



Legislation Details (With Text)

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**Title:** Resolution directing the Intergovernmental Relations Division-Department of Administration to seek passage of state legislation changing food license expiration dates.

**Sponsors:** ALD. BOHL

**Indexes:** FOOD DEALERS, INTERGOVERNMENTAL RELATIONS DIVISION, LICENSES, STATE LEGISLATION

**Attachments:** 1. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/16/2011	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
5/24/2011	0	COMMON COUNCIL	ADOPTED	Pass	13:0
6/1/2011	0	MAYOR	SIGNED		

110081  
ORIGINAL

**ALD. BOHL**

Resolution directing the Intergovernmental Relations Division-Department of Administration to seek passage of state legislation changing food license expiration dates. This resolution directs the Intergovernmental Affairs Division-Department of Administration to develop and seek passage of legislation by the Wisconsin Legislature to allow the issuance of a retail food establishment license by a City of the First Class at any time during the year which license shall be valid for one year expiring on a specified date.

State law currently provides that all food establishment licenses expire on June 30. This requires the City to process as many as 3,500 renewal applications at the same time each year.

The Wisconsin Legislature has made an exception in the licensing of alcohol beverage establishments authorizing a City of the First Class to issue a license at any time during the year. The license is valid for one year and expires on a date specified in the license. Alcohol beverage license renewals are therefore processed in a more orderly fashion. The legislation sought by this resolution would provide a similar exception.

Whereas, Section 97.30(2)(a), Wis. Stats., provides that all retail food establishment licenses expire on June 30 of each year; and

Whereas, The Health Department acts as an agent of the Wisconsin Department of Agriculture, Trade and Consumer Protection for issuing food licenses and making investigations or inspection of retail food establishments by agreement under s. 97.41(1m), Wis. Stats.; and

Whereas, Approximately 3,500 retail food establishments are licensed by the City including all restaurants, food and espresso carts, bakeries, coffee bars, delicatessens, grocery stores, convenience stores, candy stores, bed and breakfasts, taverns and bars, food markets, liquor stores and special event vendors; and

Whereas; The volume of food establishment licenses that are subject to annual renewal procedures at the same time place an extraordinary burden on the resources of the Health Department, the License Division of the City Clerk and the Licenses Committee of the Common Council; and

Whereas, The health and safety of the public require careful scrutiny of food license renewals, especially in circumstances where investigation or inspection reveals a potential hazard to public health and where complaints by members of the public relating to the operation of a retail food establishment establish cause for responsible review; and

Whereas, The Wisconsin Legislature has recognized in s. 125.04(11)(b), Wis. Stats., that a City of the First Class may more effectively review and process a high volume of license renewals for alcohol beverage license establishments by providing an exception to allow the expiration of annual licenses to be staggered throughout the year based upon the date of issue of an initial license; and

Whereas, The interests of the City in promoting the health and safety of the public will be furthered by allowing interested members of the public more orderly access to the food establishment license review process; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Affairs Division-Department of Administration is directed to develop and seek passage of legislation by the Wisconsin Legislature to allow the issuance of a retail food establishment license by a City of the First Class at any time during the year which license shall be valid for one year expiring on a specified date.

LRB124919-1  
Richard L. Withers  
5/2/2011