



City of West Allis

Legislation Text

File #: O-2006-0021, **Version:** 2

An Ordinance to Repeal and Recreate Section 7.145 of the West Allis Revised Municipal Code Relating to Hotels, Motels and Tourist Rooming Houses and Bed and Breakfast Establishments.

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

PART I. Section 7.145 of the Revised Municipal Code is hereby repealed and recreated to read:

7.145 HOTELS, MOTELS AND TOURIST ROOMING HOUSES AND BED AND BREAKFAST ESTABLISHMENTS.

(1) Definition. For purpose of this ordinance, hotel, motel and tourist rooming house shall mean any premises defined by Wisconsin Administrative Code, HFS Section 195.03 and bed and breakfast establishment shall mean any premises defined by Wisconsin Administrative Code, HFS Section 197.03.

(2) Permit and Fees Required. Before opening for business, every hotel, motel, tourist rooming house or bed and breakfast establishment operator shall obtain a permit from the Health Commissioner. No permit shall be granted without a pre-licensing inspection conducted by the Health Commissioner and completion of an application form provided by the Health Commissioner. The permit, when issued, must be conspicuously displayed on the premises for which it is issued. All permits shall expire on June 30.

(a) Hotel and Motel Fees. The fee for a pre-licensing inspection for a new hotel or motel, or at the time of a change of operator of an existing hotel, shall be one hundred three dollars (\$103.00). In addition, all hotels shall pay an annual fee as follows:

(1) Hotels or Motels with five (5) to thirty (30) rooms shall pay eighty-eight dollars (\$88.00), or ninety-eight dollars (\$98.00) for renewals paid after July 1.

(2) Hotels or Motels with thirty-one (31) to ninety-nine (99) rooms shall pay one hundred twenty-four dollars (\$124.00), or one hundred forty dollars (\$140.00) for renewals paid after July 1.

(3) Hotels or Motels with one hundred (100) or more rooms shall pay one hundred fifty-five dollars (\$155.00), or one hundred seventy-one dollars (\$171.00) for renewals paid after July 1.

(3) Tourist Rooming House Fees. The fee for a pre-licensing inspection for a new tourist rooming house, or at the time of a change of operator of an existing tourist rooming house, shall be twenty-six dollars (\$26.00). In addition, all tourist rooming houses shall pay an annual fee of forty-one dollars (\$41.00).

(4) Bed and Breakfast Establishment Fees. The fee for a pre-licensing inspection for a new bed and breakfast establishment, or at the time of a change of operator of an existing bed and breakfast establishment, shall be twenty-six dollars (\$26.00). In addition, all bed and breakfast establishments

shall pay an annual fee of forty-one dollars (\$41.00).

(5) In addition, the applicant must pay any state administrative fees, the amount of which is on file with the Department of Health.

(6) All hotels, motels and tourist rooming houses and licensees under this section shall be subject to and comply with the provisions of Wisconsin Administrative Code, HFS Section 195.01 through 195.11, which are hereby adopted by reference and incorporated as part of this section and all bed and breakfast establishment licensees under this section shall be subject to and comply with the provisions of Wisconsin Administrative Code, HFS Section 197, as they are from time to time amended which are hereby adopted by reference and incorporated as part of this section.

(7) Corrections of violations; citations. Whenever the Health Commissioner finds that any establishment required to obtain a permit in this section is not operating or equipped in any manner required by ordinances or laws regulating such establishment, the Health Commissioner may notify, in writing, the person operating the premises, specifying the requirements of such ordinance or law, and requiring that such business comply with the provisions of such ordinance or law, and specify the time limits within which compliance shall take place. If the time limit or any extension thereof set forth in the notification is not met, the permit may be suspended or revoked by the Health Commissioner.

(8) Emergency powers of Health Commissioner. Whenever the Health Commissioner has reasonable or probable cause to believe that any sanitary condition, equipment, premises or method of operation thereof creates a danger to public health, the Health Commissioner may issue a temporary order prohibiting the continued operation of the premises, or any part thereof, which creates the immediate danger to health. The Health Commissioner may suspend any permit without notice whenever the licensed premises constitute an immediate health hazard.

(9) Appeals. Any person aggrieved by the denial of a permit or by suspension or revocation of a permit required under this section by the Health Commissioner or by any temporary suspension or any other order may appeal any such order to the License and Health Committee of the West Allis Common Council within thirty (30) days of suspension, revocation or issuance of the order. The License and Health Committee of the West Allis Common Council shall provide the appellant a hearing or opportunity for hearing on the matter and may either suspend or continue any such order pending determination of the appeal. The decision of the License and Health Committee shall be final subject to appeal rights as provided by law.

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

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

ATTO-Sec7.145HotelsMotelsBed&Breakfast