



Agenda Item Report

Meeting Type: Common Council Meeting

Meeting Date: July 21, 2026

Item Title: Consideration of a Class "B" Beer Alcohol License Application for Licensing period of July 1, 2026 – June 30, 2027, for Columbus Market LLC dba The Lunch Room.

Submitted By: Susan Caine, Clerk

Detailed Description of Subject Matter: Rajwinder Singh, owner of the Columbus Market LLC located at 501 Park Avenue, Columbus, WI has applied for a Class "B" Beer Alcohol License. Mr. Singh already holds a Class "A" Beer and "Class A" Liquor Alcohol License for his convenience store which is part of his Amoco gas station at this same location.

Staff have been in conversation about this request with Mr. Singh for about one year. During that time, it has been explained to him that this is not legal per the Department of Revenue (DOR) unless certain requirements are met.

As per my contact at the DOR, convenience stores traditionally have Class A licenses which allow for that sale of alcohol beverages to be consumed off of the licensed premises. Class A and Class B licenses cannot legally be issued to the same premises. If this entity wished to obtain both Class A and Class B Licenses, they would need to have completed physical separation between the two sites including floor to ceiling walls/doors. Additionally, they would both need outside entrances and must act as separate premises with separate alcohol beverages, separate invoicing, etc. Shared common areas, such as restrooms, are okay as long as the actual areas where business is conducted has clear physical boundaries between them and separate entrances.

She also referenced an article in the May 2022 DORonTap Newsletter which states, as follows:

"As alcohol beverage retailers continue to innovate, you may see alcohol beverages being served and consumed at businesses such as bars in grocery stores, movie theaters or painting studios.

While these may be desirable locations to consume alcohol beverages, not every business qualifies for a license to allow consumption of alcohol beverages on the premises. State law (sec. 125.32(3m) Wis Stats.) prohibits a Class "B" beer license from being issued to a premises where any other business, besides that of the service and sale of alcohol beverages, occurs unless the business is one of the exceptions below:

- Hotels • Restaurants • Combination grocery store and taverns • Combination sporting goods store and taverns in towns, villages, and 4th class cities • Combination novelty store and taverns • Bowling centers or recreation premises • Clubs, societies, or lodges • Movie theaters • Painting studios • Beer Walk participants • Racetracks holding a Class "B" permit. (Most recently, with the adoption of Act 73, Axe-Throwing Venues are also allowed.

For example, "gas stations" or "convenience stores" are not one of the business types listed above, so they cannot hold a Class "B" license. These businesses may hold a Class "A" license to sell beer that will be consumed off the premises. Applicants and municipalities should verify each business seeking a Class "B" license qualifies under one of the exceptions prior to granting or issuing any license."

In addition, the Summer, 2025 DORonTap Newsletter shared the following reminder:

“Municipalities have broad authority to approve or deny retail alcohol beverage licenses *at first issuance*. With business models getting increasingly diverse, municipalities have a lot of things to take into consideration when making a licensing decision.”

The DAB recommends municipalities consider the following questions when deciding whether or not to issue a Class B license:

- Has the municipality granted a Class B license to a similar business in the past?
- Does the business meet the definition of a restaurant?
- Does the business fall under any of the exemptions in 125.32(3m) for other business? Has the municipality issued a Class B license to any other business that may set a precedent?
- Can this business comply with the hours of operation restrictions imposed in state law?
- Does the municipality have an ordinance allowing for sales of intoxicating liquor to go?
- Does this business have a lot of underage customers?
- Does the proposed premises overlap with an existing license or prohibited business activity?
- Is a Class A license issued for this premises?
- Is the business owner relinquishing their Class A licenses if they are issued Class B licenses?

List all Supporting Documentation (Verbally given):

Fire Chief, Scott Hazeltine – Inspection Reports

Jeff Fitzwilliams & Stephanie Potter - MSA Building Inspection Report

Action Requested of Council: Consider and take action on approving or denying this application.