

Monday, May 1, 2023

6:30 PM

McFarland Municipal Center
Community Room

AGENDA

You are invited to this meeting through a Zoom webinar. The public may attend in-person or remotely through the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/88228157855>

Or by Telephone: +1 (312) 626-6799

Webinar ID: 882 2815 7855

Press *9 to raise/lower hand. Press *6 to mute/unmute.

1. CALL TO ORDER, ROLL CALL.

2. PUBLIC APPEARANCES.

- a. This is an opportunity for members of the public to address the Public Safety Committee for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Committee about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Committee for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to public.safety@mcfarland.wi.us to be included as part of the meeting.

Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.

3. APPROVAL OF MINUTES.

- a. Motion to approve the minutes of the April 3, 2023 meeting.

4. BUSINESS.

- a. Discussion and recommendation on an event permit for the McFarland Pride Association to hold a picnic in Arnold Larson Park on June 25, 2023 from 10:00 a.m. to 4:00 p.m.
- b. Discussion and recommendation on a Temporary Class B license for fermented malt beverages and wine for the Edwards-Foye American Legion Post 534 for the Take a Vet Fishing event to be held on June 17, 2023 with the conditions provide by Police Chief Chapin.
- c. License Hearing
 - 1) Conduct hearing on the recommendation from Chief Chapin to deny the issuance of an operator's license for Kendrick Watkins for the period ending June 30, 2023
 - 2) Discussion and recommendation on the operator's license for Kendrick Watkins for the period ending June 30, 2023.

d. Discussion and recommendation on updates to the Tourist Rooming House Ordinance.

5. SCHEDULE NEXT MEETING DATE.

a. June 5, 2023 at 6:30 p.m.

6. ADJOURNMENT.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the McFarland Municipal Center at (608)838-3153, 5915 Milwaukee Street, McFarland, Wisconsin, or village.clerk@mcfarland.wi.us by 2:00 p.m. at least 5 business days prior to the meeting so that any necessary arrangements can be made to accommodate each request. If the meeting or request is less than 5 business days from the meeting, requests for accommodations may still be made and reasonable efforts will be made to accommodate each request.

VILLAGE OF MCFARLAND
Public Safety Committee Minutes

Monday, April 3, 2023 - 6:30 PM

1. CALL TO ORDER, ROLL CALL.

Chairperson Edward Wreh called the regular meeting of the Public Safety Committee to order at 6:30 PM in the community room.

Members present: Edward Wreh, Sandy Bakk, Shannon Morrison, Hilary Brandt, Dottie Olson (arrived at 6:32 pm.)

Members not present: Rich Staley

Staff Present: Village Cler Cassandra Suettinger, Police Chief Chapin, Fire Chief Dennis

2. PUBLIC APPEARANCES.

- a. *This is an opportunity for members of the public to address the Public Safety Committee for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Committee about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Committee for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to public.safety@mcfarland.wi.us to be included as part of the meeting.*

Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.

There were no public appearances during this time.

3. APPROVAL OF MINUTES.

- a. *Motion to approve the minutes of the March 6, 2023, Public Safety Committee meeting.*
Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to approve the minutes from the March 6, 2023 and the February 6, 2023 , Public Safety Committee meetings. Motion carries 5 - 0 - 0 by acclamation.
- b. *Motion to approve the minutes of the February 6, 2023, Public Safety Committee meeting.*

4. BUSINESS.

- a. *Discussion and recommendation on an expansion of premise for Class "B" Beer and "Class B" Intoxicating Liquors license for Byrnes McFarland Tavern LLC, D/B/A Byrnes McFarland Tavern, to add the approximately 768 square foot garage area.*
Chairperson Edward Wreh introduced the agenda item.

Public comment was made by Shaun O'Hearn, 5205 Linden Parkway, who opposed the

expansion and gave reasons for his objection to include noise and parking concerns.

Ashley Byrne, owner of Byrne's McFarland Tavern, responded to concerns and answered the committee's questions.

Sue Smith, 5434 Bremer Road, gave comments on the noise at the tavern.

Village Clerk Cassandra Suettinger provided a staff overview, including the 7 percent variance on the capacity that staff recommends. The committee discussed the item and cameras. Chief Chapin answered questions about cameras and parking.

Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to recommend approval to the Village Board on an expansion of license premise for Byrnes McFarland Tavern, 5915 Exchange St., to include the 768 square foot garage area, which shall be utilized for indoor and outdoor consumption with the following variances and conditions:

1. the variance from the requirement that an outdoor consumption area be no greater than 50 percent of the licensed premises' indoor capacity
2. a variance be granted for the requirement that no bar counter service occur in the outside consumption area
3. the requirement that a security camera be included.

The group spoke about liquor licenses and revocation. Attorney Evans answered questions, and Shaun O'Hearn, and Ashley Byrne commented.

Village Trustee Edward Wreh called for the vote. Motion carries 5 - 0 - 0 by acclamation.

b. Discussion and public input session regarding the Village's Tourist Rooming House Ordinance.

Village Trustee Edward Wreh introduced the item. Village Clerk Suettinger gave a brief overview of the issue.

Joan Garrett, of 5911 Lake Edge Road was there to give her input regarding 5913 Lake Edge Road and construction issues.

Shaun O'Hearn, of 5205 Linden Parkway spoke in favor of tourist rooming houses.

Sue Smith, 5434 Bremer Road, spoke in opposition to tourist rooming houses.

Alisa Leamy, 6606 Sleepy Hollow Road, spoke in opposition of tourist rooming houses.

Nora Bird, 4514 Wisconsin Avenue, spoke in favor of tourist rooming houses.

Stewart Allbaugh, 5622 Lake Edge Road, spoke in opposition to tourist rooming houses.

Mike Norskey, 5305 Leanne Lane, spoke in favor of tourist rooming houses.

Shannon Morrison, 6129 Meadowwood Trail, was present to speak about tourist rooming houses and the potential for ordinances that will prevent issues.

c. Discussion and review of Chapter 11, Article XI. of the Village Code of Ordinances regarding Tourist Rooming Houses.

Village Trustee Edward Wreh introduced the item. Village Clerk Suettinger gave a brief overview. The group discussed potential ordinance changes.

Alisa Leamy, 6606 Sleepy Hollow Rd, spoke in opposition of tourist rooming houses.

Sue Smith, 5434 Bremer Rd., spoke in favor of longer stay requirements.

Stuart Allbaugh, 5622 Lake Edge Rd., spoke regarding people buying up property for TRH.

Shaun O'Hearn, 5205 Linden Parkway, spoke in opposition of ordinances requiring longer stays for TRH.

The committee asked Village Attorney Daniel Evans questions regarding the legality of potential ordinance changes.

Village Attorney Daniel Evans answered questions. Village Trustee Edward Wreh instructed the committee to send recommendations to staff in the next two weeks.

5. SCHEDULE NEXT MEETING DATE.

a. May 1, 2023 at 6:30 p.m.

6. ADJOURNMENT.

Motion by Village Trustee Hilary Brandt, second by Member Shannon Morrison, to adjourn at 9:01 p.m.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin board in accordance with Open Meetings Law.

Respectfully submitted,
Tricia Reimer
Office Manager

McFarland
SUMMARY SHEET

MEETING DATE: Monday, May 1, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Aaron Chapin, Police Chief, Chris Dennis, Fire/Rescue Chief

AGENDA ITEM: Discussion and recommendation on an event permit for the McFarland Pride Association to hold a picnic in Arnold Larson Park on June 25, 2023 from 10:00 a.m. to 4:00 p.m.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

The McFarland Pride Association has applied to hold a picnic in Arnold Larson Park on June 25, 2023 from 10 a.m. to 4:00 p.m. This is the first time the event has been proposed, and thus is required to be reviewed by the Public Safety Committee. Attached are letters from the Public Works, Police and Fire & Rescue Departments with recommendations for the event.

FINANCIAL/BUDGET IMPACT:

Permitting Revenues

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

[Village Ordinance Chapter 36 - Events Requiring a Permit](#)

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Motion to recommend approval of an event permit for the McFarland Pride Association to hold a picnic in Arnold Larson Park on June 25, 2023 from 10 a.m. to 4 p.m., including the request for a variance to allow minors to be present where alcohol is served, with the conditions provided from staff included in the packet.

ATTACHMENTS:

1. Kristin Ellis Event Permit Application Submission_Redacted
2. Detailed Schedule 04.22.2023
3. DRAFT Site Plan
4. Pride Event -Arnold Larson Park
5. 20230420 - McFarland Pride Event Review MFR
6. Approval Letter



Event Permit Application

Pursuant to Village Ordinance Chapter 11:

For parades, run/walks, car shows, community events, and special events in which 200 or more attendees are anticipated at one time or that is likely to have a significant impact on neighborhood parking or the free-flow of traffic (only pertains to events that are open to the public).

Do NOT complete this form unless you have been instructed to do so by the Village Clerk/Treasurer.

