment for the purchase must be completed on premises and may not be completed until the purchaser is at the licensed premises and has presented valid photo identification that has been verified by a licensed operator employed by the premises.

2.

The licensed operator must verify that the person placing the "Click and Collect" order is the same person picking up the order.

3.

The sale and delivery of "Click and Collect" purchases shall be made only by a licensed operator.

4.

No alcohol sales are permitted if the purchaser fails to present valid photo identification.

5.

The "Click and Collect" system must allow the purchase of alcohol to be denied without affecting the remainder of the purchase.

(c)

Each "Click and Collect" transaction must capture and retain an image of the vehicle into which the order is being loaded for thirty (30) days.

MEMO

TO: Administrative & Judiciary

FROM: Attorneys Amanda Jackson & Sean O'Flaherty

DATE: December 5, 2018

RE: Revision of Premises for Online Sale of Alcohol

We have been asked to weigh in with respect to legal concerns regarding expanding premises and/or changing the City's ordinance to allow on-line beer/liquor sales with drive-up pick-up services. As stated in the article you were provided by the League of Wisconsin Municipalities, Wisconsin law requires that alcohol sales be (1) face to face sales to a consumer at the licensed premises; (2) Purchased by someone who is of the drinking age (21); (3) Seller must be a licensed operator or under the immediate supervision of a licensed operator; and (4) no sales can be made to intoxicated persons. We have also attached a Click & Collect Alcohol Sales in Wisconsin article and a Click and Collect Alcohol Policy Check List completed by the Wisconsin Alcohol Policy Project from the University of Wisconsin Law School, which outlines several considerations that the City would want to make as it considers these issues.

If the City is to pass an ordinance that allows the sale of alcohol online, they would need to ensure that the business seeking to expand their premises can adequately meet these four requirements. From a practical standpoint that means that the applicant would need to have adequate policies in place and to show that their Point of Sale system can accept an order and delay the actual transaction until the alcohol is being picked up. They would also need to show that those delivering alcohol curbside have an operator's licenses. This is relatively new terrain legally speaking, which often poses more questions than answers and will continue to do so as it becomes applied. For example, under strict interpretation of the law where someone places an order online, then someone else who is 21 but not the same person picks up the order, it would not be a face to face sale as the person paying for the alcohol is not the same as the person picking it up. Would the City want to spell that out in their requirements for expanded premises? Would the City want verification that the POS system can hold the transaction until pick up to ensure compliance with the law? Should the City require that these transactions be recorded on video and how long would the City want such video kept? Would it be practical to have universal hours for the entire City if pick up is allowed so as not to have differing hours of alcohol sales between retail establishments? How will the operator respond if someone appears to be intoxicated or if it appears the person has consumed alcohol but it is unclear they are intoxicated? Now it is clear that the person has driven to the licensed premises, they are sitting in a vehicle to pick up alcohol, what would be the City's expectation in this situation?

If the City creates an ordinance and allows the expansion of premises for a specific retailer based on a set of criteria, the City would need to do so for other similarly situated licensed premises. Some licensed premises already have issues with sales to minors and ensuring compliance with regular

sales, having to provide them with the ability to have drive-up sales may open the door for public safety concerns. Currently Walmart has sought approval from several cities throughout Wisconsin. The City of Menomonie recently amended its ordinance to allow for the sale of online alcohol by Walmart, unlike Madison, they took a more ambiguous approach adopting the following:

3-3-5 (L) City of Menomonie Code :

L. Online Ordering And Curbside Pickup Of Alcohol Beverages: No person, corporation or other entity, who has been issued a license pursuant to this section, shall allow online purchase of alcohol beverages and curbside delivery of such purchases without first obtaining a license from the Common Council, or an amendment to an existing license from the Common Council, which includes the portion of the premises' parking lot that will allow vehicles to park for the purposes of picking up an online order of alcohol beverages. Any license request or license amendment request seeking to allow the online purchase and curbside delivery of alcohol beverages must include a detailed operating plan describing how the operation will function and must describe safeguards which will prevent underage and intoxicated persons from ordering and picking up alcohol beverages. The Common Council may add any additional requirements it deems necessary prior to the issuance of such license or license amendment. (Ord. 2018-03, 4-2-2018)

The City of Eau Claire in March authorized the expansion of Eau Claire's Walmart store's description of their licensed premises to allow for alcohol pick up and sales without changing the ordinance and doing so by resolution. On the other hand, the City of Stoughton declined Walmart's requests to expand their licensed premises over concerns that it would result in multiple requests for similar services and that according to individuals with alcohol abuse training, it is difficult to judge a person's impairment when they are sitting in a car, especially after dark. The City of Neenah rejected it for similar reasons as well.

It is clear that municipalities have taken broad and differing approaches initially as to how to handle these situations. Given the great disparity in how municipalities are handling these, this may be a situation where it may be beneficial to wait and see what happens in the next year. Retailers frustrated with differing viewpoints could seek legislation to address the issue. Alternatively, as it becomes more common place and issues in how it will be applied become more apparent, there may be more unity in how municipalities regulate this as well as clarity in what a comprehensive ordinance should look like.

Click & Collect Alcohol Sales in Wisconsin

Retail sales habits are changing, with people looking to make more purchase online. Grocery stores and general retailers with large grocery sections are expanding their online ordering and pick-up services to include grocery sales, known in the industry as “Click & Collect.”

The target customer groups are individuals who may have difficulty walking into or through the store, such as people with mobility problems or individuals with young children. Recently those efforts have expanded dramatically in Wisconsin, and many retailers are seeking the necessary municipal approval to add alcohol sales to their online grocery offerings. However, adding alcohol to Click & Collect sales can unintentionally increase youth access to alcohol and increase excessive alcohol use. Public safety and health requires a municipality to carefully consider if and how to manage Click & Collect alcohol sales.

If retailers wish to include alcohol sales in their Click & Collect sales, they must take specific actions at the municipal level to comply with state law.

