

HEALTH AND RECREATION COMMITTEE

City of Kaukauna
Council Chambers
Municipal Services Building
144 W. Second Street, Kaukauna



Monday, March 02, 2026 at 6:15 PM

AGENDA

In-Person and Remote Teleconference via ZOOM

1. Correspondence.
2. Discussion Topics.
 - [a.](#) Ordinance 1949-2026 Ordinance Amending Section 12.01(1) Fermented Malt Beverages.
 - [b.](#) Ordinance 1950-2026 Ordinance Amending Section 12.03(3) Classes of Licenses and Fees.
3. Adjourn.

NOTICES

Health and Recreation Committee - Notice is hereby given this is a public meeting of the Health and Recreation Committee. As such, all members or a majority of the City's Common Council and Standing Committees will likely be in attendance. While members of the Common Council or any Standing Committees may participate in discussions, only the Health and Recreation Committee will take formal action.

IF REQUESTED THREE (3) DAYS PRIOR TO THE MEETING, A SIGN LANGUAGE INTERPRETER WILL BE MADE AVAILABLE AT NO CHARGE.



MEETING ACCESS INFORMATION:

You can access this meeting by one of three methods: from your telephone, computer, or by an app. Instructions are below.

To access the meeting by telephone:

1. Dial 1-312-626-6799
2. When prompted, enter Meeting ID 234 605 4161 followed by #
3. When prompted, enter Password 54130 followed by #

To access the meeting by computer:

1. Go to <http://www.zoom.us>
2. Click the blue link in the upper right hand side that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow Zoom to access your microphone or camera if you wish to speak during the meeting

To access the meeting by smartphone or tablet:

1. Download the free Zoom app to your device
2. Click the blue button that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow the app to access your microphone or camera if you wish to speak during the meeting

Members of the public will be muted unless there is an agenda item that allows for public comment or if a motion is made to open the floor to public comment.



MEMO

Department

To: Legislative Committee; Finance Committee; Health and Recreation Committee

From: Tim Greenwood, City Attorney

Date: February 18, 2026

Re: Amendment to KMC §§ 12.01(1) and 12.03(3) – Transition of Operator's Licenses to One-Year Terms

Background information:

Section 12.01(1) establishes license and permit fees, including operator license fees.

Section 12.03(3) currently provides that operator licenses are valid for two years and expire on June 30 of the second year.

Strategic Plan:

This change would be an administrative alignment for the 2026 licensing year that adjust internal timelines to avoid overlap with election administration, and realigns the operator license renewal to non-election years (odd numbered years). This will help maintain staff workload balance during election years.

Budget: N/A

Staff Recommended Action:

Recommend approval of the Ordinances amending Chapter 12, Section 12.0(1) and Section 12.03(3) to the Common Council as presented.

CITY OF KAUKAUNA
ORDINANCE _____ -2026

ORDINANCE AMENDING SECTION 12.01(1) FERMENTED MALT BEVERAGES

WHEREAS, the City of Kaukauna has established in Section 12.01(1) of the Municipal Code establishes the cost and term for an Operator's License within the City of Kaukauna;

WHEREAS, the Common Council has determined that adjusting the City's Operator's Licenses to a one-year licensing cycle is beneficial for administrative consistency with other annually-issued municipal licenses, improves monitoring and compliance oversight, and better supports efficient processing by the Clerk's office;

WHEREAS, the Common Council further finds it appropriate to amend Section 12.01(1), to reflect the fee structure associated with the new annual operator license term;

WHEREAS, the Common Council believes these amendments promote the public health, safety, and welfare of the community through clearer, more consistent license administration;

NOW THEREFORE, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, that Section 12.01(1) of the City of Kaukauna Municipal Code is hereby amended as follows:

BEFORE AMENDMENT

12.01 Licenses Required

A license or permit shall be required for the sale of each of the following or the conduct of the business or activity, and the indicated license or permit application fee shall be paid to the city clerk. The license or permit application fees shall be for one year unless otherwise specified in this chapter.

1. *Fermented malt beverages.*
 - a. Class A. \$150.00.
 - b. Class B. \$100.00.
 - c. Picnic. \$10.00.
 - d. Wholesalers. \$25.00.
 - e. Operators. \$50.00 every two years.
 - f. Outdoor beverage area permit. \$200.00.