Fees

Application Fee	\$100.00
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Application Fee = \$100.00

Applicant Information

Name of Primary Contact (First, Middle Initial, Last) Kristin Ellis

Phone Number [Redacted]

Address [Redacted]

Email Address [Redacted]



Event Permit Application

Agency / Organization Information (If Applicable)

Agency / Organization Name McFarland Pride Association

Phone Number

Address

Email Address

Event Information

Name of Event Kristin Ellis

Type of Event We are hosting a Picnic in the park on June 25th. The event will include around 10 vendors (all of whom will obtain appropriate licensing through the village). We are working on obtaining donations for food (hot dogs, chips, water) and will offer free beer which will be donated. We will have story time, David Lambau performing, face painting, balloon animals, yard games, and more. The event is intended to be a celebration of pride and be family friendly.

Location of Event The Gazebo downtown Arnold Larson Park

Event Date(s) June 25

Event Time(s) 10:00-4 PM

Total Number of Anticipated Attendees 300+

Total Number of Attendees Anticipated Being at the Event at One Time 20-100

Setup Start Time 8:30 AM

Tear-Down End Time 6:00 PM



Event Permit Application

Public or Private Event

Open to the Public

Is any part of the event proposed to take place on a Village street?

No

Will there be outdoor amplified sound?

Yes

Please describe.	We will have sound for David's performance and music
Will the event generate excessive noise or amplified sound after 10 pm? All events generating noise after 10 pm require a variance from the Village Board.	No
Will alcohol be consumed?	Yes
Will minors be present where alcohol is served? All events that allow for the presence of minors where alcohol is served require a variance from the Village Board.	Yes, a variance is requested as part of this application
Will alcohol be sold?	No
Will a Village park be used?	Yes

Please identify the park. Arnold Larson Park

Reservations should be made on our [Park Shelter Reservations page](#).

Will the event involve tents or any other activities that will require digging or turf disturbance?	No
Has this event been previously approved in prior years by the Village?	No
Will the event include any mobile food carts?	Yes

If yes, a Mobile Food Establishment Permit is required for each cart. Please contact the Clerk/Treasurer at 608-838-3153.

Will the event include any vendors?	Yes
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If yes, a Direct Seller Permit may be required for each vendor. Municipal staff will contact you to obtain more information.



Event Permit Application

Required Attachments

Detailed Event Schedule

File(s) attached:



Schedule for Pride.docx

Site Plan Requirement - A site plan must be attached that identifies the event layout for the event including stages, tents, equipment, fencing, alcohol sale and carding areas, etc.

File(s) attached:



Insurance - The applicant shall furnish a certificate to the Village demonstrating that applicant has in force and will maintain during the time the Event Permit is in effect public liability insurance of not less than \$1,000,000 per one person, \$2,000,000 per occurrence for personal injury, and \$1,000,000 for property damage naming the Village as an additional insured.

File(s) attached:



Certificate of Insurance (SEL).pdf

Event Details & Security Plan

As part of the application process, you will be required to meet with the McFarland Police Department to discuss details of your event and security requirements. Please provide some dates/times you would be available for a meeting.

Ed Wreh spoke with the police chief and they will do periodic check in on the event by driving by the park I am open to discuss any additional security concerns in person

Event Coordinators

The Village requires each event to identify event coordinators who shall serve as direct contacts for the event. These should be individuals that are not directly participating in the event activities, but rather specifically assigned to monitor and assist in coordinating the activities of the event.

Identify Event Coordinators (Identify 1 for Every 50 Expected Attendees)

i. **Event Coordinator Name**

Kristin Ellis

Location at Event (ex. Race Start, Supply Tent)

All Day

Time On-Site (ex. 10 am to 2pm)

9-6

Cell Phone Number

[REDACTED]

ii. **Event Coordinator Name**

Nikki Ellis

Location at Event (ex. Race Start, Supply Tent)

the park

Time On-Site (ex. 10 am to 2pm)

9-6

Cell Phone Number

[REDACTED]

iii. **Event Coordinator Name**

Jenny Scheel

Location at Event (ex. Race Start, Supply Tent)

the park

iv. **Event Coordinator Name**

Samanth

Location at Event (ex. Race Start, Supply Tent)

the park



Event Permit Application

Detail Security Plan Requirements

Police Department to provide criteria regarding security plan requirements. This would include number of event coordinators required per number of attendees, security requirements when alcohol is served, etc.

Detailed Emergency Management Expectations and Requirements

Actions to be taken in the event of a fire, hazardous condition, or similar emergency requiring building or tent evacuation:

- Have an individual call 911, not all facilities that have a fire alarm notify the 911 center. The 911 operator will have several questions but know the Fire and Rescue Department will be notified while questions are being obtained.
- If amplified music is playing, have the music stop and if possible calmly announce the need to evacuate to the nearest exit.
- Individuals will need to be designated in assisting in evacuating individuals to the nearest exit. Keep in mind most individuals will attempt to exit the same way they accessed the area. The exit will most likely not be able to handle the number of individuals exiting and have people near the exits to allow them to exit quickly while ushering individuals to the exit.
- Designate an area of event-goers to an assembly area that is away from the building, fire department vehicle access. We want to allow access for fire trucks and firefighters to address the situation.
- In the event, an individual is unwilling to exit do not put individuals at risk in attempting to remove the individual. Notify the initial arriving first responders.

Actions to be taken in the event of a medical emergency:

- Call 911 to report the incident. The 911 operator will have several questions but know the Fire and Rescue Department will be notified while questions are being obtained.
- Identify individuals that can assist in getting responders from the entrance of the area to the individual that is in need of medical care. Note more than one vehicle will often respond and maybe several depending on the situation. Having adequate staff to remain in locations to direct additional vehicles responding is preferred.



Event Permit Application

Indemnification Agreement

In consideration for the issuance of the Event Permit, the undersigned, both individually and the agency or organization applying for the Event Permit, shall indemnify, defend and hold harmless the Village of McFarland and its officers, officials, agents, and employees against all loss or expense (including liability costs and reasonable attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the Village or its officers, officials, agents or employees, for damages because of injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damages to property, including loss of use thereof, arising from, in connection with, caused by or resulting from the Event. The undersigned represents that he or she has authority to enter into this agreement on behalf of the agency or organization applying for this permit.

Applicant Signature



Date

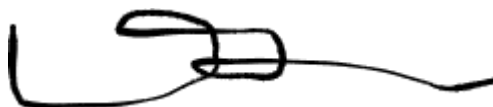
04/05/2023

I understand the application and event requirements and agree to the following:

Certifications

- I agree to adhere to all applicable federal, state, and municipal laws and understand the violation of such laws will be subject to applicable fines and penalties, and failure to do so is grounds for revocation of the event permit.
- I understand that my event permit may be revoked at any time, if the Chief of Police, Fire/EMS Chief, Public Works Director, or designee, in their sole discretion, determine that health or general welfare to the public is endangered.
- I agree to return the site to the condition that existed before the event within twenty-four (24) hours or the expiration of my park reservation.
- I agree to abide by all conditions, including any additional conditions imposed by the Village, and understand failure to adhere to conditions will result in revocation of the event permit.

Applicant Signature



Date

03/22/2023

Payment Details

04/05/2023 1:18 PM (CDT)

Transaction Id	06d944f0-9ef4-4b17-87b8-43ca7c28e813
Order Number	a75343ab-feaf-4e0c-8f8f-333e7664b01a
Payment Type	CreditDebitCard
Card Number	xxxx xxxx xxxx 2342
Amount	\$100.00
Created At	04/05/2023 1:18 PM (CDT)

Cassandra Suettinger

From: Kristin Ellis <kellis@farwellgallery.com>
Sent: Saturday, April 22, 2023 2:37 PM
To: Cassandra Suettinger
Subject: Details on entertainment

I thought this would also be helpful

Sunday, June 25th @ The Gazebo Arnold Larson Park

- **10:00-11:00 Yoga in the park Mala Yoga**

- **1:30-12:15 David Landau**

David is a well-known folk singer who specializes in energetic musical performances for the little ones! David has performed all over Madison and always brings a smile to the faces of those who come to listen to him sing and play guitar. David is amazing with kiddos of all ages and encourages audience participation.

- **12:15-1:15 FREE Lunch – hot dogs, chips, and drinks!**
- **1:30-2:30 – Drag Queen Story Time with Nemo & Andi Withai Domino**

Andi Withani Domino and Nemo are Wisconsin's Premiere Teen Drag Queen duo. Andi and Nemo have both been performing for the past 3 years and have led the teen drag movement in the Midwest. Andi is the reigning Miss Wisconsin Youth Entertainer 2023 and the former Jr. Miss Rock County Pride 2022. Nemo is the former Miss Wisconsin Youth Entertainer 2022 and can be seen on Generation Drag on Discovery +. The 17-year-old duo brings drag to families, co-hosting a monthly family-friendly show called *Voices of the Next Generation* in Madison. Nemo and Andi have both found pride and community through their artistry, and plan to continue spreading that positivity and love.

- **3:00-5:00 DJ Femme Noir**

Come and dance the afternoon away with tunes from DJ Femme Noir's sets are intertwined with an eclectic array of music styles from various genres of mainstream and underground music. From popular classics that will have your whole family on their feet, to current singles that dominate the charts, she will have you dancing the whole night away.

Although DJ Femme Noir has been actively DJing for only two years, music has always been a big influence in her life. "My father was a choir director in my grandfather's church while I was growing up. He had a way of reading people and knowing exactly what they needed to hear at any moment. He also knew and understood his choir members and was able to bring out the very best in every single person involved," she said. "I often channel this enthusiasm and spirit when I am out doing my gigs so that it reflects in the songs I play. I may feed off the crowd's energy, but I also influence it with my selections. It's my job to use that influence to set the mood."

