

ORD. AMEND. NO. 40, 2007-2008

AMENDING CHAPTERS 46 AND 48 OF THE DANE COUNTY CODE OF ORDINANCES, REVISING ENVIRONMENTAL HEALTH LICENSING 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 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  
(ref: ~~Wisconsin Administrative Code chapter HSS 171~~)
- (2) Public swimming pools.....\$167  
(ref: ~~Wisconsin Administrative Code chapter HSS 172~~)
- (a) Indoor pool .....\$900
- (b) Each additional indoor pool.....\$450
- (c) Outdoor pool.....\$475
- (d) Each additional outdoor pool.....\$300
- (3) Recreational and educational camps:..\$167  
(ref: ~~Wisconsin Administrative Code chapter HSS 175~~)

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

(4) Mobile home parks:

<u>Number of Spaces</u>	<u>County Fee</u>
1 - 20	\$ 102
21 - 50	\$179
51 - 100	\$223
101 - 175	\$285
More than 175	\$285

(ref: ~~Wisconsin Administrative Code ch. COMM 95~~)

(5) Campgrounds and camping resorts:

<u>Number of Spaces</u>	<u>County Fee</u>
1-25	\$ 102 200
26-5099	\$179 350
51-100 or more	\$223 500
Over 100	\$285

(ref: ~~Wisconsin Administrative Code chapter HSS 178~~)

- Referred to:
- Executive
  - Hlth/Hum Needs
  - Pers/Finance
  - Pub Prot/Jud
  - Pub Wks/Transp
  - Envir/Ag/Nat Res
  - Zoning/Land Res
  - Board of Health

- Approved as Submitted
  - Fiscal Note Not Required
  - Policy Note Not Required
  - Forward to: *Board of Health*
  - for completion of:  Fiscal Note
  - Policy Note
- Pub. Health for Madison & Danelon*

30 (6) Restaurants Food and Drink Establishments:

<i>Restaurant Classification by State Code</i>	<i>County Fee</i>
01, 08, 09, 14, 16, 18, 20, 22, 26, 30	\$149
02, 10, 13, 15, 17, 19, 21, 23, 27, 31	\$360
Temporary 29	For the first event each year, \$56 for the first day and \$12 for each day thereafter to a maximum of \$92. For each additional event the fee shall be \$11 per day.
Satellite kitchen on same premises	\$54

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

33 (b) Temporary establishments are defined as food establishments at a fixed  
34 location for no more than fourteen (14) consecutive days in conjunction with a  
35 single event, celebration or occasional sales promotion.

36 (c) With regard to permanent establishments:

Gross sales per year	Fee
\$0 - \$10,000	\$ 175
\$10,001 - \$100,000	\$390
\$100,001 - \$250,000	\$500
\$250,001 - & 1,000,000	\$700
\$1,000,000 - \$5,000,000	\$865
More than \$5,000,000	\$960

37 (d) With regard to temporary establishments, \$60 for the first day of the first  
38 event and \$25 for each day thereafter.

39 (e) Reinspection of food and drink establishments .....\$150

40 (a)-(f) Notwithstanding this subsection, there shall be no county fee for  
41 temporary restaurant operations, as defined in s. 254.61(5)(b), Wis. Stats., by  
42 churches; religious, fraternal, youth or patriotic organizations; service clubs and  
43 civic organizations.

44  
45 (7) Hotel & Motel (Units):

<i>No. of Units</i>	<i>State—Code Classification</i>	<i>County Fee</i>
1-30	03, 05	\$132 190
31-99	04, 06	\$248 270
100 or more 199	32, 33	\$334 390
200 or more		\$440

46 (8) Tourist rooming houses, state code classification 07:..... \$ 71 190

47 (9) Bed and breakfast, state code classification 34:.....\$71 95 annually  
48

49 (10) Pre-inspections:.....\$350

50 Type of Pre-inspection Fee

51 Restaurant, hotel and motel \$140

52 Tourist rooming houses \$54

53 ~~(13) Retail food facilities, including bakeries, convenience stores, food~~  
54 ~~processors, confectionaries and countertop freezers:~~

55 Type Of Establishment Or Service Fee

56 Annual sales \$10,000 or less \$120

57 Annual sales \$10,001 to \$100,000 \$268

58 Annual sales \$100,001 to \$250,000 \$484

59 Annual sales over \$250,000 \$711

60 Pre-inspections \$140

61 Permit for off-premises special events \$ 57

62 ~~(14) (a) Permit fees set forth in this section for retail food facilities where the~~  
63 ~~facility is operated for only part of a license year shall be prorated according to~~  
64 ~~the following schedule:~~