AFTER AMENDMENT

12.01 Licenses Required

A license or permit shall be required for the sale of each of the following or the conduct of the business or activity, and the indicated license or permit application fee shall be paid to the city clerk. The license or permit application fees shall be for one year unless otherwise specified in this chapter.

1. *Fermented malt beverages.*
 - a. Class A. \$150.00.
 - b. Class B. \$100.00.
 - c. Picnic. \$10.00.
 - d. Wholesalers. \$25.00.
 - e. Operators. \$2550.00 ~~every two years~~.
 - f. Outdoor beverage area permit. \$200.00.

EFFECTIVE DATE This Ordinance shall be in full force and effect from the date of passing and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

March 3rd, 2026.

Presiding Officer

Attest

Anthony J. Penterman, Mayor,
City of Kaukauna

Kayla Nessmann, Clerk,
City of Kaukauna



MEMO

Department

To: Legislative Committee; Finance Committee; Health and Recreation Committee

From: Tim Greenwood, City Attorney

Date: February 18, 2026

Re: Amendment to KMC §§ 12.01(1) and 12.03(3) – Transition of Operator's Licenses to One-Year Terms

Background information:

Section 12.01(1) establishes license and permit fees, including operator license fees.

Section 12.03(3) currently provides that operator licenses are valid for two years and expire on June 30 of the second year.

Strategic Plan:

This change would be an administrative alignment for the 2026 licensing year that adjust internal timelines to avoid overlap with election administration, and realigns the operator license renewal to non-election years (odd numbered years). This will help maintain staff workload balance during election years.

Budget: N/A

Staff Recommended Action:

Recommend approval of the Ordinances amending Chapter 12, Section 12.0(1) and Section 12.03(3) to the Common Council as presented.

CITY OF KAUKAUNA

ORDINANCE _____ - 2026

ORDINANCE AMENDING SECTION 12.03(3)
CLASSES OF LICENSES AND FEES

WHEREAS, the City of Kaukauna has established in Chapter 12.03(3) of the Municipal Code, which includes how Operator's licenses may be granted and their term of validity; and

WHEREAS, the administration and issuance procedures for operator's licenses are further set forth in Section 12.03 of the Municipal Code, including the current provision under Section 12.03(3) stating that operator's licenses are valid for two years and expire on June 30 of the second year;

WHEREAS, the Common Council has determined that adjusting Operator's Licenses to a one-year licensing cycle is beneficial for administrative consistency with other annually-issued municipal licenses, improves monitoring and compliance oversight, and better supports efficient processing by the Clerk's office;

WHEREAS, the Common Council further finds it appropriate to amend Section 12.03(3), to update the duration and expiration requirements accordingly;

WHEREAS, the Common Council believes these amendments promote the public health, safety, and welfare of the community through clearer, more consistent license administration;

NOW THEREFORE, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, that Section 12.03(3) of the City of Kaukauna Municipal Code is hereby amended as follows:

BEFORE AMENDMENT

3. *Classes of licenses and fees.* The following classes and denominations of licenses may be issued by the city clerk under the authority of the city council after payment of the application fee specified in section 12.01 of this chapter, which, when so issued, shall permit the holder to sell, deal, or traffic in alcohol beverages as provided in Wis. Stats.

§§ 125.17, 125.25, 125.26, 125.28, and 125.51. Except as otherwise provided in this section, the full license fee shall be charged for the whole or fraction of any year.

a. *Class A fermented malt beverage retailer's license.* See Wis. Stats. § 125.25.

b. *Class B fermented malt beverage retailer's license.* See Wis. Stats. § 125.26.

(1) *Six months.* A license may be issued at any time for six months in any calendar year, for which three-fourths of the applicable license application fee shall be paid; but such license shall not be renewable during the calendar year in which issued.

c. *Class C wine license.* A Class C license authorizes the retail sale of wine by

the glass or in opened original container for consumption on the premises where sold.