Wisconsin requires the following for alcohol sales:

1. The sale must be face-to-face.
2. The sale must take place on the licensed premises.
3. The purchaser must be 21 years or older.
4. The seller must be a licensed “operator” or under the supervision of a licensed operator.
5. The purchaser must not be intoxicated.

Retailers are asking municipalities to designate the parking stalls used for the Click & Collect deliveries as part of the licensed premises on the alcohol license. Licensed premises must include all areas where alcohol is stored or sold, and alcohol cannot be sold outside those areas. In other words, without the expansion of the licensed premises to include the pick-up area, alcohol cannot be included in Click & Collect sales. Outside the City of Milwaukee, licensed areas do not need to be contiguous, allowing specific parking stalls to be designated for Click & collect alcohol sales.

A municipality has discretion over whether to allow the expanded premises. **A municipality should evaluate applications uniformly, but granting one request for extended premises does not require granting all subsequent requests.** A consistent set of guidelines or criteria for reviewing these requests supports consistent review of these applications. Online ordering and delivery only requires municipal approval if alcohol is included. **When a municipality takes the time to evaluate the application to expand the licensed premises, it does not delay all Click & Collect sales, just alcohol sales.**

A request for expanded premises provides an opportunity for the municipality to add new license conditions that can govern the overall alcohol sales policy as well as the Click & Collect sales. After the description of the premises has been changed, both the licensee and municipality must agree to any changes on the license, but the community can add conditions unilaterally as part of the change in the licensed premises. If the applicant does not agree with the license conditions, they may withdraw the application to expand the premises.

Municipalities should review all of a retailer's policies for the Click & Collect sales before expanding the licensed premises so that any necessary amendments are reflected as license conditions. Verbal agreements or internal store policies are not binding. At this time, there are no approved or generally accepted forms of alcohol age-compliance checks for Click & Collect operations.

Straw buyers—individuals who are age 21 or older who purchase alcohol for underage youth—are a serious risk in Click & Collect sales. While youth have not traditionally used grocery stores to purchase alcohol, the possibility of straw buyers must be considered, due to the actual purchases happening outside of the store, credit card sales, and the additional challenges of darkness, weather, and the relative anonymity of a parking lot purchase.

Face-to-face alcohol sales

Wisconsin requires face-to-face alcohol sales. Some reports indicate not all retailers check the ID to confirm *the purchaser is the person picking up the alcohol*. If the purchaser is a different individual than the individual who accepts the alcohol, whether the sale was conducted face-to-face is open to interpretation. Consult your city attorney and police to determine how this is interpreted locally.

Once the identity of the purchaser is confirmed, a licensed operator should confirm the age of the purchaser and only then load the purchases to complete the sale. A licensed operator (sometimes called a licensed bartender) must conduct or supervise every alcohol sale by state law. Since the sale is completed outside the store, it obviously cannot be supervised by the licensed operators inside the store.

Questions a municipality should ask before extending the licensed premises:

Some communities may decide to adopt an ordinance that includes provisions designed to reduce the potential for illegal sales or sales that lead to illegal or excessive consumption of alcohol. An ordinance covers all licensees with Click & Collect operations while still requiring each change in the licensed premises to be reviewed. Although an ordinance is unlikely to cover every situation, a broad ordinance can regulate this type of alcohol sale with specific conditions added to individual licenses as needed.

Questions a municipality should ask before expanding the licensed area for Click & Collect include:

- What hours will alcohol orders be allowed? Should ordering conclude before high school recesses for the day?
- Exactly how is an alcohol order assembled?
- Who assembles the entire order?
- Is an itemized tape prepared? Is it a receipt indicating the sale was already completed?
- When is the credit card charged for the order? [Note: It could be asserted the sale occurs when the card is charged. If that is done when the order is assembled, is it really a face-to-face sale?]

- Is the individual delivering the order a licensed operator? Clearly someone outside the building checking an ID is not under supervision; that individual needs to be a licensed operator (bartender).
- What equipment is provided to the licensed operator conducting the sale? For example, is a flashlight to read the ID provided, or is ambient light sufficient? Is a scanner to record the credit card sale or scan ID provided?
- When is the ID checked?
- When is it determined that the name on the order is the name on the ID? The answer may be never. If the order is under a different name, it is arguable that the sale isn't a face-to-face sale, and the individual with the ID is only delivering, not purchasing, the alcohol.

Alcohol Interdiction Operations to Identify Straw Buyers

Click & Collect sales can unintentionally increase the availability of alcohol for youth. Municipalities should ask retailers for the alcohol sales policy when the driver is age 21 or older but the other occupants of the vehicle are underage, or when the driver is underage but one person in the vehicle is age 21 or older. The need for such a policy is supported by Wisconsin Statutes §346.93 Intoxicants in vehicle; underage persons, which states:

(1) No underage person, as defined under s. 125.02 (20m), **may knowingly possess, transport, or have under his or her control any alcohol beverage in any motor vehicle** unless the person is employed by a brewer, brewpub, alcohol beverage licensee, wholesaler, retailer, distributor, manufacturer, or rectifier and is possessing, transporting, or having such beverage in a motor vehicle under his or her control during his or her working hours and in the course of employment, as provided under s. 125.07 (4) (bm).

The **City of La Crosse** operated successful alcohol interdiction operations for several years at liquor stores near campus to discourage straw buyers. When money from a youth is given to the adult who purchases the alcohol, the purchaser is acting as a straw buyer and may be cited. When officers in La Crosse observed underage youth in a car leaving an alcohol outlet with what appeared to be legally purchased alcohol, they would pull the car over—if traffic laws were violated—and determine the age of the car passengers. If appropriate, citations were issued.

Alcohol Tastings

Under Wisconsin statutes, any area licensed for off-premises alcohol sales may hold an alcohol-tasting event within the limits of the law. Municipalities are preempted from prohibiting tasting events but may impose some forms of regulation on them. Retailers seeking to begin Click & Collect alcohol sales have been willing to add a license condition that prohibits alcohol-tasting events in the newly licensed parking area; to date, it is wise to add this provision because there may not be another opportunity to add this language.