FREE Family-friendly activities

12:00-4:00 PM

- **Face Painting**
- **Photo Booth**
- **Art Cart**

- **Walking Library**
- **Card Decorating – we are collecting cards to be sent out to our trans community members.**

Vendors requiring payment:

Vendors for Treats:

Kona Ice

Lily's Cotton Candy

*Dunk Tank- We are working on getting a dunk tank to dunk some local McFarland leaders.

Vendors art and other items

TBD

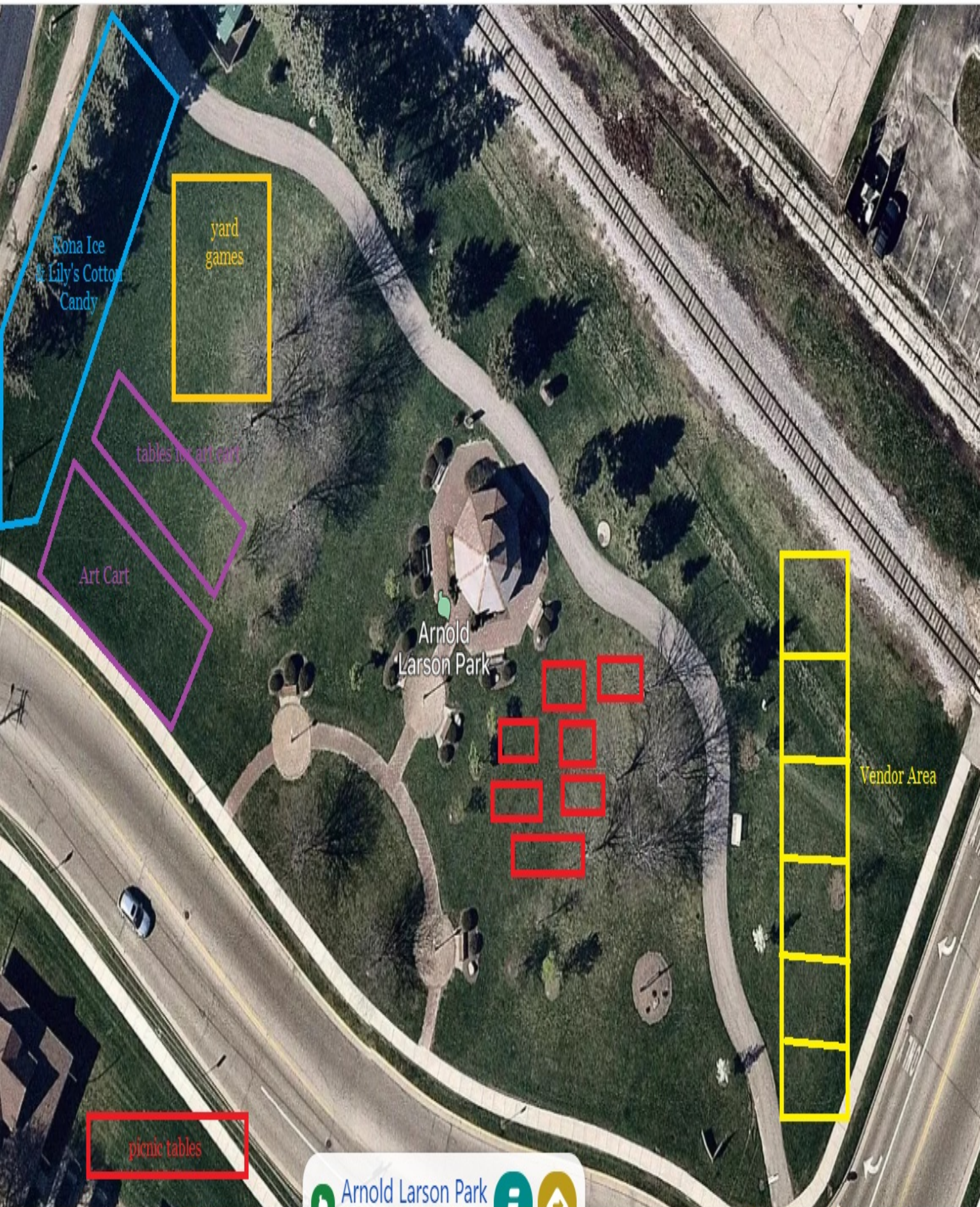
Kristin Ellis - Owner Farwell Gallery

She/Her/Hers

608.225.8647

www.farwellgallery.com





Kona Ice
& Lily's Cotton
Candy

yard
games

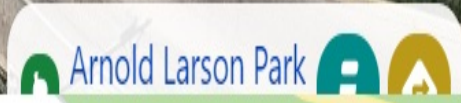
tables for art cart

Art Cart

Arnold
Larson Park

picnic tables

Vendor Area





www.mcfarland.wi.us | 5115 Terminal Drive, McFarland, WI 53558 |
608.838.7287

April 19, 2023

Re: Pride in the Park
June 25, 2023

The Public Works Department does have the following conditions and recommendations for this event:

- The vendor area is in the Railroad right of way and must be moved onto Village Property. The property line is about two feet north of the edge of the bike path.
- The location of the picnic tables is the wettest part of the park. With wet conditions we recommend moving the picnic tables to the west side of the Gazebo.
- Currently there are approximately 14 tree stumps that may or may not be removed prior to the event on June 25th. Even if they are removed, grass probably will not be established and could be muddy or a hazard. Public Works will fence off the areas prior to the event. This will be a large obstruction.
- Arnold Larson Park has an environmental cap on three quarters of the park that does not allow for any stakes to be driven into the ground. This would restrict any stakes from being driven into the ground in the vendor area.
- Food carts should be parked on the bike path, with barricades and signage on both ends.
- If the art cart is a vehicle, we would prefer it is not parked on the grass.
- No driving on the turf. Vehicles need to stay on pavement prior to and after the event for loading and unloading purposes.
- No parking of any vehicle on the park turf.
- Turf areas that are saturated are to be avoided. Failure to do so might result in additional charges to repair ruts.
- At least two weeks prior to the event contact Public Works to arrange any additional trash cans, picnic tables.

Please contact me through Public Works if you have any questions or would like to meet onsite to discuss any of the items. I truly hope the event is a success.

Best Regards,

Leon J Igl

Lee Igl
Director of Public Works

April 20, 2023

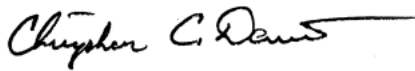
Re: Special Event Permit Application – McFarland Pride Association

I have reviewed the submitted application by Kristin Ellis, McFarland Pride Association, for the McFarland Pride Association Picnic event to occur on June 25, 2023.

The application is substantially complete and complies with the EMS and fire requirements. The event is a new event for the Village. I would recommend the event coordinators to review the emergency expectations and requirements. The Fire & Rescue Department would be happy to review any concerns with the coordinators.

I recommend approval of the permit.

Sincerely,



Christopher C. Dennis, Chief
Fire & Rescue Department
Village of McFarland

McFarland

VILLAGE OF

Police Department

5915 Milwaukee St, McFarland, WI 53558 | 608.838.3151 | www.mcfarland.wi.us/police

Aaron P. Chapin | Chief of Police

DATE: April 25, 2023

TO: McFarland Public Safety Committee and Village Board

FROM: Aaron P. Chapin, Chief of Police

REFERENCE: Recommendation of Approval

I have reviewed the event permit applications for the McFarland Pride Association Picnic to be held June 25th from 10:00 am to 4:00 pm at Arnold Larson Park. There will also be live music and the anticipated attendance will be around 300 people throughout the event.

Note that alcohol will be served, but not sold. The organizers are also requesting an ordinance variance allowing for minors to be present where alcohol is distributed/consumed. I recommend the following requirements be placed on the applicant(s):

- Organizers will provide 1 staff member per 50 anticipated attendees, devoted to the function of assisting and directing attendees as needed.
- Each staff member will wear a brightly colored shirt, coat or vest that clearly identifies them as event staff.
- Organizers will be cognizant of the anticipated weather forecast and have a plan in place to communicate with and evacuate and/or shelter attendees in the event of severe weather.
- Organizers will dedicate, in addition to the aforementioned requirements, sufficient staff members so as to prohibit the distribution of alcohol to minors.
- Organizers agree to card (to verify age) and wristband anyone that appears to be under or close to the legal age to consume alcohol.

Respectfully,



Aaron P. Chapin
Chief of Police

VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Monday, May 1, 2023

SECTION: Consent Agenda

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Aaron Chapin,
Police Chief

AGENDA ITEM: Discussion and recommendation on a Temporary Class B license for fermented malt beverages and wine for the Edwards-Foye American Legion Post 534 for the Take a Vet Fishing event to be held on June 17, 2023 with the conditions provide by Police Chief Chapin.

PREVIOUS ACTION:

The event has been held successfully and approved for many years in the Village.

ISSUE SUMMARY:

The American Legion has held the Take a Vet Fishing event with a temporary Class B license for many years. However, this year's event includes a substantial change from previous years. Typically, Veterans and event attendees fish early in the morning and then hold a celebration with a beer tent outside of the Legion in the afternoon. This year's event proposes the beer tent accompanied by a live band from 6 p.m. to 10 p.m. Because this is a substantial change, it is being routed through the Public Safety Committee for review and recommendation.

