

Enforcement of Alcohol Violations against Licensed Establishments

Informal Actions

ALERT Meeting: The purpose of an ALERT Meeting is to meet with licensed establishments that have been identified as having issues, which, if persist, could lead to disciplinary action against the license holder. The ALERT team includes the licensee, Alcohol Policy Coordinator, ALRC member, alderperson, City Attorney/designee, Tavern League Rep, Police Captain, and ALRC Police Rep.

Formal Actions

Formal Complaint for Violations of Chapter 38 - Municipal Court: The Madison Police Department refers reports of liquor law violations to the City Attorney's Office. Upon conviction in Municipal Court, the licensee may be required to pay a forfeiture and may be assessed points. A conviction in municipal court and the corresponding assessment of points can also lead to a suspension of the liquor license.

Formal Expression of Concern (FEC) – ALRC: When a license holder has accumulated a certain amount of points within a twelve month period, the ALRC will call the licensee to appear before it for a FEC. If the licensee appears, the points that led to this action will be deleted from the licensee's current record. A FEC can occur only once in a twelve month period.

Suspension/Revocation Hearing – ALRC: Reaching a trigger of 100 points under the point system is one alternative for bringing a suspension/revocation hearing. Other grounds for the revocation, suspension, or non-renewal of a license are contained in MGO Ch. 38, and/or Wis. Stat. Ch. 125. The ALRC serves as the hearing body for the Common Council. If a license is revoked, no other license can be granted to the licensee or the premises for a period of twelve months. In lieu of a hearing, the parties may reach a stipulation and present it to the ALRC. The ALRC may accept or reject a stipulation presented by the parties and that recommendation is then forwarded to the Common Council for final action. The action of the Common Council in granting, renewing or failing to renew, suspending or revoking any license, or failing to revoke or suspend any license is reviewable by the circuit court.

Nonrenewal – ALRC: The process for the nonrenewal of an alcohol license is identical to the suspension/revocation hearing. The nonrenewal hearing and recommendation to the Common Council must be made prior to June 15 of each year or the license must be renewed.

Conditions on License at Time of Renewal – ALRC: To address issues of ongoing concern, conditions can be added to a license during the renewal cycle.

Disorderly House Complaint – ALRC: If an establishment is the site of fights, litter, noise, batteries, sexual assaults, weapons violations, drug violations, or other disturbances, the City could proceed against the license holder with a disorderly house action.

Chief's Security Plan – MPD/ALRC: This option allows the Chief of Police or a designee to impose certain conditions on a liquor license. The license holder has ten days to file an objection to the plan with the ALRC via the City Clerk's Office. The Chief's Security Plan can only include the following elements: provision for licensed security guards, a plan to monitor the interior and exterior areas of the establishment, regulation of traffic flow in parking areas, interior/exterior lighting, regular meetings with the police department, posting regulatory signage to aid enforcement efforts, limitations on the number of patrons allowed on the premises at certain times, and/or any other reasonable security measures.

Public Nuisance – Circuit Court: If an establishment is involved in activities that contribute to the decay of an area and negatively impact law-abiding residents, the City can file a public nuisance action.