

**Eau Claire City-County Board of Health**  
**21-01**  
**August 25, 2021**

Adopting fees for Retail Food Establishments as defined in ATCP 75

WHEREAS Wisconsin Statute 251.04(3) and 97.41(1m) provides that the Board of Health of the Eau Claire City-County Health Department shall have the authority to adopt regulations to protect and improve public health; and

WHEREAS Wisconsin Statute 251.04(7) specifically states that such boards take such measures as shall be effectual for the preservation of the public health; and

WHEREAS the Board of Health of the Eau Claire City-County Health Department did adopt such a regulation entitled "Food Establishment Regulation"; and

WHEREAS Section Wisconsin Statute 66.0628 provides the authority to set and impose fees for services; and

WHEREAS Section 1-0.060A of this regulation provides that the Board of Health shall establish fees for the permits for these facilities;

THEREFORE, the Eau Claire City-County Board of Health does ordain that the following fees shall be required annually for the permits and as specified for reinspections, preinspections, plan reviews, and late fees of the various types of facilities as defined in the regulation. Such fees shall be reviewed periodically by the Board of Health for adjustments as needed. All fees shall be payable to the Eau Claire City-County Health Department or to the Eau Claire City Treasurer for Health Department permits being issued by the City Clerk's office.

1. Retail Food Establishment-Serving Meals Permit Fee, Plan Review Fee, and Preinspection Fee Schedule: The annual, non-returnable and non-prorated fees for retail food establishment-serving meals, and transient retail food establishments, as well as plan review and preinspection fees for new and change of operator are as follows:

<b>Retail Food Establishment-Serving Meals**</b>	<b>Health Department Fee</b>	<b>Plan Review Fee</b>	<b>Preinspection Fee</b>
Complex: > \$500,000 sales	\$1,465	\$733	\$733
Complex: \$100,000 - \$499,999 sales	\$1,270	\$635	\$635
Complex: <\$100,000 sales	\$1,050	\$525	\$525
Moderate: > \$500,000 sales	\$1,030	\$515	\$515
Moderate: \$100,000 - \$499,999 sales	\$915	\$458	\$458
Moderate: <\$100,000 sales	\$765	\$383	\$383
Simple: > \$500,000 sales	\$750	\$375	\$375
Simple: \$100,000 - \$499,999 sales	\$670	\$335	\$335
Simple: <\$100,000 sales	\$555	\$278	\$278
Pre-Packaged	\$348	\$174	\$174
Independent Food Prep/Service (Add'l)	\$219		
Transient Retail License-Serving Meals	\$200		
Transient Retail/Mobile Food Inspection Fee	\$60		
Special Organization	\$401	\$201	\$201

\*Financial information is self-reported at time of initial license or renewal.

\*\*Based on changes in ATCP 75 "Restaurants" are now categorized as "Retail Food Establishment-Serving Meals." Also, the category names have been updated from low complexity, moderate complexity, and high

complexity to simple, moderate, and complex to match ATCP 75. Additionally, establishments previously referred to as “Temporary” or “Temp” are now classified as “Transient” establishments.

2. Retail Food Establishments-Not Serving Meals Permit Fee Schedule: The annual, non-returnable and non-prorated fees for retail food establishments-not serving meals, processing establishments, non-processing retail food establishments, transient retail food/prepackaged as well as plan review and preinspection fees for new and change of operator are as follows:

<b>Retail Food Establishments-Not Serving Meals***</b>	<b>Health Department Fee</b>	<b>Plan Review Fee</b>	<b>Preinspection Fee</b>
Process Potentially Hazardous Sales of at least \$1,000,000 (11)	\$1,504	\$752	\$752
Process Potentially Hazardous Sales of at least \$25,000 but less than \$1,000,000 (22)	\$653	\$327	\$327
Process Non-Potentially Hazardous Sales of at least \$25,000 (33)	\$502	\$251	\$251
Process Non-Potentially or Potentially Hazardous Sales of less than \$25,000 (44)	\$238	\$119	\$119
Non-Processing (55)	\$207		
Transient Retail Food	\$150		
Mobile Retail Prepackaged Food	\$150		
Micro-Market (Individual)	\$40		
Micro-Market (Multiple in Same Facility)	\$60		

\*\*Financial information is self-reported at time of initial license or renewal.

\*\*\* Based on changes in ATCP 75 “Retail Food Establishments” are now categorized as “Retail Food Establishment-Not Serving Meals.” Also, establishments previously referred to as “Mobile” or are now classified as “Transient” establishments. Additionally, a new fee category entitled “Mobile Retail Prepackaged Food” has been added.

3. Late Fee: An additional penalty fee of \$100 shall be required, as provided for in section 1-0.060B.1, whenever the annual fee for renewal is not paid prior to the expiration of the permit.

4. Insufficient Funds Fee: Fees or payments returned from a financial institution for insufficient funds shall be subject to a penalty fee of \$36 shall be required, as provided for in section 1-0.060B.2.

5. Operators found to be operating without a valid permit shall be subject to a double license fee, as provided for in section 1-0.060B.3.

6. Operators found to be operating without a certified food manager, as required by the Wisconsin Food Code, will be subject to a fee equal to that of the reinspection fee as provided for in section 1-0.060B.4.

7. Inspection Fee, as provided for in section 1-0.060D, shall be assessed as follows:

Transient & Mobile Food Establishments: \$60

8. Reinspection Fees: A fee of \$125 shall be required, as provided for in section 1-0.060E.

9. The total preinspection fee for issuing permits within the same establishment under the operation of the same person shall be determined by using the largest pre-inspection fee and assessing 75% of the preinspection fee of any additional permit.

10. Expiration of License: License shall expire on June 30 of each license year.

11. Fees become effective on January 1<sup>st</sup>, 2022.

Adopted by Board of Health on August 25, 2021

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