FINANCIAL/BUDGET IMPACT:

Additional permitting revenue

VILLAGE PLAN REFERENCE:

N/A

ORDINANCE REFERENCE:

[11-49 & 11-50 Temporary Class "B" fermented malt beverages and "Class B" Wine Licenses.](#)

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Motion to recommend approval of a Temporary Class B license for fermented malt beverages and wine for the Edwards-Foye American Legion Post 534 for the Take a Vet Fishing event to be held on June 17, 2023 with the conditions provided by staff in the packet.

ATTACHMENTS:

1. TVF Permit_Redacted
2. Approval Letter
3. 20230419 - Take A Vet Fishing Review MFR

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$10.00

Application Date: 03/18/2023

☐ Town ☒ Village ☐ City of McFarland

County of Dane

The named organization applies for: (check appropriate box(es).)

☒ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

☐ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 06/17/2023 and ending 06/17/2023 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. Organization (check appropriate box) →

☐ Bona fide Club

☐ Church

☐ Lodge/Society

☒ Veteran's Organization

☐ Fair Association or Agricultural Society

☐ Chamber of Commerce or similar Civic or Trade Organization organized under ch. 181, Wis. Stats.

(a) Name Edwards-Foye American Legion Post 534 for Take A Vet Fishing 501 C3 non profit

(b) Address 4911 Burma Rd McFarland, WI 53558

(Street)

☐ Town

☒ Village

☐ City

(c) Date organized

(d) If corporation, give date of incorporation

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box: ☐

(f) Names and addresses of all officers:

President Commander Nathan Weier

Vice President Cory Gessler

Secretary Adjutant Jody Armstrong

Treasurer Patricia Howan

(g) Name and address of manager or person in charge of affair: Robert Blanchard

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 4911 Burma Rd McFarland, WI 53558

(b) Lot Block

(c) Do premises occupy all or part of building?

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: 40x100 ft tent and pavillion on the hill behind the flags. Alcohol will be served and consumed in and around tent and pavillion inside fenced in area with one exit and entrance.

3. Name of Event

(a) List name of the event Take A Vet Fishing/ NFP 501 C3

(b) Dates of event 06/17/2023

DECLARATION

An officer of the organization, declares under penalties of law that the information provided in this application is true and correct to the best of his/her knowledge and belief. Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

DocuSigned by:

Off Rob Blanchard
D6D8777417A7438... (Signature / Date)

Edwards- Foye American Legion Post 534 Take A Vet Fishing

(Name of Organization)

Date Filed with Clerk

Date Reported to Council or Board

Date Granted by Council

License No.

Additional Information

May be Granted and Issued only to (secs. 125.26(6), and 125.51(10), Wis. Stats.):

- (1) Bona fide clubs.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application.
- (4) Posts of veterans organizations.
- (5) Chambers of commerce or similar civic or trade organizations organized under ch. 181, Wis. Stats.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (secs. 125.26(1) and 125.51(10), Wis. Stats.)
- (3) The written application shall be filed with the clerk of the municipality in which premises are located:
 - Class "B" (Beer):
 - a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (sec. 125.04(3)(f), Wis. Stats.)
 - b. At least 15 days prior to the granting of the license for events lasting 4 or more days.
 - "Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.
- (4) Seller's Permit: (sec. 77.54 (7m), Wis. Stats.), provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required. (sec. 125.04(3)(g), Wis. Stats.)

Fee: Determined by the municipality, but may not exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.) (secs. 125.26(6) and 125.51(10), Wis. Stats.)

Duration: The day, or consecutive days, that the specified event is in progress. A municipality may issue up to 20 licenses to the same licensee for a single event, if each license is issued for the same date and time. (sec. 125.51(10)(b), Wis. Stats.)

Restrictions:

- (1) License may not be issued to individuals. (secs. 125.02 (14), 125.26(6), 125.51(10), Wis. Stats.)
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. (secs. 125.26(6) and 125.51(10), Wis. Stats.)
- (3) License may cover either a specified area or the entire picnic grounds. (secs. 125.26(6) and 125.51(10), Wis. Stats.)
- (4) License issued to a county or district fair must cover the entire fairgrounds (secs. 125.26(6) and 125.51(10), Wis. Stats.)
- (5) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (sec. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (6) Licensed operator(s) must be present at all times (secs. 125.17, 125.26(6), 125.32(2) - Beer; 125.17, 125.51(10), 125.68(2) - Wine; Wis. Stats.)
- (7) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/"Class B" licensed picnic area. (sec. 125.32(6), Wis. Stats.)
- (8) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society, chamber of commerce or similar civic or trade organization or veterans' post in any 12 month period. A municipality may issue up to 20 wine licenses to the same licensee if: 1) each license is issued for the same date and times, 2) the licensee is the sponsor of an event held at multiple locations within the municipality on this date and at these times, 3) an admission fee is charged for participation in the event and no additional fee is charged for service of alcohol beverages at the event, and 4) within the immediately preceding 12-month period, the municipality has issued these multiple licenses for fewer than 2 events. In addition, each event for which multiple licenses are issued shall count as one license toward the 2-license limit. (sec. 125.51(10), Wis. Stats.)
- (9) Licensed organizations must purchase their alcohol beverages only from permitted Wisconsin wholesalers, breweries and brewpubs. (secs. 125.33(6), and 125.69(6), Wis. Stats.)

McFarland

VILLAGE OF

Police Department

5915 Milwaukee St, McFarland, WI 53558 | 608.838.3151 | www.mcfarland.wi.us/police

Aaron P. Chapin | Chief of Police

DATE: April 7, 2023

TO: McFarland Public Village Board

FROM: Aaron P. Chapin, Chief of Police

REFERENCE: Recommendation of Approval

I have reviewed the temporary class B retailer's license applications for the Take a Vet Fishing event to be held June 17th at the McFarland American Legion. I am recommending approval of the application, with the stipulation that the event coordinators provide proper carding of those attending the event to ensure everyone purchasing and consuming alcohol in the venue is of age.

I am requiring the area where alcohol is served to be fenced off area. This establishes a clearly defined area where alcohol will be served and allows for a designated point of entry where ID carding will be performed. Alcohol will not be allowed outside the fenced area.

The event organizers need to ensure that there is access for emergency vehicles to the area where alcohol sales are occurring.

The organization will be carding at the point of sale to prevent underage persons from purchasing alcohol and will be using a wrist-band identification system.

This event has been held for several years with no issues and the event organizers are planning to conduct the event in the same way it has been done in previous years.

Respectfully,



Aaron P. Chapin
Chief of Police

April 19, 2023

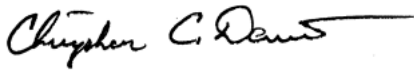
Re: Temporary Class B Application – Take A Vet Fishing

I have reviewed the submitted application by Rob Blanchar, Edwards-Foye American Legion Post 534 & Take A Vet Fishing, for the Take A Vet Fishing event to occur on June 17, 2023.

The application is substantially complete and complies with the EMS and fire requirements. The event has been held previously without significant concerns. occurring. There are no proposed changes to the event.

I recommend approval of the permit.

Sincerely,



Christopher C. Dennis, Chief
Fire & Rescue Department
Village of McFarland

McFarland
SUMMARY SHEET

MEETING DATE: Monday, May 1, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Aaron Chapin, Police Chief

AGENDA ITEM: Conduct hearing on the recommendation from Chief Chapin to deny the issuance of an operator's license for Kendrick Watkins for the period ending June 30, 2023

PREVIOUS ACTION:

ISSUE SUMMARY:

Chief Chapin has reviewed the operator's license application from Kendrick Watkins and based on the Village's Operator License Approval policy has recommended denial. Attached is Chief Chapin's letter outlining his reasoning for recommending denial. Pursuant to Village policy, the application has been referred to the Public Safety Committee for further review and a recommendation to the Village Board. This item is to conduct a hearing on the issuance of the license. Once the hearing is concluded the Public Safety Committee will move on to the next agenda item to make their official recommendation to the Village Board.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

[Village Operator's License Review Policy](#)

ORDINANCE REFERENCE:

Village Ordinance 11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

No action recommended on this item.

ATTACHMENTS:

1. Exhibit A
2. Exhibit B
3. Exhibit C - Watkins - Chief Denial Letter
4. Operator License policy Version - UPDATE - 04.13.2020



EXHIBIT A

Operator's License Application

To Serve Fermented Malt Beverages and Intoxicating Liquors

License Type	New
To Be Effective:	As Soon as Approved
Fees	1 Year License**

**1 Year License refers to the licensing year from July 1 through June 30. All licenses expires on June 30th of each year and fees are not prorated.

Do you need any duplicate licenses?	No
-------------------------------------	----

Total Cost = \$35.00

Application & Approval Policies

This application must be completed in its entirety or it will be rejected as incomplete. This application will also be rejected for any omissions. The fee is not refundable should this application be rejected or denied. For rejected applications should the applicant wish to reapply, the applicant will be required to complete a new application at an additional fee of \$35.

View the [Village of McFarland Operator License Approval Policy_\(PDF\)](#).



