

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

Amending Sections 7.07(8)(g), 7.07(9),
7.08(7)(b), 7.15(6)(d), 7.44(1)(c), 7.50(4),
7.52(4) of the Madison General Ordinances to
modify various health permit, license and
inspection fees

PRESENTED October 17, 2006
REFERRED Board of Health for Madison
and Dane County; Board of
Estimates

RULES SUSPENSION _____
PUBLIC HEARING _____

Drafted by: Marci Paulson

Date: September 27, 2006

SPONSORS: Mayor Cieslewicz; Ald. Olson

DRAFTER'S ANALYSIS: This amendment raises the annual fee for having a food and drink permit. It increases the food and drink establishment re-inspection fee. It increases the permit fee to operate a temporary restaurant. It raises the licensing fee for tattoo, body-piercing and ear piercing establishments. It raises the license fee for indoor and outdoor swimming pools. This amendment also raises the fee for food and drink establishment pre-inspection. It raises the license fee for recreation and educational camps.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (g) of Subsection (8) entitled "Food and Drink Permit" of Section 7.07 entitled "Regulations Regarding Food Handled by Public Places" of the Madison General Ordinances is amended to read as follows:

"(g) The annual fee for the food and drink permit shall be based upon the anticipated gross annual food and drink sales for the licensing year as set forth in the tables below. The licensing year shall be from July 1 through the following June 30. The permit fee herein established shall be for one year or a fractional part thereof. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of 15% of the license fee or a minimum of \$3.00, whichever is greater. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license. For the licensing years commencing July 1, ~~2003~~ 2007, and subsequent thereto:

<u>Anticipated Gross Annual Food and Drink Sales</u>	<u>Annual Permit Fee</u>
\$0 - \$10,000	\$ <u>155 175</u>
\$10,001 - \$100,000	\$ 265 <u>390</u>
\$100,001 - \$250,000	\$ 410 <u>500</u>
\$250,001 - \$1,000,000	\$ 610 <u>700</u>
\$1,000,001 - \$5,000,000	\$ 790 <u>865</u>
Greater than \$5,000,000	\$ 880 <u>960</u> "

Approved as to form:

2. Subsection (9) entitled "Reinspection Fee" of Section 7.07 entitled "Regulations Regarding Food Handled by Public Places" of the Madison General Ordinances is amended to read as follows:

"(9) Reinspection Fee. If the Health Department reinspects a retail food establishment or restaurant because the Health Department finds a violation of this Chapter, the Health Department shall charge the retail food establishment or restaurant owner or operator a reinspection fee of one hundred and ~~ten~~ fifty dollars (~~\$110~~150) per reinspection. A reinspection fee is payable when the reinspection is completed, and is due upon written demand from the Health Department."

3. Subdivision (b) of Subsection (7) entitled "Temporary Restaurant" of Section 7.08 entitled "Regulations Governing Eating And Drinking Establishments" of the Madison General Ordinances is amended to read as follows:

"(b) Fee. Pursuant to Sec. 254.69, Wis. Stats., the fee for a permit to operate a temporary restaurant shall be ~~fifty~~ sixty dollars (~~\$50~~ 60) for the first day and ~~twenty~~ five dollars (~~\$20~~ 25) per day for each additional day applied for during one licensing year which year shall be from January 1 through the following December 31 and the permit shall not be transferable."

4. Subdivision (d) entitled "Fees" of Subsection (6) entitled "Licensing and Fees" of Section 7.15 entitled "Regulation of Tattooing and Body-Piercing" of the Madison General Ordinances is amended to read as follows:

- "1. Annual establishment fees shall be:
- a. Tattoo or body-piercing establishments, ~~\$235~~ 260.
 - b. Ear-piercing establishments, ~~\$155~~ 170.
 - c. Combined tattoo and body-piercing establishments, ~~\$340~~ 340.
 - d. Pre-inspection, one-time only, \$200."

5. Subdivision (c) of Subsection (1) entitled "Public Swimming Pool Licenses" of Section 7.44 entitled "Minimum Standards for Public Swimming Pools" of the Madison General Ordinances is amended to read as follows:

"(c) No license shall be issued unless the operator shall have first submitted an application for a license and a license fee. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of 15% of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.

<u>Category</u>	<u>License Fee</u>
Indoor Swimming Pool	\$645 <u>900</u>
Outdoor Swimming Pool	\$465 <u>475</u>
Each Additional Indoor Pool	\$295 <u>450</u>
Each Additional Outdoor Pool	\$295 <u>300</u> "

5. Subsection (4) entitled "Inspection Fees" of Section 7.50 entitled "Pre-Inspection Permits And Fees And Changes Of Ownership " of the Madison General Ordinances is amended to read as follows:

"(4) Inspection Fees. Pursuant to authority set forth in Sec. 254.69, Wis. Stats., the fee for a pre-inspection shall be ~~two~~ three hundred ~~ninety-five~~ fifty dollars (~~\$295~~ 350) for each inspection. A separate pre-inspection fee shall be paid for each category of permit or license."

6. Subsection (4) entitled "Fees" of Section 7.52 entitled "Recreational and Educational Camps" of the Madison General Ordinances is amended to read as follows:

"(4) Fees. The following license fee is hereby established for the period of July 1 through the following June 30 or for any portion of said time period.

Number of Camps at Same Location	Fee
1 - 5	\$236 <u>300</u>
6 - 10	\$394 <u>400</u>
11 or more	\$620 <u>700</u>