Alcohol License Conditions & Ordinances to Regulate Click & Collect

In October 2017, the **City of Fond du Lac** added the following alcohol license conditions as part of the revised description of the premises to allow Click & Collect sales of alcohol:

- The system must allow the purchase of alcohol or tobacco to be denied without affecting the remainder of the purchase.
- If the purchaser is not the driver of the vehicle, the Agent/Licensed Employee must ensure the driver is 21 or older.
- Payment cannot be consummated until the purchaser is at the licensed premise and identification has been verified.
- A licensed bartender/Operator must perform the sale/delivery.
- No alcohol sales are permitted if the purchaser does not have valid photo identification.
- The name on the order must match the name on the ID when purchasing alcohol or tobacco products.
- Tasting events are prohibited in the parking lot.
- Minimum 4-hour waiting period between order time and pick-up time for alcohol and tobacco.

The **City of Madison** adopted a similar ordinance to regulate Click & Collect alcohol sales in February 2018. The following provisions were adopted as ordinance:

- Applicants looking to expand their licensed premises for the purpose of Click & Collect must file a detailed operations plan with the application including the protocol for assuring underage and intoxicated persons are unable to secure alcohol through Click & Collect.
- Applications without the operations plan will not be considered.
- Minimum 4-hour waiting period between order time and pick-up time.
- Orders after 2 p.m. cannot be picked up until the following day.
- Pick-up hours are limited to 8:00a.m.-8:00p.m.
- Images of the transaction must be captured and retained at least 30 days.
- The licensed operator must determine the person picking up the order is the same individual who placed the order.
- The licensed operator must report any signs of alcohol consumption to the manager who will assess sobriety for the purpose of approving or denying the sale.
- The pick-up area must be clearly identified with markings, signs and/or barriers.
- No tasting events are allowed in the designated pick-up area.
- The images must include
 - Purchaser
 - The type of ID
 - Purchaser's date of birth
 - License plate

The **City of Neenah** prohibits Click & Collect alcohol sales. The City considered an ordinance very similar to the draft adopted in Madison, but rejected the idea believing that the increased availability of alcohol would have a negative effect on the community.

Wine “Clubs” and other Direct Shippers are not analogous to Click & Collect

While there are some similarities, direct shipment of wine is not analogous to Click & Collect:

- Wine is not part of a larger purchase that includes a range of products.
- Direct shippers are vintners, not local retailers as in Click & Collect.
- Licensing direct shipping of wine is the statutory responsibility of the Wisconsin Department of Revenue, while local alcohol retailing is the statutory responsibility of municipal government.

An out-of-state winery holding a Direct Shipper’s Permit from the Wisconsin Department of Revenue may ship their products directly to individuals in Wisconsin. The delivery must be face-face-face, with a signed receipt indicating the recipient is age 21 or older. A Wisconsin resident may have only 108 liters (about 140 bottles/12 cases) shipped directly to them annually. A Direct Shipper’s Permit is also required for Wisconsin wineries to ship out of the state.

This is a rapidly evolving issue, so please feel free to contact the Wisconsin Alcohol Policy Project with your questions or specific situations. As with other license changes, once the licensed premises are expanded to accommodate Click & Collect, local options are limited.

Wisconsin Alcohol Policy Project
Julia Sherman, Julia.Sherman@wisc.edu
608-262-0370

Click & Collect Alcohol Policy Check List

This check list is a supplement to *Click & Collect Alcohol Sales* prepared by the Wisconsin Alcohol Policy Project.

Understanding and being involved in alcohol licensing allows a community group or coalition to prevent dangerous over-concentrations of alcohol outlets and understand changes in alcohol sales that can have a negative impact on the community, such as Click & Collect sales.

Follow these general steps to determine how the necessary changes to allow Click & Collect alcohol sales are processed in your community. Because alcohol licensing is a municipal responsibility in Wisconsin, what you learn in one community may not apply in another.

If you are unfamiliar with how locations that sell or serve alcohol are licensed in Wisconsin, it will be useful to review materials prepared for community members on the Wisconsin Alcohol Policy Project's webpage on alcohol licensing:

https://law.wisc.edu/wapp/licensing_alcohol.html.

Local alcohol licensing and amendments to existing licenses begin at city or village offices with the people who process alcohol license applications:

- Ask the person responsible for alcohol licenses (usually the municipal clerk) if any applications to expand the licensed premises for Class A (off-premises licensees) have been filed.
- Ask how you can quickly learn when applications to amend the licensed premises are filed. Often there are e-mail lists/listservs for committees or websites where all alcohol applications are posted.
- Find out how alcohol license applications and amendments to current applications are reviewed. Every municipality has its own process. For example: Does a committee review the application before it is reviewed by the full governing body?

NOTE: A detailed checklist on alcohol licensing in Wisconsin is available online at:
[http://law.wisc.edu/wapp/wapp_final_combined_license_memo_04-21-15 .pdf](http://law.wisc.edu/wapp/wapp_final_combined_license_memo_04-21-15.pdf)

- Find out who within the Police Department reviews or comments on these applications.
- Reach out to this person to determine what opinions or information they may have about alcohol sales through Click & Collect.

- If an application to amend the description of the licensed premises by a grocery store or bigbox retailer like Wal-Mart was filed, secure a copy along with any additional documentation and information provided by the applicant.

For example, a drawing of the parking lot or a narrative description of the alcohol-sales policy is important information that can raise or allay fears. These are public records and will be provided upon request.

- Consider asking local independent liquor stores what they think of allowing Click & Collect alcohol sales—they may be concerned that it will hurt their sales and planning to oppose the expanded premises.
- Visit the proposed expanded area to document any outdoor lighting, distance from store, and foot traffic. Take pictures with your phone if the expanded premises are in a dark or isolated portion of the parking lot. Could you check an ID and verify a purchaser in that location?
- Attend the committee or license review meeting, collect the names of those present, and take notes using the list below as a guide.

