

**CITY OF MIDDLETON**

**APPLICATION FOR EXPANDED PREMISES  
BY A CLASS "B" RETAILER**

**FEE:** \$50.00 per event       Following Approved Plan on File-Plan # \_\_\_\_\_, **20** \_\_\_\_\_

Is this Application associated with a Special Event Permit? \_\_\_\_\_ If so, name of event \_\_\_\_\_

The named Class "B" retailer hereby applies for an expanded premises permit during a special event beginning \_\_\_\_\_ and ending \_\_\_\_\_ and hereby agrees to comply with all laws, resolutions, ordinances and regulations (State, Federal and Local) affecting the sale of intoxicating beverages if the license is granted.

1. Name (Individuals/ Partners/Corporation) \_\_\_\_\_

2. Names/Addresses of All Officers

- President \_\_\_\_\_
- Vice-President \_\_\_\_\_
- Secretary \_\_\_\_\_
- Treasurer \_\_\_\_\_
- Agent \_\_\_\_\_

3. Trade Name \_\_\_\_\_

4. Address of Premises \_\_\_\_\_

5. Describe all areas covered under this application, including the original description as well as the area where expansion is desired \_\_\_\_\_

\_\_\_\_\_

Under penalty of law, the applicant states that each of the above questions have been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s) must sign.)

The applicant/agent must review with the Middleton Police Department, Fire Department and Building Inspections the conditions for limited expansion of a premise prior to approval.

\_\_\_\_\_  
(Officer of Corporation/Partner/Individual)

\_\_\_\_\_  
(Officer of Corporation/Partner)

\_\_\_\_\_  
(Additional Partner(s) If Any)

Conditions Reviewed w/PD \_\_\_\_\_/FD \_\_\_\_\_/BI \_\_\_\_\_

Date Filed \_\_\_\_\_

Date Reported to Council \_\_\_\_\_

Date Approved \_\_\_\_\_

License No. \_\_\_\_\_









## **Primer on Expanded Premise or Temporary Licenses**

A beverage license is a privilege issued by the city. Its issue and retention is conditioned on the licensee's agreement to act in the public's interest.

### **Expanded Premise Permit**

A current alcohol licensee may apply for a temporary change in their premise description. It is within the discretion of the City to approve or disapprove the change and the City may impose standard or special conditions. Application forms may be obtained from the City Clerk or on line. Fee \$30.

### **Temporary Class "B" (picnic) Beer and/or Temporary "Class B" (picnic) Wine Licenses**

The licensee may sell to consumers at a picnic or similar gathering of limited duration. Such licenses may be issued only "to bona fide clubs, to county or local fair associations or agricultural societies, to churches, lodges or societies that have been in existence for at least 6 months and to posts of veteran's organizations." Application forms may be obtained from the City Clerk or on line. Fee \$10.

### **The Process**

Expanded Premise or Temporary License applications are submitted to the Clerk, reviewed by staff (police, and Building, Fire & Electrical Inspectors), recommended by the License & Ordinance Committee, and approved by the City Council. To obtain an expanded premise permit or temporary (picnic) license please submit or do the following at least 30 days before the event:

1. Expanded Premise or Temporary License **Application** (City Web Page/Dept-City Clerk/Permits). Multiple expanded premise permits, all of similar size and nature, and with the same set-up, may be applied for and reviewed contemporaneously (list each date, hours of operation, and event name separately on the supplemental page and attach it to the application).
2. A detailed **sketch** showing stage and service areas, toilets, exits, and the dimensions of the area for which the permit or license will apply.
3. Event Characteristics **Questionnaire**.
4. Temporary/Expanded License **Worksheet**.
5. A **written numbered plan** briefly describing how each standard condition will be met, or expressly requesting an alternative or waiver.
6. **Certificate of Insurance**.
7. If street closures, street use, outdoor amplified sound, electrical, park or other permits are required, applications should be submitted contemporaneously.
8. The applicant should submit the application and all materials to the Clerk and schedule an application review meeting with City staff (contact the Police Administrative Lt. to schedule the meeting).
9. If an organization or enterprise has a **current approved plan on file** for event(s) of a similar size and nature, with the same set-up, **all that need be submitted is the basic application and current Certificate of Insurance** (make reference to the designated approved plan on the application). A commercial enterprise may have up to three "approved plans on file" with the Clerk for events of different size, nature or set-up. Plans may be approved in advance without an application, in anticipation of a future application. The enterprise/organization or City may request modification to any "approved plan on file" during the application process or at any other time. It is preferred that requests for modification be initiated, considered, and determined in the period following an event. Any substantial modification, or where there is not agreement between the enterprise/organization and staff, will be reviewed by the License & Ordinance Committee and approved by the City Council.

