



Legislation Details (With Text)

File #: 74301 **Version:** 1 **Name:** Public Health Inspection Fees
Type: Ordinance **Status:** Passed
File created: 10/18/2022 **In control:** Attorney's Office
On agenda: 11/22/2022 **Final action:** 12/6/2022
Enactment date: 12/16/2022 **Enactment #:** ORD-22-00125
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.

Sponsors: Matthew J. Phair

Indexes:

Code sections:

Attachments: 1. 74301Body

Date	Ver.	Action By	Action	Result
12/6/2022	1	COMMON COUNCIL	Adopt	Pass
12/5/2022	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY		
11/22/2022	1	COMMON COUNCIL	Re-refer	Pass
10/25/2022	1	COMMON COUNCIL	Refer	Pass
10/18/2022	1	Attorney's Office	Referred for Introduction	

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.