

Eau Claire City-County Board of Health
22-01
August 24, 2022

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:

Retail Food Establishment-Serving Meals	Health Department Fee	Plan Review Fee	Preinspection Fee
Complex: >\$1,000,000	\$1,800	\$900	\$900
Complex: \$500,000 - \$999,999	\$1,568	\$784	\$784
Complex: \$100,000 - \$499,999	\$1,359	\$680	\$680
Complex: \$25,000 - \$99,999	\$1,124	\$562	\$562
Complex: <\$25,000	\$775	\$388	\$388
Moderate: >\$1,000,000	\$1,290	\$645	\$645
Moderate: \$500,000-\$999,999	\$1,103	\$552	\$552
Moderate: \$100,000 - \$499,999	\$980	\$490	\$490
Moderate: \$25,000 - \$99,999 sales	\$819	\$410	\$410
Moderate: <\$25,000	\$560	\$280	\$280
Simple: >\$1,000,000	\$950	\$475	\$475
Simple: \$500,000 - \$999,999	\$803	\$402	\$402
Simple: \$100,000 - \$499,999	\$717	\$359	\$359
Simple: \$25,000 - \$99,999	\$594	\$297	\$297
Simple: <\$25,000	\$435	\$218	\$218
Pre-Packaged	\$373	\$187	\$187
Transient Retail License-Serving Meals	\$200		

Transient Retail/Mobile Food Inspection Fee	\$60		
Special Organization	\$430	\$215	\$215
Mobile Base: Complex	\$675	\$338	\$338
Mobile Base: Moderate	\$492	\$246	\$246
Mobile Base: Simple	\$417	\$209	\$209

*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:

Retail Food Establishments-Not Serving Meals***	Health Department Fee	Plan Review Fee	Preinspection Fee
Complex: >\$1,000,000 sales	\$1,610	\$805	\$805
Complex: \$500,000 - \$999,999	\$1,176	\$588	\$588
Complex: \$100,000 - \$499,999	\$952	\$476	\$476
Complex: \$25,000 - \$99,999	\$731	\$366	\$366
Complex: <\$25,000 sales	\$480	\$240	\$240
Moderate: >\$1,000,000 sales	\$1,140	\$570	\$570
Moderate: \$500,000 - \$999,999	\$828	\$414	\$414
Moderate: \$100,000 - \$499,999	\$686	\$343	\$343
Moderate: \$25,000 - \$99,999	\$532	\$266	\$266
Moderate: <\$25,000 sales	\$425	\$213	\$213
Simple: >\$1,000,000 sales	\$822	\$411	\$411
Simple: \$500,000 - \$999,999	\$763	\$382	\$382
Simple: \$100,000 - \$499,999	\$646	\$323	\$323
Simple: \$25,000 - \$99,999	\$506	\$253	\$253
Simple: <\$25,000 sales	\$310	\$155	\$155
Non-Processing (55)	\$222		
Transient Retail Food	\$150		
Mobile Retail Prepackaged	\$150		
Micro-Market (Multiple)	\$60		
Micro-Market (Individual)	\$40		

**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 1st, 2023.

Adopted by Board of Health on August 24, 2022

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