Name of Establishment(s) where you will be selling/serving alcohol	iMart
Last Name	Watkins
First Name	Kendrick
Middle Initial	D

Sex	Male
Home Address	
City	
State	
Zip Code	
Date of Birth	
Social Security Number	
Wisconsin Driver License/ID	
Email Address	
Home / Cell Phone Number	
Work Phone Number	

Notification

Provide the email address we should use for notification when the license is ready.

Prior Residences

Within the past five years, have you lived at any address other than the one listed above?	No
--	----



1. Have you completed a Wisconsin-approved Responsible Beverage Server Course?	Yes
If yes, when and where?	01/25/2023 iMart Larson Beach McFarland
2. Have you held an Operator's License within the last two years?	No
3. Have you ever had a license to serve alcohol beverages suspended or revoked, or surrendered the license in lieu of suspension or revocation?	No

4. Have you ever been convicted of a felony substantially related to the licensed activity? Examples of "substantially related" might include, but are not limited to: underage drinking, OWI/DUI, selling to a minor, overserving, etc.	No
5. Have you been arrested for and/or convicted of violating any law or ordinance in the last 10 years substantially related to the license activity? Examples of "substantially related" might include, but are not limited to: underage drinking, OWI/DUI, selling to a minor, overserving, etc.	No
6. Do you have any pending charges, including criminal and ordinance violations substantially related to the license activity? Examples of "substantially related" might include, but are not limited to: underage drinking, OWI/DUI, selling to a minor, overserving, etc.	No



Required Documentation

If the application is a renewal application, no additional documentation is required.

If the application is a new application, **one of the following** must be provided.

Copy of the Certificate Indicating Completion of a Wisconsin-Approved Responsible Beverage Server Course, Valid Within the Two Years Prior to the Date of This Application



Certification

I hereby apply for a license to serve Fermented Malt Beverage and Intoxicating Liquor, subject to the limitation imposed by Chapter 125 of the Wisconsin Statute, Chapter 11 of the McFarland Municipal Code and all amendments thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations Federal, State or Local, affecting the sale of such beverage and liquor if a license is granted to me

I certify that I am the applicant in the foregoing application and any attachment thereto, that I have read and made complete answer to each question, and that my answer in each instance are true and correct

Signature of Applicant

File(s) attached:



Date

01/26/2023

Did Village Staff request that you resubmit this application because there was missing information when you first submitted?

No

Payment Details

01/26/2023 1:22 PM (CST)

Transaction Id	96f520ab-de66-4a81-91e7-e4e4ccb8f5d3
Order Number	f2d53dcb-95fa-45ed-bec3-d6d8823fc60f
Payment Type	CreditDebitCard
Card Number	xxxx xxxx xxxx 1291
Amount	\$35.00
Created At	01/26/2023 1:22 PM (CST)



www.mcfarland.wi.us | 5915 Milwaukee St, McFarland, WI 53558 | 608.838.3153

February 1, 2023

Kendrick Watkins
4127 N 90th Ct
Milwaukee WI 53223

Dear Mr. Watkins,

Your application for an alcohol operator's license for the period through June 30, 2023 was received. A review of your application, criminal history, and arrest records, as maintained by the State of Wisconsin, has resulted in a recommendation from Police Chief Aaron Chapin for denial pursuant to the Village's operator license approval policy. A copy of the policy is enclosed.

You have 30 days from receipt of this letter to exercise your right to request a hearing before the Public Safety Committee to discuss the matter. If a hearing is requested, the Public Safety Committee will review your record, along with the recommendation from Chief Chapin and you will have the opportunity to provide the Committee with substantial evidence in the form of credible documentation of rehabilitation. Attached is section 5 of the operator's license approval policy which outlines the process and acceptable forms of credible documentation. Please be advised the hearing will be held as part of a public meeting.

Please contact me directly at 608-838-3153 or via email at cassandra.suettinger@mcfarland.wi.us to request a hearing before the Public Safety Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cassandra Suettinger', is written over a horizontal line.

Cassandra Suettinger
Clerk/Treasurer

McFarland

VILLAGE OF

Police Department

5915 Milwaukee St, McFarland, WI 53558 | 608.838.3151 | www.mcfarland.wi.us/police

Aaron P. Chapin | Chief of Police

EXHIBIT C

DATE: January 31, 2023

TO: Public Safety Committee

FROM: Aaron P. Chapin, Chief of Police

REFERENCE: Alcohol Operators License for Kendrick Watkins

On this date I reviewed a new application for an Alcohol Operator's License submitted by the above applicant. Having completed my review of his application, my recommendation is that of denial of the application based on village ordinance and the applicant's history.

I base my decision on the following section of Village Ordinance and the McFarland Alcohol Licensure Policy:

1. Village Ordinance 11-74 (c) (2), Guideline 2 which states, in part:

Provided the circumstances of the offense substantially relate to the circumstances of the job or licensed activity, any person who has been convicted of or has a current charge pending, for (1) or more offenses within the last five (5) years or for two (2) or more offenses, arising out of separate incidents, within the last ten (10) years in the following subcategories, does not qualify for an operator's license:

(b) Crimes involving cooperation (or lack thereof) with law enforcement officials, including but not limited to, resisting or obstructing a police officer, bribery of public officers/employees, eluding police, bail jumping, hit and run, perjury, or acts/threats of terrorism.

Mr. Watkins' history shows:

- A conviction for Resisting/Obstructing a Police Officer from an incident occurring on 08/20/2018.
- A conviction for Resisting/Obstructing a Police Officer from an incident occurring on 02/07/2020.

These convictions occurred within the ten-year period preceding the application date, thus disqualifying Mr. Watkins from eligibility to receive an Operator's License.

Operator License Approval Policy – Approved 04/13/2020

SECTION 1: Policy Purpose

In order to provide for an effective and consistent system of alcohol licensing that protects the public safety and is applied in a uniform and equitable manner, the Village Board has adopted the following written policy to govern the granting of operators' licenses pursuant to Chapter 125 of the Wisconsin Statutes, and Chapter 11, Article II of the Village ordinances.

SECTION 2: Acknowledgment of Duties.

The Village of McFarland acknowledges and recognizes the responsibility operators have to keep the public safe in their duties. An operator's license will enable operators to sell beer or liquor on a Class A premise (alcohol is carried off the premise. Examples include: a gas station, liquor store, or grocery store.) or a Class B premise (alcohol consumed on the property such as a tavern or bar). A liquor license holder, an agent, or a licensed operator must be on the premises at all times the business is open and alcohol is being sold. The licensed operator is in charge of the premise, and has certain responsibilities that include, but are not limited to:

- A. Preventing the sale of alcohol to minors. The legal drinking age is 21, and sales of alcohol to underage patrons is prohibited.
- B. Prohibiting the service or sale of alcohol to a person who is intoxicated. Operator's are legally entitled, and required, to refuse to serve any person whom they feel has had too much to drink.
- C. Ensuring open intoxicants do not leave the property.
- D. Class "B" premises must be closed between 2:00 am and 6:00 am Mon-Friday, and 2:30 am and 6:00 am Sat. & Sun (there are no closing hours on January 1). Everyone except employees on duty must be out of the store or bar by closing time. Private parties, friends or spouses are not allowed to stay on the premises while staff completes cleaning duties.
- E. Class "A" premises may not sell fermented malt beverages and intoxicating liquors between the hours of 9:00 p.m. and 6:00 a.m.

SECTION 3: Process.

- A. The Clerk's office shall take the application and fee. The office shall do an initial review of the application to ensure the application is complete pursuant to the requirements in 11-71(1)-(12) of the Village Code of ordinances. A notary is available in the Village's administration office if required. The fee collected is non-refundable. Incomplete applications will not be accepted.
- B. The Police Department will conduct a records check, including criminal and traffic, of all applicants for operators' licenses. If necessary, the records check may include an interview with the applicant or contact with other jurisdictions or third parties to verify or investigate information obtained in the records check. Applications with missing information or incomplete information regarding arrests or convictions shall be rejected. Rejected applications shall be re-assessed the application fee.

- C. The Chief of Police, or the Police Chief's designee, shall provide a recommendation for approval or denial using the criteria listed in section 4.
- D. All recommendations for approval will be routed back to the administration office to be issued by the Clerk.
- E. All recommendations for denial will be referred to the Public Safety Committee. The Clerk shall forward the license application and any related materials to the Committee. The Clerk shall provide notice to the applicant in writing that he or she should appear before the Committee for individual review of the application. The Public Safety Committee shall provide a review of the application as listed in Section 5.
- F. The committee shall, after interview of the applicant, make a recommendation to either grant or deny an operator's license to the Village Board.
- G. The Village Board shall review the application and recommendation from the Public Safety Committee and make a final determination of granting or denying the license.
- H. If the application is denied by the Village Board, the Village Clerk shall, in writing, inform the applicant of the denial, the reasons therefore, and provide an opportunity for the applicant to request a reconsideration of the application by the Village Board.
- I. If the application is denied again, the Village Clerk shall notify the applicant in writing of the reasons therefor. An applicant who is denied any license may apply to the Circuit Court pursuant to WI Statutes 125.12(2)(D).