## Other Permits You May Need

### **Outdoor Amplified Sound Permit**

A permit is required to operate any sound system outdoors, cause amplified music or other sound including music from a live performance to be projected outdoors, to cause amplified sound to be projected outside of any building, or to cause amplified sound to be projected from any vehicle in the City. There are some exceptions for car stereos, private residences, schools, churches and public safety. Commercial enterprises may apply for an annual permit. Application forms may be obtained from the City Clerk or on line. Fee \$20.

### **Street Use Permit**

The City Engineer may grant a permit for street use for particular events, provided the function is not conducive to being held in another location and provided that the health, safety, and general welfare of the public can be protected and maintained. A written application for a Street Use Permit shall be made on a form provided by the City Engineer and shall be filed with the Public Works Department thirty (30) days prior to the event proposed for the Street Use Permit. Application forms and instructions may be obtained from the Department of Public Works or on line. Fee \$15.

### **Park Use Permit**

A permit is required for groups to use a park shelter area, park or other park facility, or to sell merchandise in a park. Applications forms may be obtained from the Recreation Department. The fee is contingent on location and residency.

### **Electrical Permit**

An Electrical permit is required if there will be any alteration or change to any electrical installation, new electrical installation, or temporary electrical wiring. Electrical wiring must be done by a licensed electrician. Base Permit Fee \$50. (Extension cords must be inspected by the Fire Department.)

## Standard Conditions for Expanded Premise or Temporary Licenses

Standard conditions have been established by the License & Ordinance Committee (12/01/2009) to facilitate planning. Additional or enhanced conditions may be required contingent on the size, nature, and history of the event. Similarly, alternative conditions or waiver of a specific condition may be accepted, depending on the size, nature and history of the event.

1. **Violation** of any of the conditions, approved plans, alternative conditions or requirements, shall be grounds for denial of applications for subsequent events or for action for suspension or revocation of licenses by the Common Council, for prosecution of any ordinance violation, or combination of the above. Licenses and permits aside, the licensee or permittee agree to the termination of an event if the Police Chief determines activities are or will become dangerous or when necessary to protect public health, safety or welfare.
2. **Over-Service, Over-Consumption, and Serving Intoxicated Persons** is prohibited (See document titled, "Over-Service, Over-Consumption, and Serving Intoxicated Persons".) Licensees have the responsibility to develop and implement effective alcohol service policies, practices, staffing, employee training and management systems to prevent Over-Service, Over-Consumption, and Serving Intoxicated Persons. Organizations or enterprises planning what is deemed a high-risk event, or with a record of intoxicated persons issues, or serving fortified alcohol products, or serving non-standard serving sizes (pint of beer) shall articulate their specific plan for responsible consumption.
3. At least one **licensed beverage operator** shall be present and able to see at all times the activities of those persons serving and selling alcoholic beverages. The licensed beverage operator or the designated licensed operator in charge, and security personnel, security supervisors, and crowd manager shall maintain **absolute sobriety** while on duty.