- d. *Wholesalers fermented malt beverage license.* See Wis. Stats. § 125.28.
- e. *Retail Class A liquor license.* See Wis. Stats. § 125.51(2).
- f. *Retail Class B liquor license.* A retail Class B liquor license shall permit its holder to sell intoxicating liquor to be consumed by glass only on the premises where sold and also authorizes the sale of intoxicating liquor in the original package or container in multiples not to exceed four liters at any one time and to be consumed off the premises where sold. Wine may be sold for consumption off the premises in the original package or otherwise in any quantity. See Wis. Stats. § 125.51(3)(b).
 - (1) A license may be issued after July 1 in any license year. The license shall expire on the following June 30. The application fee for the license shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
 - (2) Licenses valid for six months may be issued at any time. The fee for the license shall be 50 percent of the annual license application fee, as stated in section 12.01 of this chapter. The license may not be renewed during the calendar year in which issued.
- g. *Retail Class B winery license.* A retail Class B winery license shall permit its holder to sell wine to be consumed by the glass or in opened containers on the premises where sold or off the premises if the licensee seals the container of wine with a tamper-evident seal before the wine is removed from the premises. The “Class B” license also authorizes the sale of wine in the original package or container to be consumed off the premises where sold, but does not authorize the sale of fermented malt beverages or any intoxicating liquor other than wine.. See Wis. Stats. § 125.51(3)(am).
 - (1) A license may be issued after July 1 in any license year. The license shall expire on the following June 30. The application fee for the license shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
 - (2) Licenses valid for six months may be issued at any time. The fee for the license shall be 50 percent of the annual license application fee, as stated in section 12.01 of this chapter. The license may not be renewed during the calendar year in which issued.
- h. *Reserve retail Class B liquor license.* A reserve retail Class B liquor license means a license that is not granted or issued on or before December 1, 1997, and is counted under Wis. Stats. § 125.51(4)(br), which authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the glass to be consumed on the licensed premises or in the original package or container in multiples not to exceed four liters at any one time and to be consumed off the licensed premises, except that wine may be sold in the original container or otherwise in any quantity to be consumed off the premises.
- i. *Outdoor beverage area permit.* An outdoor beverage area permit shall permit its holder to sell intoxicating liquor beverages in outdoor areas as described in subsection (11) "Permit Required for Outdoor Alcoholic Beverage Area."
 - (1) A permit may be issued after July 1 in any license year. The permit

shall expire on the following June 30. The application fee for the permit shall be prorated according to the number of months or fractions thereof remaining until the following June 30.

- (2) Permits valid for six months may be issued at any time. The fee for the permit shall be 50 percent of the annual permit application fee, as stated in section 12.01 of this chapter. The permit may not be renewed during the calendar year in which issued.

j. *Operators.* See Wis. Stats. § 125.17.

- (1) Operator licenses may be granted to individuals by the city council for the purposes of complying with Wis. Stats. §§ 125.32(2) and 125.68(2).
- (2) Operator licenses may be issued only upon submission of a written application on forms provided by the city clerk. A color photograph of the applicant shall be submitted with the written application.
- (3) Operator licenses shall be valid for two years and shall expire on June 30 of the second year.

k. *Provisional operator's license.* The city clerk may issue a provisional operator's license to a person who has applied for an operator's license and provides proof of enrollment in a responsible beverage server training course required under Wis. Stats. § 125.17(6)(a), subject to the following:

- (1) A provisional license may not be issued to any person who has been denied an operator's license, or whose operator's license has been revoked or suspended within the preceding 12 months.
- (2) A provisional license may be issued only to persons eligible for operator's licenses under all of the provisions of this chapter, upon completion of a satisfactory background check by the Kaukauna Police Department, and under the requirements of Wis. Stats. § 125.04.
- (3) Any provisional license granted under this subparagraph shall expire 60 days after its issuance or when an operator's license is issued to the holder, whichever is sooner.
- (4) The city clerk shall revoke the provisional license if the holder makes any false or misleading statement or any material misleading omission on the application.
- (5) The city clerk shall revoke the provisional license if the applicant fails successfully to complete the responsible beverage server training course in which the applicant enrolls.
- (6) No more than one provisional license may be issued to an applicant during any 12-month period.
- (7) A \$15.00 non-refundable fee shall be charged by the city clerk for the issuance of a provisional operator's license.

l. *Provisional retail license.* The city clerk may issue a provisional retail license to a person who has applied for a Class A, Class B, Class A, Class B, or Class C retail license and who provides proof of enrollment in, or the appointed agent of the entity applying provides proof of enrollment in, a responsible beverage server training course required under Wis. Stats. § 125.04(5)(a)5., or any future amendment, revision, or modification of such statute.