Is there discussion of how Click & Collect sales will meet the five requirements of state law **(in bold)**? Note if each are discussed:

- The sale must be face-to-face.**
- How will the seller check for fake IDs?
- Will the seller check to determine the name on the credit card is the person taking delivery? [NOTE: This may or may not be an issue for your local police.]
- The sale must take place on the licensed premises.** If the sale is completed in the store before pick-up, it occurs on the licensed premises but isn't face-to-face. If the sale occurs in the parking lot that isn't included on the description of the licensed premises, it has taken place off premises.
- The purchaser must age 21.** How does the retailer plan to verify the age of the purchaser? Is it physically possible to examine an ID at the delivery spot in cold or wet weather? It isn't sufficient for the retailer to assert they will take steps—they should explain how they will implement the stated policy.
- The seller must be a licensed "operator" or under the supervision of a licensed operator.** Most retailers are simply having the individuals assembling and delivering these orders become licensed operators, but each community licenses operators. Someone licensed in City A needs a second operators-permit to be licensed in City B. The current responsible beverage-server training has no information or guidance for Click & Collect sales. What training does this retailer provide these individuals?
- The purchaser is not intoxicated.** Does the retailer have a procedure for terminating a sale if the customer is intoxicated?

How is the expanded licensed area described?

- Where are the additional areas to be located?
- Does that area have lighting?
- Does that location have video coverage?
- Is this area isolated from foot traffic?
- What hours will alcohol orders be allowed? Should ordering conclude before high school recesses for the day?
- Exactly how is an alcohol order assembled?
- Who assembles the entire order?
- Is an itemized tape prepared? Is it a receipt indicating the sale was already completed?
- When is the credit card charged for the order? [NOTE: It could be asserted the sale occurs when the card is charged. If that is done when the order is assembled, is it really a face-to-face sale?]
- Is the individual who delivers the order a licensed operator? Clearly someone outside the building checking an ID is not under supervision; that individual needs to be a licensed operator (bartender).
- What equipment is provided to the licensed operator conducting the sale? For example, is a flashlight to read the ID provided, or is ambient light sufficient? Is a scanner to record the credit card sale or scan ID provided?
- When is the ID checked?
- When is it determined that the name on the order is the name on the ID? The answer may be never. If the order is under a different name, it is arguable that the sale isn't a face-to-face sale and the individual with the ID is only delivering, not purchasing, the alcohol.
- Are the sales policies attached to the license or part of a contractual agreement with the municipality?
- What consequences does the retailer face for failing to abide by the sales policy? [NOTE: There may not be any consequences, which is why it is important to find out.]
- Consider making a statement. Taking a position isn't required, but a simple statement that your coalition is concerned that this type of sale will increase youth access to alcohol and increase underage drinking is very useful, because it reframes this as a public safety issue.

What recommendations are made to the full Council:

- By the review committee
- By the police
- By the public health department
- By the Chamber of Commerce or other local business group
- By your coalition

What license conditions are recommended? License conditions are specific requirements added to the alcohol license by the community at the time it is issued or amended. Failure to fulfill license conditions are serious violations and may be reason to suspend, non-renew, or revoke a license.

A brief general summary of alcohol license conditions is available on line at:
http://law.wisc.edu/wapp/license_conditions.pdf

Here are the conditions added by the City of Fond du Lac in October 2017:

- The system must allow the purchase of alcohol or tobacco to be denied without affecting the remainder of the purchase.
- If the purchaser is not the driver of the vehicle, the Agent/Licensed Employee must ensure the driver is 21 or older.
- Payment cannot be consummated until the purchaser is at the licensed premise and identification has been verified.
- A Licensed Bartender/Operator must perform the sale/delivery.
- No alcohol sales are permitted if the purchaser does not have valid photo identification.
- The name on the order must match the name on the ID when purchasing alcohol or tobacco products.
- Tasting events are prohibited in the parking lot.
- Minimum 4-hour waiting period between order time and pick-up time for alcohol and tobacco.

Click & Collect is an evolving form of retail sales, but the growth of internet sales suggests some form of Click & Collect will be part of the retail landscape for the foreseeable future. Coalitions working with public health leaders and law enforcement can help shape Click & Collect policies that protect community safety and health.

ORDINANCE NO. 1623-2018**AN ORDINANCE TO ANNEX LAND LOCATED IN THE SOUTHEAST ¼ OF THE
NORTHWEST ¼ AND PART OF THE SOUTHEAST ¼ OF THE SOUTHWEST 1/4 IN
SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST
FROM THE TOWN OF MEDARY TO THE CITY OF ONALASKA**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Proper petition for direct annexation by unanimous approval, signed by all the owners of all real property in such territory and all of the electors residing in such territory, having been presented to the Common Council of the City of Onalaska, requesting the annexation of the territory described in Exhibit A which is attached hereto and incorporated herein to the City of Onalaska, Wisconsin from the Town of Medary, La Crosse County, Wisconsin. The population of the area annexed is zero (0).

IT IS HEREBY ORDAINED that the above-described property and the same is hereby annexed to the City of Onalaska, Wisconsin, and it is further ordained that the corporate limits of the City of Onalaska are hereby amended to include the above-described property within the corporate limits of the City of Onalaska, Wisconsin.

SECTION II. Sec. 2-1-3(b) of the Code of Ordinances of the City of Onalaska entitled "Ward and Aldermanic District Boundaries" is hereby amended to include the above-described property within the boundaries of the Third Aldermanic District.

SECTION III. The property is hereby zoned Single Family Residential (R-1) and all of the provisions of the Code of Ordinances of the City of Onalaska governing said zoning classification shall apply hereto.

SECTION IV. This Ordinance shall take effect and be in force from and after its passage.

~~FISCAL IMPACT~~ OF ORDINANCE 1623 - 2018
Crestwood Property Annexation

Please route in this order

Eric Rindfleisch, Administrator
(let Caitlin review all annexation ordinances)


(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

 11-29-18
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ UNKNOWN for INFRA STRUCTURE INVESTMENT MAINTENANCE to meet the requirements of this ordinance.