65 Date Operation Percent Of Fee

66 Commences To Be Paid

67 July 1 to Dec. 31 100% of full fee

68 December 31 to June 30 50% of full fee

69 ~~(b) Fees for pre-inspection, temporary permits or off-premises special events~~  
70 ~~permits shall not be reduced or prorated. Application for proration of fees must~~  
71 ~~be made at the time fees are required to be paid; proration shall not be available~~  
72 ~~once fees have been paid. No portion of state required fees shall be eligible for~~  
73 ~~proration under this subsection.~~

74

75 ARTICLE 3. Section 46.35 is amended to read as follows:

76 **46.35 LATE CHARGES, PERMIT RENEWALS, DUPLICATE PERMITS. (1)** In  
77 each instance where a fee required under subsections (1) through (5), inclusive,  
78 of section 46.34 is not paid when due, the director of environmental health shall  
79 collect a late fee of ~~Twenty-Four Dollars (\$24.00)~~ equal to 15% of the applicable  
80 permit fee.

81 **(2)** In each instance where a fee required under subsections (6) through (10),  
82 inclusive, ~~or subsection (13)~~ of section 46.34 is not paid when due, the director of  
83 environmental health shall collect a late fee of ~~Thirty-Six Dollars (\$36.00)~~ equal to  
84 15% of the applicable permit fee.

85 **(3)** As used in this subsection, permit refers to any annual permit required by  
86 subsections ~~(1) through (10), inclusive, or subsection (13)~~ of section 46.34 and  
87 permitted facility refers to any facility the operation of which requires any such  
88 permit. Between June 30 and July 31 of any year, the department shall not issue  
89 a permit unless the applicant submits payment of the required renewal fee and  
90 penalty. After July 31, the department shall not renew expired permits and all  
91 applications for permits received after that date shall be treated as applications  
92 for new permits. Any person who conducts, maintains, manages or operates any  
93 permitted facility between June 30 and July 31 is obligated to pay the appropriate  
94 permit fee, and the corporation counsel is authorized to commence an action for

95 the recovery of the fee. After July 31 no person may conduct, manage, maintain  
96 or operate any permitted facility unless a current permit is in effect. In order to  
97 assist permittees in the renewal of permits, the department shall annually, on or  
98 before July 15, send notice of delinquent status to permittees who have not  
99 renewed expired permits, however, failure to send such notice shall not create  
100 any right to continued operation of the facility after July 31.

101 (4) A ~~\$24.00~~ 5.00 fee shall be collected for issuing a duplicate permit to any  
102 facility that has previously been issued an operating permit during the current  
103 permit year.

104  
105 ARTICLE 4. Section 48.16 is amended to read as follows:

106 **48.16 LICENSES; COUNTY FEES FOR LICENSES.** ~~(1) The county fee for a~~  
107 ~~tattooist license shall be \$50.~~

108 ~~(2) The county fee for a body piercer's license shall be \$50.~~

109 ~~(3) The county fee for a combination tattooist and body piercer license shall be~~  
110 ~~\$75.~~

111 ~~(4)~~(1) The county fee for a license for the operation of an establishment which  
112 performs tattooing or body piercing, but not both, shall be \$164~~260~~.

113 ~~(2)~~ (2) The fee for a license for an establishment that performs ear piercing shall be  
114 \$170.

115 ~~(5)~~(3) The county fee for a license for the operation of an establishment which  
116 performs both tattooing and body piercing shall be \$218~~340~~.

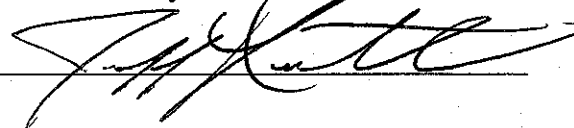
117 ~~(6)~~(4) The county fee for a pre-inspection of an establishment shall be \$93~~200~~.

118 ~~(7)~~(5) The county fee for a temporary establishment license shall be \$50~~75~~ for  
119 the first day and \$14~~25~~ per day for each day thereafter.

120 ~~(8)~~(6) In addition to the county fees set forth in this section, the division shall  
121 collect the appropriate state fee.

122 *[EXPLANATION: These amendments revise county environmental health fees to*  
123 *address actual costs to Public Health Madison & Dane County and to obtain*  
124 *consistency with similar fees charged under City of Madison ordinances.*

125  
126  
127 Submitted By:

128   
129 \_\_\_\_\_  
130 \_\_\_\_\_  
131 \_\_\_\_\_  
132 \_\_\_\_\_  
133 \_\_\_\_\_  
134 \_\_\_\_\_  
135 \_\_\_\_\_  
136 \_\_\_\_\_  
137 \_\_\_\_\_