



# City of West Allis

## Legislation Details (With Text)

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**Type:** Ordinance **Status:** Passed  
**File created:** 4/26/2005 **In control:** License and Health Committee (INACTIVE)  
**On agenda:** **Final action:** 5/3/2005  
**Title:** An Ordinance to Amend Section 7.04 of the West Allis Revised Municipal Code Relating to Food Establishments  
**Sponsors:** License and Health Committee (INACTIVE)  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
5/3/2005	2	Common Council	Passed as Amended	Pass
4/26/2005	1	License and Health Committee (INACTIVE)		
4/26/2005	2	License and Health Committee (INACTIVE)		Pass

An Ordinance to Amend Section 7.04 of the West Allis Revised Municipal Code Relating to Food Establishments

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 7.04 of the Revised Municipal Code is hereby amended to read:

### 7.04 FOOD ESTABLISHMENTS.

\* \* \*

#### (3) Permit Fees.

(a) Food Permit. The fee for a food permit shall be thirty dollars (\$30) and shall be due and paid before the permit is issued, and annually thereafter before July 1. A pre-licensing inspection fee of sixty dollars (\$60) shall be paid prior to issuance of all new food permits, reinstatements, or when extensive remodeling of the licensed premise has occurred. In the alternative, a pre-inspection fee of forty dollars (\$40) shall be paid when a change of operator occurs but said change does not involve a new permit, reinstatement, or extensive remodeling. An additional fee of twenty-five dollars (\$25) shall be paid whenever the annual fee for a renewal is paid after July 1. Food permit fees may be waived by the Health Commissioner for fraternal, charitable, religious or not-for-profit organizations, if additional licensure is not required under Chapters 254 or 97 of the Wisconsin Statutes. A food and beverage permit shall not be required if the establishment is licensed as a restaurant or retail food establishment.

(b) Restaurant Permit. All food establishments which are required to be licensed under Chapter HFS 196, Wisconsin Administrative Code, must obtain a restaurant permit and shall pay fees as follows:

(1) Limited-Service Restaurant. A restaurant which prepares, serves or sells only individually wrapped, hermetically sealed, single good servings supplied by a licensed processor, shall pay a two hundred dollars (\$200) pre-licensing inspection fee prior to initial licensure or when extensive remodeling has occurred, one hundred fifty dollars (\$150) when a transfer of ownership occurs, and an annual fee of one hundred twenty dollars (\$120), plus the state administrative fee, or one hundred fifty dollars (\$150), plus the state administrative fee for renewals paid after July 1.

(2) Full-Service Restaurant. A restaurant, which prepares, serves or sells meals prepared from raw, canned, dried, packaged or frozen foods shall be considered a full service restaurant and shall pay a fee consistent with their category. A restaurant permit category shall be determined by an evaluation of the complexity of the restaurant based on the criteria specified in table HFS 196.04, which designate full service restaurants into the categories of simple, moderate, and complex.

(a) For a restaurant in the simple permit category, the pre-inspection fee for a new or extensively remodeled licensed premises shall be two hundred fifty dollars (\$250), the pre-inspection fee for a transfer of ownership shall be two hundred dollars (\$200), the annual fee shall be one hundred seventy dollars (\$170), plus the state administrative fee, or two hundred twenty dollars (\$220), plus the state administrative fee for renewals paid after July 1.

(b) For a restaurant in the moderate permit category, the pre-inspection fee for a new or extensively remodeled premises shall be three hundred fifty dollars (\$350), the pre-inspection fee for a transfer of ownership shall be two hundred fifty dollars (\$250), the annual fee shall be two hundred dollars (\$200), plus the state administrative fee, or two hundred fifty dollars (\$250), plus the state administrative fee for renewals paid after July 1.

(c) For a restaurant in the complex permit category, the pre-inspection fee for new or extensively remodeled premises shall be four hundred dollars (\$400), the pre-inspection fee for a transfer of ownership shall be three hundred dollars (\$300), the annual fee shall be two hundred seventy five dollars (\$275), plus the state administrative fee, or three hundred twenty five dollars (\$325), plus the state administrative fee for renewals paid after July 1.

\* \* \*

(c) Retail Food Establishment Permit.

1. A retail food establishment, pursuant to sec. 97.30 of the Wisconsin Statutes, is required to obtain a permit and pay a pre-licensing inspection fee based on licensing category prior to initial licensure or upon change of operator or reinstatement; an annual fee based on licensing category plus the state administrative fee; and a late fee of \$50 for renewals paid after July 1. The licensing categories for retail food establishments shall be as follows:

LICENSING	PRELICENSING INSPECTION FEE FOR NEW OR EXTENSIVELY REMODELED	PRELICENSING INSPECTION FEE FOR CHANGE OF	ANNUAL
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CATEGORY	PREMISE	OPERATOR	FEE
No Food Processing	\$100	\$75	\$50 + state administrative fee
Food Sales less than \$25,000 & is engaged in food processing.	\$100	\$75	\$60 + state administrative fee
Food Sales of at least \$25,000 & is engaged in food processing, but does not process potentially hazardous food.	\$150	\$100	\$150 + state administrative fee
Food Sales of at least \$25,000 but less than \$1,000,000 & processes potentially hazardous food.	\$250	\$100	\$200 + state administrative fee
Food Sales of at least \$1,000,000 & processes potentially hazardous food.	\$400	\$300	\$550 + state administrative fee

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.