Troy Miller, Chief of Police


(signature)

No Fiscal Impact

Budgeted Item

Will need \$ UNKNOWN for POTENTIAL FOR INCREASE IN POLICE SERVICES TO MEET to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

 11-30-18
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Dated this ____ day of _____, 2018.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

EXHIBIT A

EXHIBIT A

Located in part of the Southeast 1/4 of the Northwest 1/4, part of the Northeast 1/4 of the Southwest 1/4 and part of the Southeast 1/4 of the Southwest 1/4 of Section 1, Township 16 North, Range 7 West, Town of Medary, La Crosse County, Wisconsin described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of the Northwest 1/4 of said Section 1;

Thence S 01° 24' 56" E along the East line thereof, 1277.80 feet to the Northeast corner of the Southeast 1/4 of the Northwest 1/4 and the Point of Beginning of this description;

thence continuing S 01° 24' 56" E along the East line thereof, 570.10 feet;
thence S 54° 04' 19" W 473.08 feet to the Northeasterly extension of the Northwesterly line of Lot 1 of Certified Survey Map Volume 3, Page 83;
thence S 22° 16' 45" W along said extended Northwesterly line and the Northwesterly line of said Lot 1, a distance of 168.39 feet;
thence S 46° 15' 32" W along the Westerly line of said Lot 1 and the Southwesterly extension thereof, a distance of 223.61 feet to the Easterly right of way of Crestwood Lane;
thence along said Easterly right of way S 17° 23' 25" E 208.04 feet;
thence continuing along said Easterly right of way S 04° 41' 55" E 204.04 feet;
thence Southerly along said Easterly right of way on the arc of a 267.31 foot radius curve, concave to the Northwest, the chord of which bears S 41° 23' 41" W and measures 385.18 feet;
thence continuing Southerly along said Easterly right of way on the arc of a 256.48 foot radius curve, concave to the Southeast, the chord of which bears S 44° 29' 25" W and measures 349.83 feet;
thence continuing along said Easterly right of way S 01° 29' 31" W 386.21 feet;
thence continuing Southerly along said Easterly right of way on the arc of a 189.02 foot radius curve, concave to the Northeast, the chord of which bears S 25° 02' 27" E and measures 168.87 feet;
thence continuing Southerly along said Easterly right of way on the arc of a 670.72 foot radius curve, concave to the Southwest, the chord of which bears S 44° 28' 47" E and measures 165.66 feet;
thence S 52° 16' 47" W along the Northerly right of way of State Trunk Highway 16 a distance of 60.00 feet to the Westerly right of way of Crestwood Lane;
thence Northerly along said Westerly right of way on the arc of a 610.72 foot radius curve, concave to the Southwest, the chord of which bears N 44° 27' 48" W and measures 151.19 feet;
thence Northerly along said Westerly right of way on the arc of a 249.02 foot radius curve, concave to the Northeast, the chord of which bears N 25° 02' 27" W and measures 222.48 feet;

thence continuing along said Westerly right of way N 01° 29' 31" E 386.21 feet;
thence Northerly along said Westerly right of way on the arc of a 316.48 foot
radius curve, concave to the Southeast, the chord of which bears N 44° 29' 25" E
and measures 431.66 feet;
thence continuing Northerly along said Westerly right of way on the arc of a
207.31 foot radius curve, concave to the Northwest, the chord of which bears
N 41° 23' 41" E and measures 298.72 feet;
thence continuing along said Westerly right of way N 04° 41' 55" W 197.37 feet;
thence continuing along said Westerly right of way N 17° 23' 25" W 202.33 feet;
thence S 86° 19' 10" W 360.87 feet;
thence S 16° 44' 26" E 185.76 feet;
thence S 88° 25' 59" W 284.73 feet;
thence N 09° 04' 28" W 54.80 feet;
thence N 17° 58' 55" W 102.14 feet to the Southwest corner of said
Southeast 1/4 of the Northwest 1/4;
thence along the West line thereof, N 01° 28' 14" W 623.28 feet;
thence N 89° 50' 24" E 342.06 feet;
thence N 50° 00' 20" E 368.33 feet;
thence N 20° 32' 34" E 250.33 feet;
thence N 01° 46' 35" E 164.30 feet to the North line of said Southeast 1/4 of the
Northwest 1/4;
thence S 87° 21' 31" E along said North line 582.79 feet to the Point of
Beginning.

Parcel contains approximately 1,142,801 Square Feet or 26.23 Acres.

Subject to any easements, covenants and restrictions of record.

Date: 11/16/2018

To: City of Onalaska Administrative & Judiciary Committee and the Common Council

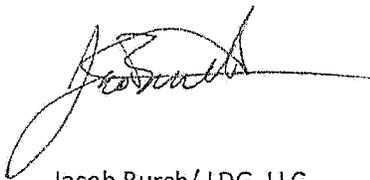
From: Jacob Burch/ Logistics Development Group, LLC

RE: Crestwood Estates – Reading of the Rules Request

To whom it may concern,

I am requesting on behalf of Logistics Development Group and myself for the "Reading of the Rules" to be suspended. We are hoping to make up ground on the timeframe in 2019 for construction needs and market exposure. It would be greatly appreciated if you would consider aid to timing by having the 1st&2nd and 3rd&Final Readings all to be within December meetings.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Jacob Burch", with a long horizontal flourish extending to the right.

Jacob Burch/ LDG, LLC

(608)317-3245

ORDINANCE NO. 1624-18**AN ORDINANCE TO ANNEX LAND LOCATED IN THE SOUTHEAST ¼ OF THE
SOUTHWEST ¼ IN SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST
FROM THE TOWN OF MEDARY TO THE CITY OF ONALASKA**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Proper petition for direct annexation by unanimous approval, signed by all the owners of all real property in such territory and all of the electors residing in such territory, having been presented to the Common Council of the City of Onalaska, requesting the annexation of the territory described in Exhibit A which is attached hereto and incorporated herein to the City of Onalaska, Wisconsin from the Town of Medary, La Crosse County, Wisconsin. The population of the area annexed is zero (0).

