Licenses, Permits & Regulatory Requirements in Wisconsin

What First-Time Restaurant Owners Need to Know

One of the most intimidating parts of opening a restaurant is navigating licenses, permits, and regulations. Requirements vary by location, and there is no single agency that handles everything.

The good news: while the process can feel complex, it is manageable with early planning and an understanding of who does what.

This document explains:

- Which approvals are commonly required
- Which agencies are typically involved
- Where first-time operators should start
- Why timing matters

The Big Picture: How Restaurant Regulation Works in Wisconsin

Restaurant oversight in Wisconsin is shared across local, county, and state levels.

You will likely interact with:

- Your local health department
- Your city or village clerk
- The Wisconsin Department of Revenue
- In some cases, the Wisconsin Department of Agriculture, Trade and Consumer Protection
- Local building and fire officials

Because requirements can differ by municipality, it's important to confirm details locally.

Start Here: Core Business Registrations

Before applying for most licenses, you'll need to establish your business legally.

Business Entity Registration

Most restaurant owners register as an LLC or corporation.

This step allows you to:

- Open a business bank account
- Apply for licenses
- Enter into leases and contracts

Federal Employer Identification Number (EIN)

An EIN functions like a Social Security number for your business and is required for:

- Hiring employees
- Opening bank accounts
- Filing taxes

Visit irs.gov/businesses/small-businesses-self-employed/employer-id-numbers-eins to learn more and apply online. Call 800.829.4933 with questions.

Seller's Permit, Sales Tax Account Number and Wisconsin Employer ID Number (WEIN)

The seller's permit is essential to open a restaurant which is classified as a retail establishment.

The sales tax account number is for an account in which regularly collected sales taxes are deposited.

The WEIN is needed to collect state withholding taxes from employees' wages.

Issued by

- Wisconsin Department of Revenue

This registration is required before opening and is often needed to establish vendor accounts. You will need to complete the Application for Business Tax Registration (BTR-101). Call the DOR at 608.266.2776 to request a copy or visit revenue.wi.gov/TaxForms2017through2019/btr-101.pdf to download the form

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Foodservice Licensing & Health Department Oversight

The foodservice license is one of the most important approvals for your restaurant.

Issued by

- The Department of Agriculture, Trade and Consumer Protection (DATCP) or your city or county health department acting as an agent for DATCP.

You need to file an application at least 30 days prior to scheduling an inspection. The department has 30 days to act on an application that has been submitted with payment.

What It covers

- Menu and food preparation methods
- Facility layout and equipment
- Handwashing and warewashing sinks
- Food storage and temperature control
- Sanitation and safety practices

Most jurisdictions require

- A plan review before construction or remodeling
- A pre-opening inspection
- Routine inspections after opening

Visit datcp.wi.gov/Pages/Programs_Services/RestaurantsCatering.aspx
Email licensing questions to datcpfslicensing@wi.gov. New licensees can call 608.224.4923 for assistance.

Contact the Health Department Early

Early conversations can prevent costly design changes and inspection delays later.

Certified Food Manager Sanitation Requirement

Wisconsin requires that at least one owner or manager must obtain a sanitation certification within 3 months of opening.

Common Certification

- ServSafe Manager through the Wisconsin Restaurant Association Education Foundation. Call 608.270.9950 or visit wirestaurant.org/servsafe to view course schedules and register.

This requirement helps ensure food safety standards are understood and followed consistently. Wisconsin Restaurant Association members receive discounts on ServSafe training.

Unemployment Compensation Account

You must set up an account where unemployment compensation taxes are deposited.

- This is done with the **Unemployment Compensation Division of the Department of Workforce Development**

To obtain an account, complete a registration and login at dwd.wisconsin.gov/uitax
Look for New Employer Registration - Apply for New UI Account Number. Call 608.261.6700 for assistance.

Worker's Compensation Insurance

You must secure worker's compensation insurance from a licensed agent in Wisconsin.