4. Bartenders, servers, and crowd assembly facilitators (whether paid or volunteer) shall not be impaired by alcohol or drugs while on duty.
5. Persons **manifesting intoxication** or who cannot legally be in a licensed premise shall not be admitted.
6. Only **plastic serving containers** shall be allowed outdoors and outside the normal premise area.
7. The organization or licensed premise shall provide a reasonable number of **signs** indicating:
  - a. No Carrying Outs/Open Intoxicants (sidewalk, street, alley, parking lot or other public place)
  - b. Event Hours
  - c. Alcohol Sales/Service Hours posted in service areas
8. All permits shall expire or end at **10:00PM** at the latest. All alcohol sales and service shall end thirty (30) minutes before closing. When an expanded premise period ends, the regular licensed premise description and operations resume.
9. **Staffing/Security**
  - a. The permit holder should have staffing levels sufficient to effectively monitor the entrances, exits, patron conduct, and alcohol consumption.
  - b. At **ingress/egress** points there shall be an adult member of the sponsoring organization, or for a regularly licensed premise an employee or security guard, to prevent inappropriate entry of minors, entry of intoxicated persons, and alcoholic beverages from being carried or passed out of the area.
  - c. Staff & Security persons should be distinctively and uniformly attired—that is, easily identified.
  - d. Staff & Security persons should be distributed evenly throughout the establishment and not just at the door.
  - e. For every five security guards (if any) there should be one designated security supervisor, to ensure a minimal span of control.
  - f. The Police Department is authorized to require additional security if they feel it is necessary.
10. The licensed area is subject to **inspection** by police officers and Building, Fire & Electrical Inspectors at any time. Officers may be equipped with stationary, mobile and personal video devices. While a Police Officer's presence may not be required at all events, it shall be at the discretion of the Chief of Police as to whether or not, and how many, Middleton Police Officers will be required at or consequential to any special event. Event sponsors will be responsible for payment of officer(s) service based on the time-and-one-half rate plus benefits and all overhead costs.
11. The organization or licensed premise shall discourage patrons from **obstructing sidewalks and roadways** adjacent to its areas. If, given the size, nature, history or timing of the event, queuing can reasonably be anticipated, the licensee/permittee shall have a plan for patrons awaiting admittance. (Patrons awaiting admission should be placed in a line that does not block egress, obstruct sidewalks or conflict with traffic flow. Individuals who will not be admitted due to occupancy limitations and the departure rate, should be encouraged to leave the area.
12. The **occupancy load shall be monitored in** real time by use of a system or devices. Employees responsible for occupancy counts shall be aware of the occupancy limit. Occupancy counts should include staff and performers.

13. A minimum of one **crowd manager** is required whenever the assembly occupancy is reasonably expected to be 250 or more. A crowd manager should have the experience and expertise to design, implement and supervise facility security, crowd management, and emergency preparation activities. Where the occupant load exceeds 250, additional crowd assembly facilitators (CAF) shall be provided at a ratio of 1 CAF for every 250 occupants, unless otherwise approved or required. CAF's may include supervisors, staff, security and officers. A CAF shall have received sufficient briefing or training to have a conceptual understanding of what to do, if not a specific assignment, in the event of a fire, severe weather, medical emergency, crowd incident, serious act of violence, hazardous materials, transportation mishap, and power loss.
14. The licensed or expanded **premise area shall be clearly delineated**, by a fence if outdoors. The fence shall completely enclose the area, except for ingress/egress which shall not exceed twelve (12) feet in width. The enclosing fence shall be either one six (6) foot high minimum fence or two four (4) foot high fences placed at least twenty-four (24) inches apart. The fence provided shall be of chain link or snow fence or of an equivalently non-penetrable material.
15. If **tents or temporary structures** will be used, approval must be granted by Building, Fire & Electrical Inspectors (meeting with City staff). (Tents or temporary structures used less than 180 days, and in excess of 120 square feet shall comply with the current State of Wisconsin Enrolled Building Code Chapter 31 titled "Special Construction" and reference code sections.)
16. There shall be a sufficient number of **toilet facilities** (permanent and/or temporary) to accommodate the size and nature of the event, as approved by the Building Inspector (see worksheet). (Toilet facilities shall comply with State of Wisconsin Enrolled Building Code Chapter 29 titled "Plumbing Systems".)
17. **Waste receptacles** shall be provided, based on the reasonably expected number of patrons, and emptied as necessary during the event. Gathered waste and litter shall be placed in dumpster-type receptacles for temporary storage. All litter and other matter from that event shall be gathered from the enclosed area and immediate vicinity after the event.
18. All Temporary Class "B" (picnic) Beer, Temporary "Class B" (picnic) Wine and/or Temporary Expanded Premise Licensees/Permittees shall provide comprehensive general **liability insurance**, blanket contractual liability insurance and insurance covering liability for acts or omissions arising out of the organization's sale or dispensing of alcoholic beverages in the amount of \$1,000,000 per occurrence naming the City of Middleton as an additional insured and shall, by the acceptance of the permit or license, be deemed to agree to indemnify, defend and hold the City of Middleton harmless for all damages of any variety and shall provide the City Clerk a certificate of insurance establishing the above coverage before any such permit shall be issued.
19. For **large or high-risk events**, applicants may be required to submit a supplemental detailed security, traffic, and parking plan to the Police Department for review and approval. Final approval of those plans including, but not limited to, barricading, fencing, private security staffing and police officer staffing will be made by the Chief of Police or his/her designee.