IT IS HEREBY ORDAINED that the above-described property and the same is hereby annexed to the City of Onalaska, Wisconsin, and it is further ordained that the corporate limits of the City of Onalaska are hereby amended to include the above-described property within the corporate limits of the City of Onalaska, Wisconsin.

SECTION II. Sec. 2-1-3(b) of the Code of Ordinances of the City of Onalaska entitled "Ward and Aldermanic District Boundaries" is hereby amended to include the above-described property within the boundaries of the Third Aldermanic District.

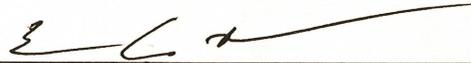
SECTION III. The property is hereby zoned Single Family Residential (R-1) and all of the provisions of the Code of Ordinances of the City of Onalaska governing said zoning classification shall apply hereto.

SECTION IV. This Ordinance shall take effect and be in force from and after its passage.

FISCAL IMPACT OF ORDINANCE 1624 – 2018
Manske Annexation

Please route in this order

Eric Rindfleisch, Administrator
(let Caitlin review all annexation ordinances)


(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

 11-29-18
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Troy Miller, Chief of Police


(signature)

No Fiscal Impact

Budgeted Item

Will need \$ unknown for potential fee increase in Police Service to DHS Auct. to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

 11-30-18
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Dated this _____ day of _____, 2018.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

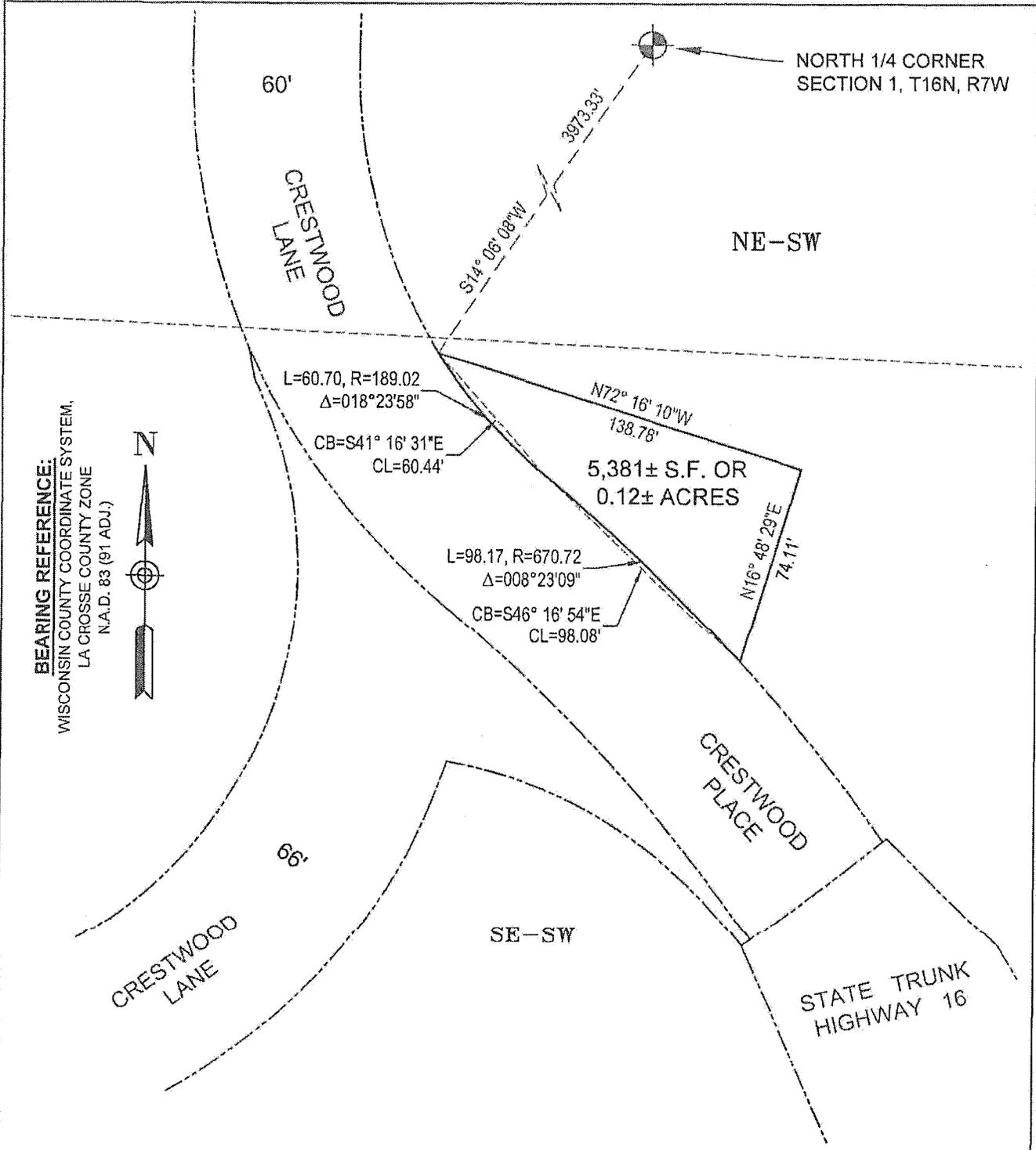
EXHIBIT A

Located in part of the Southeast Quarter of the Southwest Quarter of Section 1, Township 16 North, Range 7 West, Town of Medary, La Crosse County, Wisconsin, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 1;
thence S 13° 58' 29" W 3988.16 feet to the Easterly right of way of Crestwood Lane and the Point of Beginning of this description;
thence Southerly along said Easterly right of way on the arc of a 189.02 foot radius curve, concave to the Northeast, the chord of which bears S 42° 21' 53" E and measures 60.50 feet;
thence continuing Southerly along said Easterly right of way on the arc of a 670.72 foot radius curve, concave Southwest, the chord of which bears S 47° 23' 03" E and measures 98.00 feet;
thence N 15° 53' 45" E 74.00 feet;
thence N 73° 19' 30" W 139.00 feet to the Point of Beginning.