- (1) A provisional license shall not be issued to any person who has been

denied a retail license by the common council, whose operator's license has been revoked or suspended within the preceding 12 months, or who already holds a provisional license of the type applied for.

- (2) A provisional license may be issued only to persons eligible for a retail license under all of the provisions of this chapter and under the requirements of Wis. Stats. §§ 125.04 and 125.185, and only for the activities that the retail license applied for would authorize.
- (3) Any provisional license granted under this section shall expire 60 days after its issuance, or when a retail license is issued to the holder, whichever is sooner.
- (4) The city clerk shall revoke the provisional license if the holder makes any false or misleading statement or any material or misleading omission on the application.
- (5) The city clerk shall revoke the provisional license if the applicant or its appointed agent fails successfully to complete the responsible beverage server training course in which he or she enrolls.
- (6) The city clerk shall not issue a provisional Class B license if doing so would exceed the municipal quota under Wis. Stats. § 125.51(4).
- (7) No more than one provisional license may be issued to an applicant during any 12-month period.
- (8) A \$15.00 non-refundable fee shall be charged by the city clerk for the issuance of a provisional retail license.

AFTER AMENDMENT

3. *Classes of licenses and fees.* The following classes and denominations of licenses may be issued by the city clerk under the authority of the city council after payment of the application fee specified in section 12.01 of this chapter, which, when so issued, shall permit the holder to sell, deal, or traffic in alcohol beverages as provided in Wis. Stats. §§ 125.17, 125.25, 125.26, 125.28, and 125.51. Except as otherwise provided in this section, the full license fee shall be charged for the whole or fraction of any year.
 - a. *Class A fermented malt beverage retailer's license.* See Wis. Stats. § 125.25.
 - b. *Class B fermented malt beverage retailer's license.* See Wis. Stats. § 125.26.
 - (1) *Six months.* A license may be issued at any time for six months in any calendar year, for which three-fourths of the applicable license application fee shall be paid; but such license shall not be renewable during the calendar year in which issued.
 - c. *Class C wine license.* A Class C license authorizes the retail sale of wine by the glass or in opened original container for consumption on the premises where sold.
 - d. *Wholesalers fermented malt beverage license.* See Wis. Stats. § 125.28.
 - e. *Retail Class A liquor license.* See Wis. Stats. § 125.51(2).
 - f. *Retail Class B liquor license.* A retail Class B liquor license shall permit its holder to sell intoxicating liquor to be consumed by glass only on the premises where sold and also authorizes the sale of intoxicating liquor in the original package or container in multiples not to exceed four liters at any one time and

to be consumed off the premises where sold. Wine may be sold for consumption off the premises in the original package or otherwise in any quantity. See Wis. Stats. § 125.51(3)(b).

- (1) A license may be issued after July 1 in any license year. The license shall expire on the following June 30. The application fee for the license shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
- (2) Licenses valid for six months may be issued at any time. The fee for the license shall be 50 percent of the annual license application fee, as stated in section 12.01 of this chapter. The license may not be renewed during the calendar year in which issued.

g. *Retail Class B winery license.* A retail Class B winery license shall permit its holder to sell wine to be consumed by the glass or in opened containers on the premises where sold or off the premises if the licensee seals the container of wine with a tamper-evident seal before the wine is removed from the premises. The "Class B" license also authorizes the sale of wine in the original package or container to be consumed off the premises where sold, but does not authorize the sale of fermented malt beverages or any intoxicating liquor other than wine.. See Wis. Stats. § 125.51(3)(am).