- **The Wisconsin Restaurant Association has vetted and endorses Society Insurance,** an insurance provider located in Fond du Lac, Wisconsin. This partnership provides our members with up to a 25% dividend return back to worker's compensation customers.

Ask your local insurance agent about the Wisconsin Restaurant Association's plan with Society Insurance. Or call WRA with questions—608.270.9950. Visit wirestaurant.org/membership-savings for more information.

IF SELLING ALCOHOL BEVERAGE, YOU MUST BE AWARE OF THESE LICENSING REQUIREMENTS

Alcohol licensing in Wisconsin is highly regulated and handled at the local level.

Key Things to Know

- Licenses are issued by municipalities—contact the city, town or village clerk
- License availability may be limited
- Public hearings are often required
- Approval timelines can be lengthy

Common License Types

- Class "B" Beer
- Class "B" Liquor
- Class "C" Wine

Download the Department of Revenue Publication 302 (Alcohol Beverage and Tobacco Laws for Retailers) for more details revenue.wi.gov/DOR%20Publications/pb302.pdf

Federal Special Occupation Tax Stamp

Before opening a business, every retail licensee must file for an Alcohol Dealer Registration.

- You must apply using the "TTB Form 5630.5d" with the federal **Department of Treasury Alcohol and Tobacco Tax and Trade Bureau (TTB)**

Find the form at this site: ttb.gov/images/pdfs/forms/f56305d.pdf or by calling the National Revenue Center at 1-800-937-8864 or email ttbtaxstamp@ttb.gov. Once you have registered your business, any change in your business operation must be reported before July 1, using the same form.

Alcohol Licensing Can Affect Your Opening Date

Because approval timelines vary widely, alcohol licensing should be started as early as possible.

Building, Zoning & Occupancy Approvals

Even if a space was previously a restaurant, additional approvals may still be required.

You may need:

- Building permits
- Fire inspections
- Hood and ventilation approvals
- Certificate of Occupancy
- Accessibility compliance verification

These approvals are typically issued by local building and fire departments.

