

Master

File Number: 74301

File ID: 74301	File Type: Ordinance	Status: Report of Officer
Version: 1	Reference:	Controlling Body: BOARD OF HEALTH FOR MADISON AND DANE COUNTY
File Name: Public Health Inspection Fees		File Created Date : 10/18/2022
Final Action:		
<p>Title: Amending Several Sections of Chapter 7 and Section 9.23(4)(d)3. and 4. of the Madison General Ordinances to remove embedded annual license fees and assign the Board of Health to establish annual license fees.</p>		
Notes: 6682PublicHealthMobileHomeFees		
Sponsors: Matthew J. Phair	Effective Date:	
Attachments: 74301Body	Enactment Number:	
Author: Kate Smith	Hearing Date:	
Entered by: mglaeser@cityofmadison.com	Published Date:	
Related Files:		

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/18/2022	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Board of Health for Madison and Dane County (11/2/22); Common Council (11/22/22)						
1	COMMON COUNCIL	10/25/2022	Refer	BOARD OF HEALTH FOR MADISON AND DANE COUNTY			Pass
	Action Text: A motion was made by Furman, seconded by Heck, to Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY. The motion passed by voice vote/other.						
1	COMMON COUNCIL	11/22/2022	Re-refer	BOARD OF HEALTH FOR MADISON AND DANE COUNTY			Pass
	Action Text: A motion was made by Furman, seconded by Phair, to Re-refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY. The motion passed by voice vote/other.						

Text of Legislative File 74301

Fiscal Note

The proposed change removes the embedded annual license fees administered by Public Health Madison Dane County from the ordinance. The fee schedule will be approved by the Board of Health each year and be publicly available in the Clerk’s Office and other locations. The change is based on the recommendation of the WI Department of Agriculture, Trade and Consumer Protection. No appropriation is required.

Title

Amending Several Sections of Chapter 7 and Section 9.23(4)(d)3. and 4. of the Madison General Ordinances to remove embedded annual license fees and assign the Board of Health to establish annual license fees.

Body

DRAFTER’S ANALYSIS: This group of ordinance changes removes the embedded annual license fees administered by Public Health Madison Dane County (“PHMDC”) and instead assigns the establishment of annual fees to the Board of Health (“BOH”). PHMDC administers food and drink permits, tattoo and body piercing licenses, public swimming pool licenses, hotels, motels, and tourist rooming house licenses, recreational and educational camp licenses, campground licenses (all under MGO Chapter 7) and mobile home park licenses (in MGO Sec. 9.23).

This change comes recommended by the Department of Agriculture, Trade and Consumer Protection (“DATCP”) during PHMDC’s most recent agent evaluation in order to eliminate the requirement for an ordinance change whenever a fee change is necessary. Any fee established by the BOH must be an amount sufficient to recover the costs incurred by the City and meet the requirement in Wis. Stat. Sec. 66.0628(2) that the fees charged “bear a reasonable relationship to the service for which the fee is imposed.” Since PHMDC is a joint city-county agency, Dane County and the City of Madison want to have consistency between the PHMDC-administered licenses in the Madison General Ordinances and the Dane County Ordinances. A parallel Dane County ordinance is also being adopted removing embedded annual fees and assigning fee establishment to the Board of Health. The BOH adopted fees will be published in the PHMDC Fee Schedule, which will be publicly available at the City Clerk’s Office and posted on PHMDC’s website.

Please see Legistar File 74301 Body in attachments.