Parcel contains approximately 5,383 square feet or 0.12 acres more or less.

Subject to any easements, covenants and restrictions of record.



BEARING REFERENCE:
 WISCONSIN COUNTY COORDINATE SYSTEM,
 LA CROSSE COUNTY ZONE
 N.A.D. 83 (91 ADJ.)

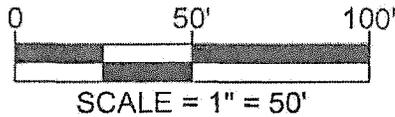


EXHIBIT B
 MANSKE TO CITY OF ONALASKA
 ONALASKA BOOSTER STATION
 ONALASKA, WI

	DAVY ENGINEERING CO. LA CROSSE, WISCONSIN	DATE	NOTEBOOK NO.	PROJECT NUMBER	SHEET
		10/18/2018		001398-109.100	1 OF 1

ORDINANCE NO. 1625-2018

AN ORDINANCE TO AMEND CHAPTER 2 OF TITLE 9,
SECTION 11 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO SEWER USER CHARGE RATES

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 9, Chapter 2, Section 11 of the City of Onalaska Code of Ordinances
related to User Charge System is hereby deleted in its entirety and replaced as follows:

Sec. 9-2-11 User Charge System.

- (a) **Purpose.** The purpose of this Section is to establish the basis for reasonable charges for the cost of collection, transportation and treatment of wastewater.
- (b) **Classes of Charges.** Three (3) classes of wastewater charges shall be established as follows: (1) Treatment Rate; (2) Transmission and Maintenance Rate and (3) Flat Rate and shall be based on the Effective Total Meter Water Consumption for the quarter. Wastewater shall include wastewater from residential, multi-family, commercial, governmental and industrial classes.
- (c) **Effective Total Metered Water Consumption.** The term Effective Total Metered Water Consumption shall mean (i) for quarters 1, 3 and 4 (billed in April, October and January) the treatment charge and transmission and maintenance charge shall be based on metered water volume for the three (3) month period beginning December 5th and ending March 5th of each year which shall be reflected in the April billing unless consumption in any given quarter is lower than the metered water volume established on the April billing and (ii) for the 2nd quarter (billed in July), the treatment charge and transmission and maintenance charge shall be based on the actual metered water volume for that quarter (March 5 to June 5). In the event that December 5th or March 5th falls on a Saturday, Sunday or legal holiday, the following or preceding Business Day shall be used in lieu of the 5th. If consumption for quarters 3 or 4 is lower than the established metered water volume for the December 5th through March 5th period, the metered water volume for that quarter will be used to establish the treatment charge and transmission and maintenance charge for that specific quarter. Wastewater charges for new residential and nonresidential class customers in the City of Onalaska that do not have an established sewer value or where the public water supply is not available, and a private water supply is used or where metered records are not available, water usage shall be calculated based on the average sewer value of account classes within the City of Onalaska from the April billing. New residential or nonresidential class customers who establish service mid quarter will be charged the City average for first quarter or actual consumption, whichever is lower.
- (d) **Wastewater Charges.** The charges for wastewater shall include a quarterly charge consisting of a treatment charge, transmission and maintenance charge and a flat rate charge. The treatment charge and transmission and maintenance charge shall be based on the Effective Total Metered Water Consumption.

(e) **Quarterly Treatment Rate Charge.**

- (1) A quarterly treatment rate charge shall be assessed each residential and nonresidential class customer. The quarterly treatment rate charge is intended to generate sufficient revenues to pay the cost of wastewater treatment by the City of La Crosse and to pay the amortization cost of improvements to the La Crosse Interceptor Sewer System.
- (2) The Treatment Rate shall be an amount established yearly by the Common Council of the City of Onalaska based upon information provided by the City of La Crosse which shall be a sufficient amount to cover the annual cost of wastewater treatment and the amortization cost of improvements to the La Crosse Interceptor Sewer System
- (3) The quarterly treatment rate charge shall be calculated as follows:

$$\text{(Treatment Rate /100 Cubic Feet) } \times \text{ Effective Total Metered Water Consumption}$$

(f) **Quarterly Transmission & Maintenance Charge and Flat Fee.**

- (1) The quarterly transmission and maintenance and flat fee charge is intended to generate sufficient revenues to pay for the cost of operation, maintenance and depreciation of the Onalaska Sanitary Sewer Collection System. The annual operating budget will be estimated prior to each calendar year's operation.
- (2) The Transmission Rate shall be an amount established yearly by the Common Council of the City of Onalaska based upon the annual operating expense of Onalaska Sewer Utility.
- (3) The quarterly transmission and maintenance charge shall be calculated as follows:

$$\text{(Transmission Rate/100 Cubic Feet) } \times \text{ Effective Total Metered Water Consumption}$$

- (4) The quarterly sewer flat fee shall be determined as follows based upon the size of the meter:

<u>Meter Size</u>	<u>Charge (\$)</u>
5/8-3/4	\$6.50
1	\$8.60
1 ½	\$13.20
2	\$18.60
3	\$31.30
4	\$49.40

