



Legislation Details (With Text)

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Title: An ordinance relating to fees for temporary food dealer's licenses and inspections for health code violations.

Sponsors: THE CHAIR

Indexes: FEES, FOOD DEALERS, LICENSES

Attachments: 1. Health Dept. letter.PDF, 2. Fiscal Review Analysis.pdf, 3. City Atty. letter.PDF

Date	Ver.	Action By	Action	Result	Tally
2/11/2003	0	COMMON COUNCIL	ASSIGNED TO		
2/14/2003	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
3/5/2003	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
3/13/2003	0	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
3/25/2003	0	COMMON COUNCIL	PASSED	Pass	15:0
4/10/2003	0	CITY CLERK	PUBLISHED		
9/24/2013	0	COMMON COUNCIL	SIGNED		

021563
ORIGINAL

THE CHAIR

An ordinance relating to fees for temporary food dealer's licenses and inspections for health code violations.

60-23-0 rc

60-23-2 am

60-23-3 rc

60-39-1 am

60-70 rc

67-11.1 rp

67-11.2 rp

67-11.3 rp

67-18 rn

75-30-1 rp

75-30-2 rp

75-30-3 rn

75-30-4 rn

This ordinance provides the following:

1. Establishes fixed fees for temporary food dealer's licenses.

2. Establishes annual temporary food dealer's licenses for vendors who offer for sale at farmers' markets foods other than restaurant foods.
 3. Increases the fees for temporary food dealer's licenses for licensed food establishments that extend their operation to the outside on a temporary basis.
 4. Establishes that a routine inspection fee is assessed if as a result of the routine inspection a violation which had been documented at the time of the previous routine inspection is found.
 5. Establishes graduated reinspection fees for reinspections relating to the same order to correct a violation.
 6. Repeals most of Chapter 67 of the code relating to contagious diseases.
- The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 60-23-0 of the code is repealed and recreated to read:

60-23. Temporary Food Dealer's License.

Part 2. Section 60-23-2 of the code is amended to read:

2. LICENSES. ~~[[Each]]>>With the exception of a licensed food establishment that extends its operation to the outside on a temporary basis, each~~<< individual temporary food operation, site, location or stand where food is prepared, processed served ~~[[, stored]]~~ or sold shall be issued a temporary food dealer's license and be assessed fees in accordance with this section.

Part 3. Section 60-23-3 of the code is repealed and recreated to read:

- 3. FEES.** a. Restaurants. a-1. The fee per temporary event for the 1st day of operation of each temporary restaurant and for a temporary restaurant that operates no more than one day is \$50.
- a-2. The fee per temporary event for each additional day of operation for each temporary restaurant is \$25.
- a-3. The applicant shall pay the state of Wisconsin administrative fee, the amount of which is on file with the Wisconsin department of health and family services.
- b. Retail. b-1. The fee per temporary event for temporary food operations that process food at the point of sale is \$50.
- b-2. The fee per temporary event for temporary food operations that do not process food at the point of sale is \$30.
- b-3. The applicant shall pay the state of Wisconsin administrative fee, the amount of which is on file with the Wisconsin department of agriculture, trade and consumer protection.
- c. Farmers' market. The fee for an annual temporary food dealer's license for vendors who offer for sale foods other than restaurant foods is \$60.
- d. The following fees shall apply to a licensed food establishment that extends its operation to the outside on a temporary basis:
- d-1. For an extension of a licensed premises that operates one day or less: \$40.

d-2. For an extension of a licensed premises that operates for more than one day: \$60.

Part 4. Section 60-39-1 of the code is amended to read:

60-39. Food Processing - Retail. 1. The food processing - retail fee applies to food peddlers ~~[[and temporary food operations]]~~ that process at the point of sale.

Part 5. Section 60-70 of the code is repealed and recreated to read:

60-70. Inspection Fees for Health Code Violations. 1. PREVIOUSLY DOCUMENTED. a. If as a result of the routine inspection a violation which had been documented at the time of the previous routine inspection is found, the fee for the routine inspection is \$74.

b. The fee for the first reinspection under this subsection relating to the same order to correct the violation shall be \$148. The fee for each subsequent reinspection shall be the fee for the previous reinspection plus an additional \$74.

c. Fees for any inspection under this subsection shall be assessed at the time of the inspection only if the order to correct the violation has not been complied with.

2. NOT PREVIOUSLY DOCUMENTED. a. If as a result of the routine inspection a violation which had not been documented at the time of the previous routine inspection is found, the fee for the first reinspection relating to the order to correct the violation is \$74.

b. The fee for the second reinspection under this subsection relating to the same order to correct the violation shall be \$148. The fee for each subsequent reinspection shall be the fee for the previous reinspection plus an additional \$74.

c. Fees for any reinspection under this subsection shall be assessed at the time of the reinspection only if the order to correct the violation has not been complied with.

Part 6. Section 67-11.1 to 67-11.3 of the code is repealed.

Part 7. Section 67-18 of the code is renumbered 68-9.

Part 8. Section 75-30-1 and 2 of the code is repealed.

Part 9. Section 75-30-3 and 4 of the code is renumbered 75-30-1 and 2.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Health Department

LRB02666-1

RGP

1/14/03