

**TOWN OF CEDAR LAKE
BARRON COUNTY, WISCONSIN**

ORDINANCE NO. 2026 – 7.13.26 - 2

**AN ORDINANCE ESTABLISHING A QUOTA ON CLASS B
INTOXICATING LIQUOR LICENSES (CLASS B LICENSES)
PURSUANT TO WISCONSIN STATUTES § 125.51(4)**

The Town Board of the Town of Cedar Lake, Barron County, Wisconsin, does hereby ordain as follows:

SECTION 1. AUTHORITY AND PURPOSE

1.1 Authority. This Ordinance is enacted pursuant to the authority granted to the Town of Cedar Lake under Wisconsin Statutes § 125.51(4), which authorizes municipalities to establish a quota on the number of Class B intoxicating liquor licenses that may be issued within the municipality.

1.2 Purpose. The purpose of this Ordinance is to:

- (a) Regulate the number of retail Class B intoxicating liquor licenses issued within the Town of Cedar Lake in order to promote the health, safety, and general welfare of the community;
- (b) Prevent an overconcentration of establishments selling intoxicating liquor at retail by the drink;
- (c) Comply with and implement the quota provisions of Wisconsin Statutes § 125.51(4); and
- (d) Provide clear and consistent standards for the issuance and administration of Class B licenses within the Town.

SECTION 2. DEFINITIONS

For purposes of this Ordinance, the following definitions apply:

- 2.1 "**Class B License**" means a retail license issued pursuant to Wisconsin Statutes § 125.51(3) authorizing the sale of intoxicating liquor for consumption on the premises where sold, and may also authorize the sale of intoxicating liquor in original packages or containers for consumption off the licensed premises.
- 2.2 "**Municipality**" means the Town of Cedar Lake, Barron County, Wisconsin.
- 2.3 "**Population**" means the population of the Town of Cedar Lake as determined by the most recent federal decennial census, or any official interim population estimate published by the Wisconsin Department of Administration, whichever is more recent.
- 2.4 "**Town Board**" means the elected Town Board of Supervisors of the Town of Cedar Lake.
- 2.5 "**Quota**" means the maximum number of Class B licenses that may be issued and outstanding at any one time within the Town, as established by this Ordinance.

SECTION 3. QUOTA ESTABLISHED

3.1 Maximum Number of Licenses. Pursuant to Wisconsin Statutes § 125.51(4)(a), the Town of Cedar Lake hereby establishes a quota on Class B intoxicating liquor licenses. The maximum number of Class B licenses that may be issued and outstanding at any time within the Town shall not exceed the number calculated as follows:

- (a) One (1) Class B license for each 500 persons of population, or fraction thereof, within the Town of Cedar Lake, as determined under Section 2.3 of this Ordinance; or

3.2 Current Quota. Based upon the current population of the Town of Cedar Lake as reflected in the most recently available official data, the Town Board hereby establishes the current quota at Two Class B licenses. This number may be reviewed and updated by resolution of the Town Board,

3.3 Grandfather of Existing Licenses. Any Class B license validly issued and in effect on the date of adoption of this Ordinance shall not be revoked solely by reason of the quota established herein. Such licenses shall be counted against the quota. Upon expiration, nonrenewal, revocation, or surrender of any such license, it shall be counted toward reducing the number of outstanding licenses against the quota. The Town of Cedar Lake currently has 1 license that meets these criteria. Making our quota as of this signed ordinance at 3 Class B Liquor.

SECTION 4. EXEMPTIONS FROM QUOTA

The following Class B licenses are exempt from the quota established in Section 3 of this Ordinance, consistent with Wisconsin Statutes § 125.51(4)(b):

- 4.1 Class B licenses issued to bona fide clubs, as defined in Wisconsin Statutes § 125.02(3), that have been in existence as a bona fide club for at least six (6) years prior to the date of application;
- 4.2 Class B licenses issued to hotels, as defined in Wisconsin Statutes § 125.02(9), that provide to their guests lodging and services customarily provided by hotels;
- 4.3 Class B licenses issued to restaurants, as defined in Wisconsin Statutes § 125.02(20d), in which the sale of intoxicating liquor accounts for not more than 50% of the establishment's gross receipts;
- 4.4 Class B licenses issued to educational institutions, as provided under Wisconsin Statutes § 125.51(3)(am); and
- 4.5 Any other class or category of license specifically exempted from municipal quota requirements under Wisconsin Statutes § 125.51(4)(b), as may be amended from time to time.