SECTION 4: Criteria for Denial

The Chief of Police, or designee, shall provide a review of the criminal history of the applicant, and refer any of the following to the Public Safety Committee for further review and possible recommendation for denial. Due to the discretionary nature of the alcohol beverage license process, it is not possible to state every circumstance that may result in denial of a license application and what circumstances will result in approval of a license application. However, it is possible to enumerate what the PSC will consider in making its recommendation and what circumstances are more likely to result in a denial of a license application. It is also important to note denying an operator's license does not prohibit the employee from serving/selling alcohol; however, it does require that they serve/sell with a licensed operator on the premise.

Guideline 1: 11-74 (c) (1): Arrest and conviction record of the applicant, subject to the limitations imposed by Wis. Stats. §§ 111.321, 111.322, and 111.335, and Wis. Stats. § 125.12(1)(b).

- a) Convictions of two or more misdemeanor crimes in a five year period preceding the date of application.

- b) Conviction of one misdemeanor crime in combination with four ordinance violations egregious traffic violations of public safety concern in the five year period preceding the date of application.

Guideline 2: 11-74 (c) (2): If a licensee is convicted of an offense substantially related to the licensed activity.

Provided the circumstances of the offense substantially relate to the circumstances of the job or licensed activity, any person who has been convicted of or has a current charge pending, for (1) or more offenses within the last five (5) years or for two (2) or more offenses, arising out of separate incidents, within the last ten (10) years in the following subcategories, does not qualify for an operator's license:

- (a) Violent crimes against the person of another, including but not limited to battery, disorderly conduct, sexual assault, injury by negligent use of a vehicle, intimidation of victim or witness.
- (b) Crimes involving cooperation (or lack thereof) with law enforcement officials, including but not limited to, resisting or obstructing a police officer, bribery of public officers/employees, eluding police, bail jumping, hit and run, perjury, or acts/threats of terrorism.
- (c) Manufacturing, distributing, delivering a controlled substance or a controlled substance analog; maintaining a drug trafficking place; possessing with intent to manufacture, distribute, or deliver a controlled substance or a controlled substance analog. Sec. 111.335(1)(cs), Wis. Stats.

Guideline 3: 11-74 (c) (3): An application may be denied based upon the applicant's arrest and conviction record if the applicant has been convicted of a felony (unless duly pardoned) or if the applicant has habitually been a law offender.

Provided the circumstances substantially relate to the circumstances of the job, any person who has been convicted of or has a current charge pending, for two (2) or more offenses, arising out of separate incidents, within the last five (5) years immediately preceding the license application in the following subcategories does not qualify for an operator's license:

- (a) Alcohol beverage offenses (under Wis. Stat. Ch. 125 or McFarland Ordinance Ch. 11 - excluding administrative violations such as "failure to post license under glass").
- (b) Operating a motor vehicle with a prohibited alcohol concentration (PAC) in excess of .08% by weight.
- (c) Open intoxicants in public places or in a motor vehicle.

- (d) Possessing a controlled substance, controlled substance analog without a valid prescription, or possessing drug paraphernalia.
- (e) Operating a motor vehicle while under the influence of intoxicants or drugs.
- (f) Disorderly conduct, criminal damage to property, solicitation of prostitution or other prostitution related offenses, wherein the offense involves an incident at a place that is, or should have been licensed under Wis. Stat. Ch. 125.

Additionally, because a license is a privilege, the issuance of which is a right granted solely to the Village Board, the Village Board reserves the right to consider the severity, and facts and circumstances of the offense when making the determination to grant, deny or not renew a license. Further, the Village Board, at its discretion, may, based upon an arrest or conviction record of two or more offenses that are substantially related to the licensed activity within the five years immediately preceding, act to suspend such license for a period of one year or more.

Section 5: Public Safety Committee Review of Applications.

The Public Safety Committee shall be responsible for conducting further review of operator's license applications that have criteria from Section 4 as recommended for denial. The committee shall be expected to thoroughly and conscientiously review license applications and consistently apply pertinent laws and ordinances.

The Public Safety Committee may recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. Such evidence could include letters of recommendation from Alcohol and Other Drug ("AODA") counselors, probation agents, or other relevant service providers, other professional counselors, certificates and/or letters confirming satisfactory completion of an AODA or other relevant counseling program. Any such letters shall be on the letterhead of the agency offering the recommendation in order for the letter to be considered credible evidence of rehabilitation.

Pursuant to Wis. Stats. § 111.335(4)(d), competent evidence of rehabilitation and fitness to perform the licensed activity may be established by production of any of the following:

- (a) The individual's most recent certified copy of a federal department of defense form DD-214 showing the person's honorable discharge, or separation under honorable conditions, from the U.S. armed forces for military service rendered following conviction for any offense that would otherwise disqualify the individual from the license sought, except that the discharge form is not competent evidence of sufficient rehabilitation and fitness to perform the licensed activity if the individual was convicted of any misdemeanor or felony subsequent to the date of the honorable discharge or separation from military service.
- (b) A copy of the local, state, or federal release document; and either a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or other evidence that at least one year has elapsed since release

from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

In addition to the documentary evidence that may be provided above to show sufficient rehabilitation and fitness to perform the licensed activity, the Committee shall consider any of the following evidence presented by the applicant:

- (a) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (b) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (c) The age of the individual at the time the offense was committed.
- (d) The length of time that has elapsed since the offense was committed.
- (e) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (f) All other relevant evidence of rehabilitation and present fitness presented.

The Committee shall decide how much weight and credibility to assign to any evidence of rehabilitation, including but not limited to, whether a record is certified, whether evidence has been corroborated or verified, documentary proof of completion of any counseling or other relevant treatment, and the credibility of statements by the applicant or any witness. In determining the credibility of any statement made by the applicant or any witness, the Committee should consider, among other things, the reasonableness of the statement, possible motives for providing false statements or withholding information, the applicant or witness's conduct and demeanor, the clearness or lack of clearness of the statement, and the cooperation of the applicant or witness in answering any questions posed by the Committee or Village Staff.

For license renewals, a previous determination by the Committee that an applicant has been rehabilitated from certain offenses carries forward; however, these offenses may be re-considered if the applicant has also committed a new offense substantially related to the licensed activity during the current license period.

The Committee shall state reasons for approval or denial for the record.

Possible outcomes include but are not limited to:

1. Recommend approval of the license based on the applicant providing credible evidence of rehabilitation
2. Recommend conditional approval of the license based on the applicant providing substantial, credible evidence of rehabilitation with the following conditions:

- a. There be no more subsequent substantially related offenses for the remainder of the licensing period.
 - b. The applicant be required to pay \$15 dollars, to submit to quarterly background checks to ensure compliance.
3. Recommend application be tabled for a period of XX days. Committee will re-review application at that time. Applicant should be prepared to provide substantial evidence of rehabilitation.
4. Recommend application be denied based on violation of guideline (insert relevant guideline and corresponding ordinance reference).
5. If the applicant fails to appear: recommend the application be placed on file without prejudice (meaning the application can be brought back at any time before the expiration of the license period)

McFarland
SUMMARY SHEET

MEETING DATE: Monday, May 1, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Aaron Chapin, Police Chief

AGENDA ITEM: Discussion and recommendation on the operator's license for Kendrick Watkins for the period ending June 30, 2023.

PREVIOUS ACTION:

ISSUE SUMMARY:

This item is the second part of the license hearing process. After conducting the hearing on the recommendation for denial of the license, the Public Safety Committee will make an official recommendation to the Village Board on an operator's license for Kendrick Watkins.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

[Village Operator's License Policy](#)

ORDINANCE REFERENCE:

11-74

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Pursuant to section 5 of the Village Operator's License approval policy the Committee may only recommend approval of an operator's license application if the applicant presents the PSC with substantial evidence in the form of credible documentation of rehabilitation. The committee shall state reasons for approval or denial for the record

ATTACHMENTS:

None

VILLAGE OF
McFarland
SUMMARY SHEET

MEETING DATE: Monday, May 1, 2023

SECTION: Business

DEPARTMENT: Administration

CONTACT: Cassandra Suettinger, Deputy Administrator/Clerk, Andrew Bremer,
Comm & Eco Dev Director, Aaron Chapin, Police Chief, Chris
Dennis, Fire/Rescue Chief

AGENDA ITEM: Discussion and recommendation on updates to the Tourist Rooming
House Ordinance.

PREVIOUS ACTION:

On January 24, 2023 Trustee Wreh referred the issue of reviewing the Village's tourist rooming house ordinance for possible updates.

February 26, 2023 - The Public Safety Committee discussed the referral being made an the process to bring the review process forward.

March 6, 2023 - The Public Safety Committee did an initial review of the ordinance with the Village Attorney to learn more about what changes may be possible in light of the State's Right to Rent Law.

April 3, 2023 - The Public Safety Committee held a public input session on the current ordinance. All residents within 300 feet of an active Tourist Rooming House were notified as well as public notification on Village social media of the event. The Committee listened to input from the community and directed members to email staff changes for review at the next meeting.

ISSUE SUMMARY:

Staff has compiled requests for revisions to the current Tourist Rooming House ordinance. Additionally, a report is also provided on how the proposed changes may affect current active Tourist Rooming House permittees. Proposals are presented to the Committee to review and determine which, if any, proposals are desirable to bring forward for possible action. Staff left the proposals at a conceptual level to gauge interest in which revisions are desirable. Based on the Committee's direction, staff will be prepared to bring back a formal ordinance amendment for further review and recommendation.

