

## “Click and Collect” Alcohol Sales

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Wisconsin requires the following for alcohol sales:

1. The sale must be face-to-face.
  2. The sale must take place on the licensed premises.
  3. The purchaser must be 21 years or older.
  4. The seller must be a licensed “operator” or under the supervision of a licensed operator.
  5. The purchaser must not be intoxicated.
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Questions a municipality should ask before expanding the licensed area for Click & Collect include:

- What hours will alcohol orders be allowed? Should ordering conclude before high school recesses for the day?
- Exactly how is an alcohol order assembled? (Bagged, is the vodka separate from the tomato juice).
- Who assembles the entire order? Licensed operator, clerk?
- Is an itemized tape prepared? Is it a receipt indicating the sale was already completed?
- When is the credit card charged for the order? [Note: It could be asserted the sale occurs when the card is charged. If that is done when the order is assembled, is it really a face-to-face sale?]
- Is the individual delivering the order a licensed operator? Clearly someone outside the building checking an ID is not under supervision; that individual needs to be a licensed operator (bartender).
- What equipment is provided to the licensed operator conducting the sale? For example, is a flashlight to read the ID provided, or is ambient light sufficient? Is a scanner to record the credit card sale or scan ID provided?
- When is the ID checked?
- When is it determined that the name on the order is the name on the ID? The answer may be never. If the order is under a different name, it is arguable that the sale isn’t a face-to-face sale, and the individual with the ID is only delivering, not purchasing, the alcohol.

**Click & Collect sales can unintentionally increase the availability of alcohol for youth.**