SECTION 5. TRANSFERS OF LICENSES

5.1 Person-to-Person Transfers. A Class B license may be transferred from one person to another pursuant to Wisconsin Statutes § 125.12(3), subject to approval by the Town Board and payment of applicable fees. A person-to-person transfer does not create a new license for purposes of quota calculation.

5.2 Premises-to-Premises Transfers. A Class B license may be transferred from one premises to another within the Town pursuant to Wisconsin Statutes § 125.12(3), subject to approval by the Town Board. A premises-to-premises transfer does not create a new license for purposes of quota calculation.

SECTION 6. QUOTA REVIEW AND ADJUSTMENT

6.1 Annual Review. The Town Board shall review the quota established herein on an annual basis in conjunction with the annual license renewal process, and shall update the quota calculation based on current population data as it becomes available.

6.2 Adjustment Procedure. Any adjustment to the quota shall be made by resolution of the Town Board following proper notice and public hearing as required by law. Notice of any proposed adjustment shall be published as a Class 1 notice under Wisconsin Statutes Chapter 985 not less than ten (10) days prior to the public hearing.

6.3 Decrease in Quota. If a population decrease causes a reduction in the calculated quota, no existing valid Class B license shall be revoked solely on account of such reduction. The reduced quota shall apply only to the issuance of new licenses, and the quota shall be deemed met once existing licenses lapse, are surrendered, or are revoked for other lawful cause until the number of outstanding licenses equals the reduced quota.

SECTION 7. FEES

License fees for Class B licenses shall be set by the Town Board by ordinance and shall be consistent with the fee schedule permitted under Wisconsin Statutes § 125.51(3). The Town Board may amend the fee schedule from time to time by resolution without amending this Ordinance.

SECTION 8. VIOLATIONS AND PENALTIES

Any person who operates a retail establishment requiring a Class B license without having first obtained such license, or who operates in violation of the terms of a Class B license issued under this Ordinance, shall be subject to penalties as provided under Wisconsin Statutes § 125.11 and other applicable law.

SECTION 9. SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or provision of this Ordinance is adjudged by a court of competent jurisdiction to be invalid or unenforceable, such judgment shall not affect the validity of the remaining portions of this Ordinance, which shall continue in full force and effect.

SECTION 10. REPEAL OF CONFLICTING ORDINANCES

All prior ordinances, resolutions, or parts thereof of the Town of Cedar Lake that are inconsistent with or in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

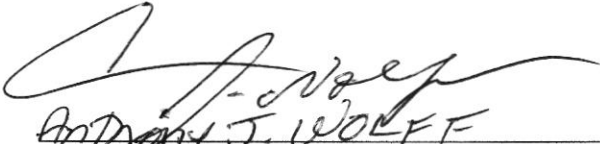
SECTION 11. EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as required by Wisconsin Statutes § 60.80, following a public hearing as required by Wisconsin Statutes § 125.51(4).

PASSED AND ADOPTED by the Town Board of the Town of Cedar Lake, Barron County, Wisconsin, at a duly noticed regular meeting held on the 13 day of July, 2026.

TOWN OF CEDAR LAKE
Barron County, Wisconsin

ATTEST:



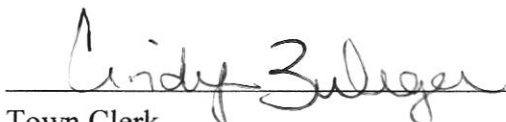
Anthony J. WOLFF
Chairperson, Town Board



Supervisor



Supervisor



Town Clerk

Date of Publication: 7/13/26