FINANCIAL/BUDGET IMPACT:

VILLAGE PLAN REFERENCE:

ORDINANCE REFERENCE:



BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

ATTACHMENTS:

1. Proposed TRH Revisions Memo - UPDATED - 04.27.2023
2. 2023424 - MFR VOM Ord Art XI TRH Review
3. List of permits - Effects of Changes - 04.27.2023
4. TRH Research - 3.30.2023
5. TRH Memo - UPDATED - 03.29.2023

MEMORANDUM

To: Public Safety Committee

From: Cassandra Suettinger, Deputy Administrator/Clerk

Date: April 27, 2023

RE: Tourist Rooming House Ordinance

Background: After the April 3, 2023, Public Safety Committee. Trustee Wreh requested Committee members submit proposed revisions to staff for consideration at the May Public Safety Committee meeting.

Proposed Revisions for Review

Attached are the suggested revisions for the Committee's review. The suggester of the revision is identified.

1. *Institute minimum stay of 3 days (Committee member Shannon Morrison).*

Current: The Village has no minimum stay requirements. Permit operators may rent for 1-29 days at a time. (It is of note, property can be rented for more than 29 days, it just is not longer considered to be a tourist rooming house or short term rental).

2. *Two options for requirements to operate rentals for 1-6 days:*

- a. *Require the property be the owner's primary residence to operate for 1-6 Day rentals. (Committee member Shannon Morrison).*

- b. *Require the operator to be a Village resident. (Trustee Hilary Brandt)*

Current: There is no operation restrictions for rentals of 1-6 days versus 7 days or more.

3. *Limit operation of rentals 1-6 days to 12 weeks a year. (Committee member Shannon Morrison).*

Current: There are no limitations on the number of years a Tourist Rooming House may operate.

4. *Limit operation of rentals of 7 days or more to 180 days. (Committee member Shannon Morrison).*

Current: There are no limitations on the number of years a Tourist Rooming House may operate.

5. *Change the formula for occupancy to be 2 people per legal bedroom with a maximum of 12 and children not being counted. (Staff)*

Current: The current Village ordinance sets occupancy at: Not less than 150 square feet of floor space for the first occupant thereof and at least an additional 100 square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy.

Staff recommend adoption of a simpler method of calculation that is transparent.

6. Change Parking formula to mirror [62-70](#).

Current: Not less than one and one-quarter onsite off-street parking spaces for every four occupants based upon maximum occupancy.

Staff recommend simplification of the standard and consistency by utilizing standards already existing for residential uses.

7. *Consider revision of review process to eliminate public hearing, but still provide public notice (more of an FAQ style). With this staff would process the application and we would build the Board in as a Board that hears objections to decisions.*

Current: When satisfied that the application is complete, the Village Clerk-Treasurer shall forward initial applications for permits to the Public Safety Committee for review. The Clerk-Treasurer shall notify the owners of all properties lying within 300 feet of the property proposed as a tourist rooming house by regular mail that such application has been filed, the address of the proposed tourist rooming house and the date of the meeting at which the Public Safety Committee will review the application. Such notice shall be mailed no later than ten days prior to the meeting. If the application is filed 14 days or more prior to its next scheduled meeting, provided the application is complete, the application shall be considered at that meeting. Otherwise, the application, provided the application is complete, will be considered within 40 days of the filing date. The Public Safety Committee shall consider the application and supporting documents. If the Committee determines that the application meets the requirements of this Article it shall forward the application to the Village Board for approval. If the Committee determines that the application does not meet the requirements of this Chapter, it shall recommend denial of the application to the Village Board. Any denial or conditional approval by the Committee shall be in writing setting forth the reasons for the determination.

Staff recommend discussion on continuation of this process. The public input process is very important; however, this provision of the ordinance was written before the Right to Rent law was passed in late 2017. The Right to Rent law provides the Village very little authority to deny an application. Through experience, many residents have verbalized disappointment that a public hearing process is held, input is sought, but the Village cannot deny issuance of a permit unless an application is incomplete.

8. *Increase radius of notification from 300 feet to 500 feet.*

Current: The Ordinance currently requires owners within 300 feet of the TRH to be notified of the date and time of the public hearing.

9. *Ensure property maintenance violations are included within the scope of violations that must be corrected to issue permitting.*

Current: The current ordinance is specific to the building code violations.

Staff recommend widening this to include property maintenance violations.

10. *Insert definition of operation of a TRH to include advertisement.*

Current: There is no definition of what operating a Tourist Rooming House means.

Staff recommend insertion of a broad definition to assist with enforcement. Without definition, the process to prove operation has proven to be difficult. Being able to simply identification of advertisement is far easier to enforce.

11. *Allow current permit holders to be legacied into the provisions of the previous ordinance, until such time as they non-renew or their current permit is revoked.*

Attached is an overview of current permit holders and how proposed revisions are likely to affect them. If changes were desired, it has been proposed that all current permit holders be allowed to operate under the previous standards.

12. Amendment of the ordinance to allow outdoor burning with regulations.

(Attached is form F&R Chief).

April 24, 2023

Re: Tourist Rooming Houses Ordinance Review

We completed the review of Article XI – Tourist Rooming Houses (TRH) of the Village of McFarland code of Ordinances and the following recommendations on modifications are being submitted for consideration:

A concern that has been expressed during TRH permit reviews has been with fire pits being used and causing a hazard or nuisance. Adding the following language would assist in reducing concerns.

Sec. 11-361 (b) (#)

Outdoor fireplaces and pits are bowls or pits designed for the holding or burning of wood and shall be allowed, as long as the following conditions are met:

- a. Pits shall have an enclosure, heavy screen, or spark arrestor to control and contain embers and sparks.
- b. Fireplaces or pits shall not be used within ten (10) feet of a building, combustible structure, or lot line.
- c. Only clean, dry wood is permitted to be burned in fireplaces or pits. No trash, yard waste or construction material shall be burned.
- d. The smoke from a fireplace or pit shall not create a nuisance.
- e. A fire extinguisher, garden hose or other method of fire control shall be readily available.
- f. The fireplace or pit must be supervised at all times by a responsible adult. The fire must be completely extinguished before the fireplace or pit is left unsupervised.

Sec. 11-361 (c) (6) x.

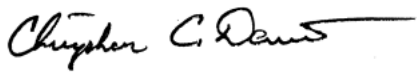
Notification that usage outdoor fireplaces and pits are required to comply with Section 11-361 (b) (#).

One of the largest fire hazards present in homes is cooking and possible cooking fires. When individuals are cooking in a kitchen that is unfamiliar there is an additional concern of a cooking fire not being contained and extinguished quickly. To minimize the risk to individuals while using a TRH for kitchen we recommend the following language to be added.

Sec. 11-361 (b) (#)

A functional fire extinguisher shall be provided within 30' of any indoor cooking equipment. Any required fire extinguisher shall be UL rated 1-A: 10-B: C. Any provided fire extinguishers shall be maintained (including annual inspection by a licensed fire extinguisher service provider) and installed in accordance with the National Fire Protection Association 10 Standard for Portable Fire Extinguishers.

Respectfully submitted.

A handwritten signature in black ink, reading "Christopher C. Dennis". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Christopher C. Dennis, EFO
Fire Rescue Chief
Village of McFarland

				Effects of changing Occupany Calculation				Effects of Changing Parking Calculation					
Permit Number	Name	Address	Agent	Current Maximum guests	# of Bedrooms	New Maximum Occupany	Effect	Current Parking Stalls Required	Parking Stalls Available	New Parking Requirements	Effect?	Primary residence?	Village Resident?
2022-01	Qwest Sustainabilities, LLC/Matthew Duffy	the property located at 5703 Red Oak Trl	None	8	4.00	8.00	0.00	2.50	4.00	3.00	Reduction in what's required	Yes	Yes
2022-02	Nora Bird/Nick Hougas	the property located at 4514 Wisconsin Ave	None	2	1.00	2.00	0.00	1.25	2.00	2.00	No effect	No	No*
2022-03	Lake Edge Ventures LLC	the property located at 5720 Lake Edge Road	Kelvin Veldre	6	2.00	4.00	-2.00	1.88	2.00	2.00	No effect	No	No*
2022-04	Bolha Short-Terms Rentals	the property located at 6011 South Court	None	6	2.00	4.00	-2.00	1.88	3.00	2.00	Reduction in what's required	No	No*
2022-05	Wendy Unke	the property located at 5438 Bremer Rd	None	6	3.00	6.00	0.00	1.88	3.00	2.00	Reduction in what's required	Yes	Yes
2022-06	McFarland House Café, Inc.	5923 Exchange St, Second Floor, Unit 1	None	4	1.00	2.00	-3.00	1.25	7.00	2.00	No effect	No	Yes
2022-07	TSM Rentals	the property located at 5024 Card Ave	Jennifer Sonnentag	6	3.00	6.00	0.00	1.88	2.00	2.00	No effect	No	Yes
2022-08	6131 Exchange LLC	the property located at 6131 Exchange St	Shaun O'Hearn	6	3.00	6.00	0.00	1.88	3.00	2.00	Increase, but can meet	No	Yes
2022-09	Carolyn Rink/Chris Fugate	the property located at 6611 Sleepy Hollow Rd	None	8	3.00	6.00	-2.00	2.5	5.00	2.00	No effect	No	Yes
												*Based on presumption of mailing address, verification would be needed	*Based on known information, verification would be needed.