- (1) A license may be issued after July 1 in any license year. The license shall expire on the following June 30. The application fee for the license shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
- (2) Licenses valid for six months may be issued at any time. The fee for the license shall be 50 percent of the annual license application fee, as stated in section 12.01 of this chapter. The license may not be renewed during the calendar year in which issued.

h. *Reserve retail Class B liquor license.* A reserve retail Class B liquor license means a license that is not granted or issued on or before December 1, 1997, and is counted under Wis. Stats. § 125.51(4)(br), which authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the glass to be consumed on the licensed premises or in the original package or container in multiples not to exceed four liters at any one time and to be consumed off the licensed premises, except that wine may be sold in the original container or otherwise in any quantity to be consumed off the premises.

i. *Outdoor beverage area permit.* An outdoor beverage area permit shall permit its holder to sell intoxicating liquor beverages in outdoor areas as described in subsection (11) "Permit Required for Outdoor Alcoholic Beverage Area."

- (1) A permit may be issued after July 1 in any license year. The permit shall expire on the following June 30. The application fee for the permit shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
- (2) Permits valid for six months may be issued at any time. The fee for the permit shall be 50 percent of the annual permit application fee, as stated in section 12.01 of this chapter. The permit may not be renewed during the calendar year in which issued.

j. *Operators.* See Wis. Stats. § 125.17.

- (1) Operator licenses may be granted to individuals by the city council for

the purposes of complying with Wis. Stats. §§ 125.32(2) and 125.68(2).

- (2) Operator licenses may be issued only upon submission of a written application on forms provided by the city clerk. A color photograph of the applicant shall be submitted with the written application.
- (3) Operator licenses shall be valid for ~~one~~two years and shall expire on the following June 30 ~~of the second year~~.

k. *Provisional operator's license.* The city clerk may issue a provisional operator's license to a person who has applied for an operator's license and provides proof of enrollment in a responsible beverage server training course required under Wis. Stats. § 125.17(6)(a), subject to the following:

- (1) A provisional license may not be issued to any person who has been denied an operator's license, or whose operator's license has been revoked or suspended within the preceding 12 months.
- (2) A provisional license may be issued only to persons eligible for operator's licenses under all of the provisions of this chapter, upon completion of a satisfactory background check by the Kaukauna Police Department, and under the requirements of Wis. Stats. § 125.04.
- (3) Any provisional license granted under this subparagraph shall expire 60 days after its issuance or when an operator's license is issued to the holder, whichever is sooner.
- (4) The city clerk shall revoke the provisional license if the holder makes any false or misleading statement or any material misleading omission on the application.
- (5) The city clerk shall revoke the provisional license if the applicant fails successfully to complete the responsible beverage server training course in which the applicant enrolls.
- (6) No more than one provisional license may be issued to an applicant during any 12-month period.
- (7) A \$15.00 non-refundable fee shall be charged by the city clerk for the issuance of a provisional operator's license.

l. *Provisional retail license.* The city clerk may issue a provisional retail license to a person who has applied for a Class A, Class B, Class A, Class B, or Class C retail license and who provides proof of enrollment in, or the appointed agent of the entity applying provides proof of enrollment in, a responsible beverage server training course required under Wis. Stats. § 125.04(5)(a)5., or any future amendment, revision, or modification of such statute.

- (1) A provisional license shall not be issued to any person who has been denied a retail license by the common council, whose operator's license has been revoked or suspended within the preceding 12 months, or who already holds a provisional license of the type applied for.
- (2) A provisional license may be issued only to persons eligible for a retail license under all of the provisions of this chapter and under the requirements of Wis. Stats. §§ 125.04 and 125.185, and only for the activities that the retail license applied for would authorize.
- (3) Any provisional license granted under this section shall expire 60

days after its issuance, or when a retail license is issued to the holder, whichever is sooner.

- (4) The city clerk shall revoke the provisional license if the holder makes any false or misleading statement or any material or misleading omission on the application.
- (5) The city clerk shall revoke the provisional license if the applicant or its appointed agent fails successfully to complete the responsible beverage server training course in which he or she enrolls.
- (6) The city clerk shall not issue a provisional Class B license if doing so would exceed the municipal quota under Wis. Stats. § 125.51(4).
- (7) No more than one provisional license may be issued to an applicant during any 12-month period.
- (8) A \$15.00 non-refundable fee shall be charged by the city clerk for the issuance of a provisional retail license.

EFFECTIVE DATE This Ordinance shall be in full force and effect from the date of passing and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

March 3rd, 2026.

Presiding Officer

Attest

Anthony J. Penterman, Mayor,
City of Kaukauna

Kayla Nessmann, Clerk,
City of Kaukauna