## EVENT CHARACTERISTICS QUESTIONNAIRE

This two-page questionnaire will be used to help us understand the characteristics of your proposed event and will facilitate review and discussion. (Events must be approved and are subject to conditions.) Please complete the blanks and check all the boxes that may apply to your event.

**Event Name:** \_\_\_\_\_

Completed By: \_\_\_\_\_ Date: \_\_\_\_\_

### Setting:

- First Time or Rare Event     Past Similar Events     Past Identical Event
- Inside Event     Outside Event     Event is at a Licensed Premise
- Event is at a Public Park     Church     Shopping Center
- Other Business     Personal Private Property     Government Building
- Athletic Field     Street     Parking Lot     Open Field

Location/Address/Room: \_\_\_\_\_

Normal crowd for this Venue (unexpanded) is between \_\_\_\_\_ and \_\_\_\_\_

Event Peak Crowd Optimistic Estimate: \_\_\_\_\_ Pessimistic: \_\_\_\_\_ Likely: \_\_\_\_\_

### Nature:

- Community Event     Non-Profit Event     Benefit Event     Commercial Event
  - Local Crowd     Metro Crowd     Regional Crowd     National Crowd
  - Open to Public     Invitation Event     Private Event     Part of Larger Event
  - No Cover     Cover Charge     Ticketed Event     Non-Ticketed
  - Stationary Event     Two Locations     Crawl – three or more locations
  - Crowd Influx/Efflux Primarily at Beginning/End of the Event     Gradual In/Efflux
  - Mostly Families     Broad age mix     Mostly People in 20's to 30's
  - Mostly People in 20's     Mostly People in Late teens to Early 20's
  - No Underage Persons Present     Underage Persons Present
  - Greater # of female patrons     Females = to males     Greater # of males
  - 1-Day Event     2-Day Event     3-Day Event     Regular/Recurring
  - 2-4 Hours     4-6 Hours     6-8 Hours     8-12 Hours     12 + Hours
  - Amplified Announcement     DJ     Acoustic Musician
  - Band     Sporting/Spectator Event     Performance
  - Celebrity     Wedding     Presenter/Speaker
  - Trade Show     Corporate Event     Art/Craft Show
  - Vendors     Radio Remote     Theme Event
  - No Patron Physical Activities     Patrons involved in Physical Activities
  - Meal Served     Food Available     No Food/or Only Salty Food (Nuts/chips)
- Expected Food to Alcohol Sales Rate: \_\_\_\_\_ % Food to \_\_\_\_\_ % Alcohol
- Patrons can Walk to & From Event     Public Transport     Taxis
  - Majority of Patrons Will Drive     Everyone Must Drive     Venue Parking
  - Street Parking     Authorized to Use Nearby Lots     Remote Parking w/Conveyance

- Traffic Control Needed
- Road Closure
- Temp No Parking
- Outside Grill – Type: \_\_\_\_\_
- Tent
- Power Source: \_\_\_\_\_

