

2019 OA-016

AMENDING CHAPTER 46 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING PUBLIC HEALTH PERMIT FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 46.34 is amended to read as follows:

46.34 COUNTY FEES. The following shall be the county fees for the various permits authorized under section 46.33:

(1) Public beaches.....\$167 \$196

(2) Public swimming pools:

(a) Indoor pool\$ 954

(b) Each additional indoor pool\$ 477

(c) Outdoor pool.....\$ 504

(d) Each additional outdoor pool\$ 318

(3) Recreational and educational camps:

<i>Number of Camps</i>	<i>Fee</i>
1-5	\$300 351
6-10	\$400 468
11 or more	\$700 819

(4) Mobile home parks:

<i>Number of Spaces</i>	<i>County Fee</i>
1-20	\$102 120
21-50	\$179 210
51-100	\$223 261
101-175	\$285 333
More than 175	\$285 334

(5) Campgrounds and camping resorts:

<i>Number of Spaces</i>	<i>County Fee</i>
1-25	\$200 234
26-99	\$350 410
100 or more	\$500 585

(6) Food and Drink Establishments:

(a) Food establishments are defined as retail or mobile food stores and restaurants.

(b) Temporary establishments are defined as food establishments that operate at a fixed location for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration such as fair, carnival, circus, public exhibition, anniversary sale, or occasional sales promotion.

36 (c) With regard to permanent establishments:

<i>Gross sales per year</i>	<i>Fee</i>
\$0-\$10,000	\$190 223
\$10,001-\$100,000	\$421 493
\$100,001-\$250,000	\$541 633
\$250,001-\$500,000	\$757 886
\$500,001-\$1,000,000	\$777 910
\$1,000,001-\$5,000,000	\$935 1,094
More than \$5,000,000	\$1,038 1,215

37 (d) Micro Market Permit.

38 1. A micro market is an unstaffed, self-checkout retail food establishment
39 selling prepackaged time-and-temperature-controlled food located within a
40 business.

41 2. No person, firm, or corporation shall operate a micro market without
42 possessing a food and drink permit in good standing. The permit shall be posted
43 in a conspicuous place in the premises named in the permit. Only a person who
44 complies with the requirements of this ordinance shall be entitled to receive
45 and/or retain a permit.

46 3. The annual fee for the micro market permit shall be forty (\$40) for one
47 micro market located in a building, and shall be sixty dollars (\$60) for two or more
48 micro markets located in the same building. The licensing year shall be from July
49 1 through the following June 30. The permit fee herein established shall be for
50 one year or a fractional part thereof. Renewal licenses shall be obtained on or
51 before June 30 of each year or be subject to a late filing fee of fifteen percent
52 (15%) of the license fee. Payment of the late filing fee shall not relieve any
53 person from any other penalties prescribed in this chapter for failure to possess
54 or obtain a license.

55 (e) Temporary food establishments\$125 190

56 (f) Notwithstanding this subsection, there shall be no county fee for
57 temporary food establishment operations, as defined in section ATCP
58 75.103(5)(h) of the Wisconsin Administrative Code, by churches, religious,
59 fraternal, youth, or patriotic organizations; service clubs and civic organizations
60 that occasionally prepare, serve, or sell meals to transients or to the general
61 public. Occasional means not more than 3 days during any 12 month period.

62 (g) Review and inspection.

63 1. Inspection. Public Health Madison and Dane County may charge a State
64 of Wisconsin licensed operator or entity an inspection fee of \$25 per day.

65 2. Reinspection. If Public Health Madison and Dane County reinspects a
66 regulated business because Public Health Madison and Dane County finds a
67 violation of this Chapter, Public Health Madison and Dane County shall charge
68 the operator a reinspection fee. The reinspection fee for the food and drink permit
69 shall be based upon the anticipated gross annual food and drink sales for the
70 licensing year as set forth in the table below. of \$150 for the first reinspection
71 and \$250 for the second and subsequent reinspections. The resinspection fee
72 for a hotel, motel, tourist rooming house, bed and breakfast establishment permit;
73 a public swimming pool permit; or a recreational, educational camp, mobile home
74 park or campground permit shall be \$150 for the first reinspection and \$250 for

