



The Tavern League of Wisconsin has long supported fair competition among businesses in the hospitality industry. As long as the rules apply fairly to everyone – competition for business makes us all better and benefits our customers. Nobody supports a system which unfairly gives one side an advantage over the other – government should not be in the business of picking winners and losers. Yet that is what has happened when the Department of Revenue failed to require so called wedding barns to obtain a liquor/beer license for events they contract for at their establishments.

The following is the state law defining a public place. If a private event at a wedding barn does not meet the definition of a public place then neither does a private event at a restaurant or tavern. A public place is a place that is open to the public, like an event at a wedding barn in which someone pays to utilize the facility. Private events occur in properly licensed public places every day. To determine that a wedding barn is not a place open to the public and does not need to be licensed is in direct conflict with the following statute:

125.09 General restrictions.

- (1) **PUBLIC PLACE.** No owner, lessee, or person in charge of a public place may permit the consumption of alcohol beverages on the premises of the public place, unless the person has an appropriate retail license or permit. This subsection does not apply to municipalities, buildings and parks owned by counties, regularly established athletic fields and stadiums, school buildings, campuses of private colleges, as defined in s. 16.99 (3g), at the place and time an event sponsored by the private college is being held, churches, premises in a state fair park or clubs. This subsection also does not apply to the consumption of fermented malt beverages on commercial quadricycles except in municipalities that have adopted ordinances under s. 125.10 (5) (a).

We are not against wedding barns but it is patently unfair for their business to have the following advantages over the thousands of properly licensed Wisconsin businesses:

UNLICENSED WEDDING BARNs

- Do not have to obtain municipal alcohol license.
- Not subject to local ordinances other licensed premises are.
- Are not required to purchase beer wine or liquor through a licensed wholesaler thereby dramatically undercutting licensed businesses.
- Are not required to follow the state smoking ban.
- Do not have to have licensed bartenders.
- Do not have to follow the Americans with Disabilities Act.
- Do not collect and remit state sales and excise taxes.
- Have no closing hours.
- Do not have to following fire code safety regulations.

- Do not have to complete a food safety course.
- Do not have to pay music royalty fees.
- Do not have to follow local ordinances related to licensed establishments.
- Do not have to follow noise ordinances related to licensed establishments.
- May not have proper commercial insurance.
- Do not have to comply with provisions of Chapter 125.

Alcohol is a controlled substance and the public expects and demands that it be dispensed by properly licensed individuals. Obtaining a proper license will benefit wedding barn owners, their customers and the public while making competition fair among those in the hospitality business.