**Alcohol:** \_\_\_\_\_

- Most Attendees will not Consume Alcohol
- Consumption of alcohol is a social adjunct to some other principal purpose of the event
- Alcohol is a principal part of the event
- Non-Alcohol Beverages Available
- Light Beer
- Regular Beer
- Fortified Beer (greater than 6% ABV)
- Intoxicating Liquor
- Wine
- Single Serving Size: \_\_\_\_\_ Largest Single Serving Size: \_\_\_\_\_
- Are the number of beer servings limited? Yes No If Yes, how many \_\_\_\_\_
- Standard Drink Equivalency for fortified beers and/or greater than a pint serving: \_\_\_\_\_
- Standard Drink Equivalency will be Posted
- Will Not be Posted
- Plastic Cups/Mug
- Plastic Bottles
- Other: \_\_\_\_\_

**Staff:**

- Volunteers
- Paid PT Staff
- Regular Paid Staff
- Production Comp.
- Licensed or Professional Servers
- Adult Servers Only
- Underage Servers
- Underage Servers are Regular Employees
- Underage Servers are Licensed
- Absolute Sobriety for Bartenders/Servers
- Bartenders/Servers Allowed to Consume Alcohol
- Normal Number of Staff for Event
- Increased Staff for the Event # \_\_\_\_\_
- No Security
- Volunteer Security
- Non-Security Staff Serving as Security
- Regular Security Staff in Distinctive Attire
- Outside Security Firm in Distinctive Attire
- Sworn Law Enforcement Officers
- Middleton Police Officers



Number of Staff (excluding security and performers): \_\_\_\_\_  
 Number of Security: + \_\_\_\_\_  
 Number of Sworn (Non Middleton) Officers: + \_\_\_\_\_  
 Number of Middleton Officers: + \_\_\_\_\_  
 Total Staff = \_\_\_\_\_  
 Expected Total Staff to Patron Ratio: 1/\_\_\_\_\_  
 Expected Supervisor to Staff Ratio: 1/\_\_\_\_\_

Number of Crowd Managers/Supervisors/Facilitators: M \_\_\_\_\_ S \_\_\_\_\_ F \_\_\_\_\_

(A minimum of one **crowd manager** is required whenever the assembly occupancy is reasonably expected to be 250 or more. A crowd manager should have the experience and expertise to design, implement and supervise facility security, crowd management, and emergency preparation activities. Where the occupant load exceeds 250, additional crowd assembly facilitators (CAF) shall be provided at a ratio of 1 CAF for every 250 occupants, unless otherwise approved. CAF's may include staff, security and officers. A CAF should have received sufficient briefing or training to have a conceptual understanding of what to do, if not a specific assignment, in the event of a fire, severe weather, crowd incidents, serious act of violence, hazardous materials, transportation mishap, and power loss.)

Will You Have or Need Any of the Following:

- Temporary Wiring (Electrical Permit & Installation by a Licensed Electrician is required.)
- Extension Cords (Must be Inspected by the Fire Department)
- Gas Grill, Charcoal Grill, Electric Grill, Fryer, Warmers, Heaters: \_\_\_\_\_
- Fire Extinguishers in Expanded/Picnic Area: # \_\_\_\_\_ Type: \_\_\_\_\_
- Tent or Temporary Structure in excess of 120 Square Feet: \_\_\_\_\_
- Pending Building, Fire, or Electrical Code Violation: \_\_\_\_\_
- FDC (Fire Dept Connection) - Location: \_\_\_\_\_
- Designation of Temporary No Parking: \_\_\_\_\_
- Street Closures: \_\_\_\_\_
- Signs/Barricades: \_\_\_\_\_
- Traffic Control Officers: \_\_\_\_\_
- Park Use Permit
- Outdoor Amplified Sound Permit
- Street Use/Street Closure/Parade Permit
- County Highway Permit/State Highway Lane Closure Authorization
- Fireworks/Pyrotechnic Permit

On Site Parking Stalls: \_\_\_\_\_ On Street Parking (six block/.33 miles): \_\_\_\_\_

Authorized Off Street-Off Site Parking Stalls: \_\_\_\_\_ Locations: \_\_\_\_\_