Community	Approved ordinance?	Public Health of Madison & DC License Required?	Other licensing required?	Minimum stay before permit required	Minimum stay Requirement?	Max stays allowed per year	Max # of Guests	# of occurrences before revocation process	Primary Residence Clause?	Restrictions tied to Primary Residence clause?	Transferrable?	Off-Street Parking	Comments and other restrictions
McFarland	Yes	Yes	Seller's Permit	10 days/year	N/A	UNKWN	150 SF + (100 SF of habitable room area) = Total # of Guests	2	No	N/A	No	1.25/4 occupants	does not cap the maximum # of guests, based on SF available. 2 people max for non-bedroom spaces
Madison	Yes	Yes	ZTRH Permit	UNKWN	1-6 daysfor Primary Resident, 6-29 days for non-primary residence	UNKWN	2 times the legal bedrooms or 12. Children do not count towards the limit.	2	Yes	Yes. If operator occupies the residence, there is no limit to the days they may operate. If not, may only operate 30 days per year.	No	UNKWN	ZTRH Permit = Zoning Tourist Rooming House Permit (implemented 10/1/2020)
Mt Horeb	Yes	Yes	Conditional Use Permit	UNKWN	2+	UNKWN	UNKWN	By Plan Commission's review	N/A	N/A	No	1 space/sleeping room	Quiet Hours 10:00 PM - 7:00 AM; requires map of property lines, but not floor plan; on-street parking not allowed
Monona	Yes	Yes	No	14 days/year	1-6 daysfor Primary Resident, 6-29 days for non-primary residence	If non-primary residence, stays must between 6 -29 days, only operate 180 days in a 365 day period, only operate 30 days per permitting year.	2 times the legal bedrooms or 12. Children do not count towards the limit.	UNKWN	Yes	Must be the operator's primary residence to operate stays of 1 to 6 days.	No	UNKWN	it shall be unlawful for any person to operate a short term rental property (STR) in the City of Monona for fifteen (15) or more days in any calendar year without a permit issued by the City Administrator or designee
Waunakee	Yes	Yes	Seller's Permit	10 days/year	6-29 days	180 days of 365 days;	150 SF + (100 SF of habitable room area) = Total # of Guests	3	Yes	Not specific, baseline requirement to operate is that the TRH be the primary residence	UNKWN	1 space/sleeping room	Quiet Hours 10:00 PM - 7:00 AM; Property manager within 25 miles
Town of Dunn	Yes	Yes	N/A		1-6 daysfor Primary Resident, 6-29 days for non-primary residence	If non-primary residence, stays must between 6 -29 days, only operate 180 days in a 365 day period, only operate 30 days per permitting year.	2 times the legal bedrooms or 12. Children do not count towards the limit.	N/A	Yes	Must be the operator's primary residence to operate stays of 1 to 6 days.	No	Only off-street parking allowed. Parking space limit to be included in advertisements	Mus+J1:N7t stay with guest the entire duration under the primary residence rules. Contain a clause that a permit is rquired before they can advertise.

MEMORANDUM

To: Public Safety Committee

From: Cassandra Suettinger, Deputy Administrator Clerk

Date: March 2, 2023

UPDATED – March 29, 2023

RE: Tourist Rooming House Ordinance

Background

On March 13, 2017, the Village adopted an ordinance to regulate Tourist Rooming Houses. In the preceding years, the Village had begun to experience issues with nuisances associated with TRH's and adopted the ordinance to allow a process to manage those nuisances.

In November of 2017, the Wisconsin Legislature passed the Right to Rent law which provided a new law to protect the ability of the homeowners to rent out their homes on a short term basis.

In April of 2021, in response to some challenges of to the 2017 ordinance, removed provisions of the ordinance found to be unlawful in light of the Right to Rent Law.

Since the ordinances adoption in 2017, the Village had not seen many TRH's operating in the Village, however, in 2022 the Village began to see a steep increase in the number of permits.

It is also of note, in 2017 the Village also adopted a room tax ordinance. All TRHs are required to collect the 8% Room Tax. 70% of the Room tax collected go to the Village's Tourist Entity which is currently comprised of members of the McFarland Chamber of Commerce. The Village retains 30% of these revenues for administration of the tax. Adoption of the tax has allowed the Village to track annual sales associated with TRHS within the Village.

Year	Total Room Tax Revenues	Gross TRH Sales	Total TRH Applications	Total TRH Application Approvals	Total TRH Application Denials
2018	\$1,615.58	\$20,194.75	2	2	0
2019	\$7,075.99	\$88,449.88	3	3	0
2020	\$8,289.11	\$103,613.88	2	2	0
2021	\$8,434.23	\$105,427.88	4	4	0
2022	\$12,438.49	\$155,481.13	9	9	0

Referral for Review

In February of 2023, Public Safety Chair Ed Wreh referred to the Public Safety Committee review of the current ordinance. The 2017 Right to Rent Law provides the Village cannot

prohibit Tourist Rooming Houses between 7 and 29 days, but there are additional regulations the Village could consider. Those regulations include, but are not limited to:

1. Prohibit rentals of less than 7 days.
2. Consider minimum night stay requirement.
3. Consider addition regulations for TRH's that are not the primary residence of the owner
3. Limit the user of short-term rentals to a block of 180 days every 365 days. Within this we've also seen some comparable communities establish different tiers of restrictions for TRH's that are owner occupied and those that are not.
4. Consider addition for serious violations of the ordinance be grounds for immediate suspension.

Tourist Rooming House Complaints/Incidents

Only one complaint/incident has been recorded to date at an active TRH permitted residence. In 2022 a TRH violated the maximum occupancy requirement by taking a group photo of a wedding party. No other incidents/violations have been reported to date.

Staff Review

In addition, staff has also reviewed the current ordinance to provide areas for revision based on administration of the ordinance over the last 5+ years. Suggested revisions include:

1. Revision of 11-356 Regarding New Application Review Procedure – The current ordinance provides:

Such notice shall be mailed no later than ten days prior to the meeting. If the application is filed 14 days or more prior to its next scheduled meeting, provided the application is complete, the application shall be considered at that meeting. Otherwise, the application, provided the application is complete, will be considered within 40 days of the filing date.

Staff recommends these deadlines be lengthened to allow more flexibility. The current 40-day limit is too restrictive in instances in which more information may be needed as part of the Public Safety Committee review process.

2. 11-352 Operation of Tourist Rooming Houses

Be authorized to undertake, or cause to be undertaken, any repair or act of maintenance of the tourist rooming house necessary to comply with any Village ordinance, or any applicable state building regulations.

Staff recommends this be amended to add properties be in compliance with state building regulations and Village property maintenance standards.

3. Revision to various issues of 11-361 Standards for Tourist Rooming Houses

(2) Not less than 150 square feet of floor space for the first occupant thereof and at least an additional 100 square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy.

Staff recommends regulating occupants-based number of bedrooms that meet Uniform Dwelling Code requirements vs a square footage requirement. For example, 2 people per bedroom. The change would provide simplicity and transparency.

(4) Not less than one and one-quarter onsite off-street parking spaces for every four occupants based upon maximum occupancy.

Staff recommends removal of the fraction and regulating off-street parking based on the number of bedrooms. Village Ordinance 62-70 already provides regulations for the number of parking stalls per bedroom and these standards make sense to apply TRHs. This provision should also provide specificity that off-street parking is provided and accessible to renters. For example, parking spots in a garage would only count if they intended to be made available to renters.

4. Insertion of Addition regulations on the usage of fireplaces and pits. Attached is a memo from Chief Dennis outlining proposed revisions an safety background on the issue.

Sec. 11-361 (b) (#)

Outdoor fireplaces and pits are bowls or pits designed for the holding or burning of wood and shall be allowed, as long as the following conditions are met:

- a. Pits shall have an enclosure, heavy screen, or spark arrestor to control and contain embers and sparks.*
- b. Fireplaces or pits shall not be used within ten (10) feet of a building, combustible structure, or lot line.*
- c. Only clean, dry wood is permitted to be burned in fireplaces or pits. No trash, yard waste or construction material shall be burned.*
- d. The smoke from a fireplace or pit shall not create a nuisance.*
- e. A fire extinguisher, garden hose or other method of fire control shall be readily available.*
- f. The fireplace or pit must be supervised at all times by a responsible adult. The fire must be completely extinguished before the fireplace or pit is left unsupervised.*

Sec. 11-361 (c) (6) x.

Notification that usage outdoor fireplaces and pits are required to comply with Section 11-361 (b) (#).

Sec. 11-361 (b) (#)

A functional type K fire extinguisher shall be provided within 30' of any indoor cooking equipment. Any provided fire extinguishers shall be maintained (including annual inspection by a licensed fire extinguisher service provider) and installed in accordance with National Fire Protection Association 10 Standard for Portable Fire Extinguishers.

5. Insert requirement for the applicant to identify a listing of all websites and places where the TRH operator will advertise.

This will assist staff in ensuring all room tax submits are received from applicable marketplace providers.

Recommendation

The above items are submitted for discussion and information purposes only. The Public Safety Committee will hear input from the Community on April 3rd and decide how it would like to proceed.