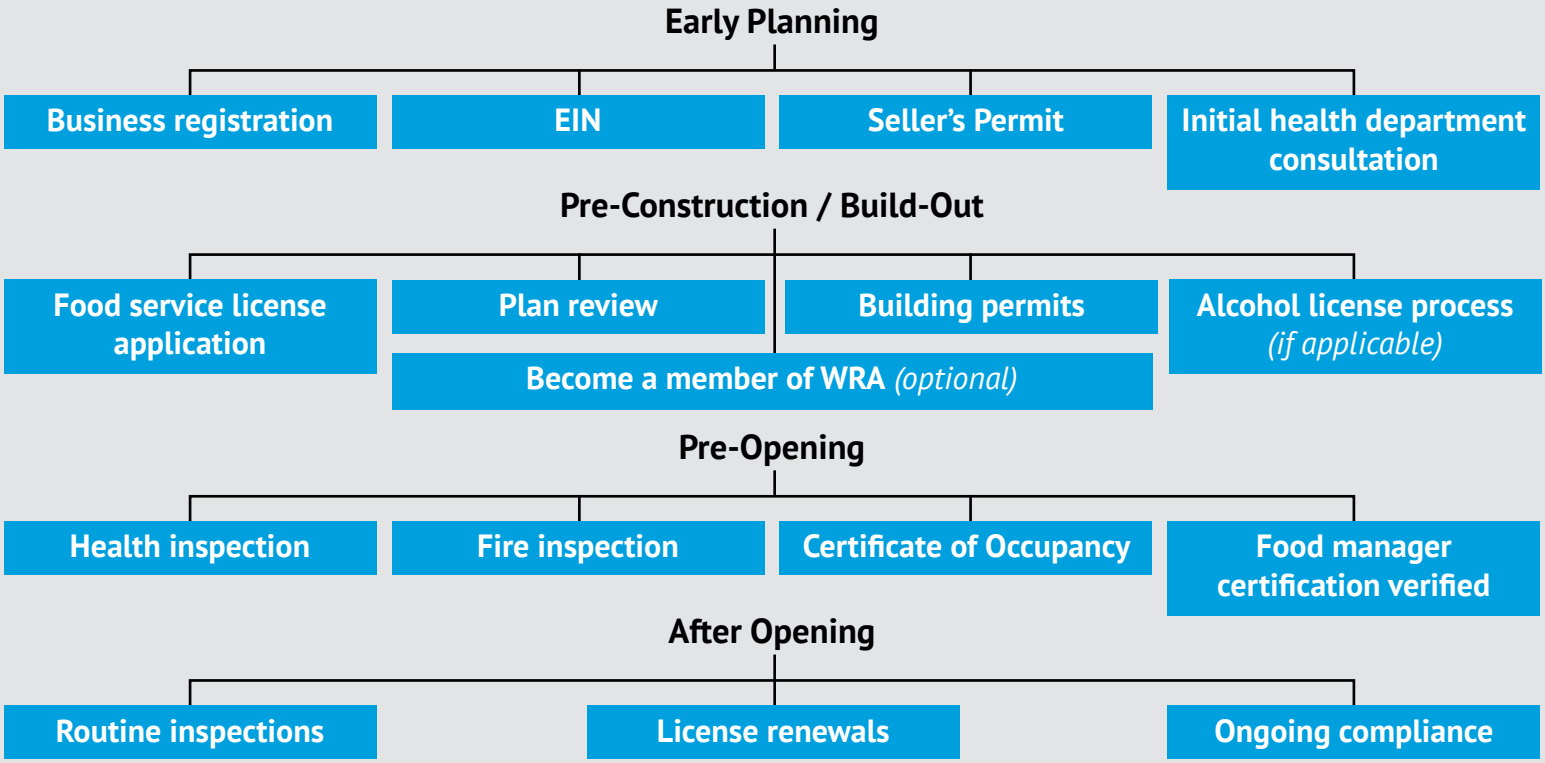
Employment-Related Requirements

Before hiring staff, restaurant owners should be aware of requirements related to:

- Wisconsin unemployment insurance
- Workers' compensation coverage
- Payroll tax withholding
- Required workplace posters and notices

Labor compliance is ongoing and should be reviewed regularly.

A Simplified View: Who to Contact & When



The Power of Community & WRA

Why Belong to WRA?

- **Advocacy:** WRA is a bi-partisan organization that fights for fair regulations, tax relief, and pro-business policies.
- **Compliance Help:** Get HR support, regulatory updates, and support from the AskWRA helpline.
- **Education:** Training discounts, webinars, on-demand video library and food safety & alcohol training certification.
- **Networking:** Restaurant Resource & Products Roadshow, Women in Hospitality Conference, Wisconsin Food & Hospitality Expo.
- **Savings:** Rebates, insurance, music licensing, worker comp discounts.

"Most members save more than their membership dues through WRA's endorsed programs."

Testimonials & Success Stories

"When I was opening my restaurant, I felt overwhelmed by regulations. WRA walked me through the licensing maze—it was like having an extra team member."

–Café Owner, Milwaukee

"The savings programs pay for themselves, but the real value is knowing I can call someone at WRA anytime I need help."

–Bar & Grill Operator, Eau Claire

WISCONSIN RESTAURANT ASSOCIATION

Your Journey Begins Here

Opening a restaurant in Wisconsin is a bold and rewarding move. With the right preparation and the support of WRA, you can build a business that not only survives, but thrives.

Next Step: Become a WRA Member

Let us walk with you—from concept to success, and every stage in between.

Contact WRA:

wirestaurant.org | 608.270.9950 | wra@wirestaurant.org | Madison, WI