75 subsequent reinspections. There is no reinspection fee for micromarkets. A
 76 reinspection fee is payable when the reinspection is completed, and is due upon
 77 written demand from Public Health Madison and Dane County.
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<u>Anticipated Gross Annual Food and Drink Sales</u>	<u>First Reinspection Fee</u>	<u>Subsequent Reinspection Fee</u>
<u>\$0 - \$10,000</u>	<u>\$25</u>	<u>\$50</u>
<u>\$10,001 - \$100,000</u>	<u>\$50</u>	<u>\$75</u>
<u>\$100,001 - \$250,000</u>	<u>\$75</u>	<u>\$150</u>
<u>\$250,001 - \$500,000</u>	<u>\$150</u>	<u>\$250</u>
<u>\$500,001 - \$1,000,000</u>	<u>\$250</u>	<u>\$500</u>

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 80 **3. Plan Review Requirement and Fee.** Public Health Madison and Dane
 81 County shall require an operator of a new or extensively remodeled food
 82 establishment to submit equipment layout plans, equipment schedules, detailed
 83 descriptions of food processing operations, and menus for review as requested.
 84 Public Health Madison and Dane County shall charge the establishment owner or
 85 operator of a new food establishment the plan review fee based upon the
 86 anticipated gross annual food and drink sales for the licensing year as set forth in
 87 the table below. The plan review fee for a new hotel, motel, tourist rooming
 88 house, bed and breakfast establishment permit; a public swimming pool permit or
 89 a recreational, educational camp, mobile home park or campground permit shall
 90 be \$375; for a plan review and \$250 for a plan review of an existing licensed food
 91 establishment that will be extensively remodeled. Micromarkets are exempt from
 92 plan review fees.
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<u>Anticipated Gross Annual Food and Drink Sales</u>	<u>Plan Review/Pre-inspection Fee</u>
<u>\$0 - \$10,000</u>	<u>\$375</u>
<u>\$10,001 - \$100,000</u>	<u>\$400</u>
<u>\$100,001 - \$250,000</u>	<u>\$450</u>
<u>\$250,001 - \$500,000</u>	<u>\$500</u>
<u>\$500,001 - \$1,000,000</u>	<u>\$600</u>
<u>\$1,000,001 - \$5,000,000</u>	<u>\$700</u>
<u>Greater than \$5,000,000</u>	<u>\$800</u>

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 95 **4. Fees for Special Conditions Inspections.** Public Health Madison and Dane
 96 County may charge for any inspection or consultation services that are not
 97 directly related to Public Health Madison and Dane County's permitting and
 98 licensing responsibilities. Public Health Madison and Dane County may charge
 99 the operator or owner of an entity requesting the inspection or consultation a fee
 100 of \$250.

101 **5.** Fees for Hazard Analysis and Critical Control Point (“HACCP”) Plan
102 Review. Public Health Madison and Dane County may charge a fee of \$100 for
103 any HACCP plan review or subsequent annual verification to the operator or
104 entity required by law to submit an HACCP plan for approval. A separate HACCP
105 plan review fee shall be paid for each HACCP plan.
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107 **(7)** Hotel & Motel (Units):

<i>No. of Units</i>	<i>County Fee</i>
4 5-30	\$209 244
31-99	\$297 348
100-199	\$429 502
200 or more	\$484 567

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109 **(8)** Tourist rooming houses:\$149 175
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111 **(9)** Bed and Breakfast:\$149 175
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113 **(10)** Pre-inspections. Pursuant to the authority set forth in s. 97.615,
114 Wisconsin Statutes, the fee for a pre-inspection shall be based upon the
115 anticipated gross annual food and drink sales for the licensing year as set forth in
116 the table in 46.34(6)(g)3. \$375 for each pre-inspection except as otherwise
117 provided herein. A separate pre-inspection fee shall be paid for each category of
118 permit or license. The pre-inspection fee for food and drink establishments that
119 are primarily retail and do not engage in food processing shall be \$100 for each
120 pre-inspection. The pre-inspection fee for a hotel, motel, tourist rooming house,
121 bed and breakfast establishment permit; a public swimming pool permit; or a
122 recreational, educational camp, mobile home park or campground permit shall be
123 \$375. Micro markets are exempt from pre-inspection fees.
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125 **(11)** *Fees for operating without a license.* Any operator of an enterprise
126 requiring a food and drink license; a hotel, motel, tourist rooming house, bed and
127 breakfast establishment license; a public swimming pool license; or recreational,
128 educational camp or campground license; a tattooing and body piercing license,
129 found to be operating without a license, shall pay to the department a forfeiture of
130 \$250.00, in addition to applicable fees.
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132 **(12)** *Fee for operating without a Wisconsin certified food manager.* The
133 department shall charge the operator of a restaurant a forfeiture of \$150.00 for
134 operating without a Wisconsin certified food manager.
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137 *[EXPLANATION: This amendment revises fees charged by Public Health for*
138 *certain permits and inspections.]*
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