- (5) The Agency, as defined in Chapter 9-2-1 above, shall reserve the right to require a meter for any user.
- (6) Charges for a portion of a billing period shall be prorated by the Agency.
- (g) **Payment of Quarterly Sewer Charges; lien; penalty**
 - (1) Wastewater charges shall be payable upon receipt, subject to the provisions of this section.
 - (2) Wastewater charges shall not be payable in installments.
 - (3) Charges remaining unpaid for a period of twenty (20) days or more from the date of the wastewater utility bill shall be assessed a late payment penalty charge of 3% of the amount billed, in addition to all other charges, penalties or interest, when the delinquent charge is extended upon the tax roll.
 - (4) If a charge and/or late penalty remains unpaid for a period of twenty (20) days after the date of the utility bill, such charge and penalty shall become a lien upon the real property to which it applies, as provided in Section 66.0809 Wis. Stat., and other applicable provisions of the Wisconsin Statutes, as from time to time amended or renumbered.
 - (5) Delinquent charges and penalties shall be automatically extended upon the next available tax roll as a delinquent tax against the real property, and all proceedings relating to the collection, return and sale of property for delinquent real estate taxes shall apply to such charges.
 - (6) The City reserves the right to disconnect services pursuant to Wisconsin Administrative Code PSC §185.37 as may be amended.
- (h) **Billing Schedule.** Billing intervals shall be established by the Agency. If it has been impossible to read the water meter and as a result been over-estimated, there shall be no rebate on the sewer bill. No credits shall be given on such estimated bills unless proof is submitted of correctable error and a solution is possible.
- (i) **Unknown Water Leaks.** If a leak unknown to the user is found in an appliance or the plumbing, the City shall use be adjusted based on the City's current leak adjustment policy. No such adjustment shall be made for sewer after the customer has been notified and has had an opportunity to correct the condition.
- (j) **Special Treatment Charges.** Each user which discharges wastewater other than domestic or discharges toxic pollutants which cause an increase in the cost of managing the collection or treatment systems as determined by the Agency shall pay for such increased costs.
- (k) **Distribution of Costs.** The costs of operation and maintenance of all flow not directly attributable to users, e.g., infiltration and inflow, shall be distributed among all users on the basis of the flow volume of users.
- (l) **Records.** The Agency shall keep the records necessary to comply with applicable state or federal requirements.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this _____ day of _____, 2018.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

ORDINANCE NO 1626-2018

AN ORDINANCE TO AMEND SECTION 9 OF CHAPTER 3 OF TITLE 2 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO DIRECTOR OF INSPECTION; DEPUTY DIRECTORS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Title 2, Chapter 3, Section 3 of the City of Onalaska Code of Ordinances related to Director of Inspection; Deputy Directors is hereby deleted in its entirety and replaced as follows:

Sec. 2-3-9 Director of Inspection; Deputy Directors.

(a) Organization.

- (1) The Department of Inspection shall consist of a Director and such Deputy Inspectors as the Council shall provide. The Department shall provide all inspection services herein enumerated and such other inspection services as the Common Council shall direct.
- (2) The Department of Inspection is charged with the responsibility of implementing the directives of the Common Council or the Board of Public Works. The Board of Public Works shall work through the Director of Inspection and said Director shall be responsible for the inspections by the various Deputies.

(b) Director of Inspection.

- (1) The Director shall have charge of the Department of Inspection and shall assign duties to the Deputy Inspectors and generally direct the work of the Department.
- (2) The Deputy Inspectors shall perform such duties as the Director shall require. In the event that there are special inspection requirements by operation of state law, the Director or one (1) of the Deputies shall satisfy such specific requirements.

(c) Qualifications.

- (1) The Director shall have a general knowledge and show proficiency in the fields of building construction, plumbing, heating installation, electrical installation and such other related subjects as the Common Council shall direct.
- (2) The Deputy Directors are to have proper state certification in their appropriate area(s) of responsibility as determined by the Director of Inspection.

(d) Appointment of Director and Deputies. The Director of Inspections shall be appointed by the Common Council. Each deputy, whether hired or independently contracted, shall be appointed by the Director of Inspection after showing suitable proficiency for the duties pursuant to the job description and shall hold office until removed by the Director of Inspection or the Common Council.

(e) Jurisdiction of Department. The Department of Inspection, under the direction of the Director of Inspections, shall have control of the supervision and inspection of

plumbing, drainage, and drain-laying and shall faithfully enforce all laws, ordinances and rules in relation thereto. It shall be the duty of the Department of Inspection to see that all material construction, reconstruction or alteration of plumbing, drainage or plumbing, ventilation hereafter done in any building shall conform with the laws and ordinances and the rules and regulations laid down by the City or by the State Board of Health and Wisconsin Department of Safety and Professional Services (DPS), and that said work is done by qualified plumbers and drain-layers as provided by law in this Code, and to make all inspections required thereby and in the manner set forth. Said Department shall also perform such other appropriate duties as may be described by the Director of Inspections, by ordinance, or by resolution of the Council. It shall also, when so ordered by the Director of Inspections, inspect water services as to their depth below grade, manner of construction, material and workmanship, and as to the placement of the earth, and in any other respects or particulars designated by the Land Use Development Director, supervise public sewer work, all connections, and all excavations for the purpose of making or repairing the same. The Department shall enforce the City ordinances, the State Statutes when applicable, and the rules and regulations of the various State agencies pertaining to zoning, buildings, heating, ventilating or air conditioning, plumbing, and electrical work.

- (f) **Authority to Enter Premises.** The members of the Department of Inspection, or any of them, shall have the power and authority, at all reasonable times for any proper purpose, to enter upon any private or public premises and make inspections thereof, and to require any person or persons doing work for which permits are required to produce such permit. It shall be unlawful to resist or obstruct or in any manner interfere with any member of the inspection department lawfully performing his duties.
- (g) **Preparation of Forms and Records.** The Department of Inspection shall prepare suitable forms for the applications and permits required and keep in its office a proper daily record of all the transactions of its office. The yearly report shall cover the period ending December 31st and shall be filed on or before January 10th next thereafter, and shall show the total amount of fees earned and a summary of the work of the office during said period.
- (h) **Scope Enumerated.** In all cases in the Code of Ordinances where reference is made to the Electrical Inspector, City Electrician, Building Inspector, Plumbing Inspector, Zoning Inspector, the Fire Inspector under the Heating, Ventilating and Air Conditioning Code and Sidewalk Inspector, such references are hereby amended and shall refer to the Director and various deputies in the Department of Inspection.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Eric Rindfleisch, Administrator
(let Caitlin review all annexation ordinances)

[Signature]
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

C. Holter 11-15-18
(signature)

No Fiscal Impact - TO PUBLIC WORKS DEPT.

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Katie Aspenson, Planner / Zoning Inspector

Katie 11/20/18
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 11-20-18
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Dated this ____ day of _____, 2018.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED: