

ORDINANCE NUMBER 4, 2004

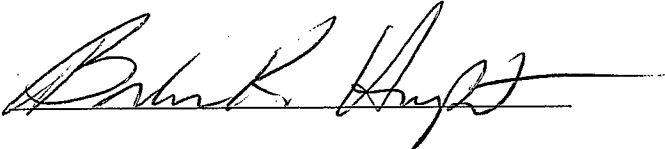
AN ORDINANCE CONCERNING THE ESTABLISHMENT OF
FEES FOR THE WABASH COUNTY HEALTH DEPARTMENT

Be it ordained by the Board of Commissioners of Wabash County, Indiana as follows:

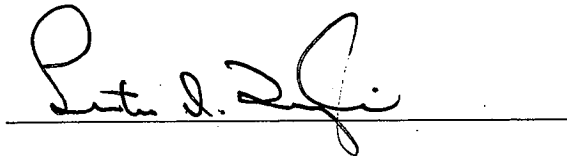
The Wabash County Board of Health may establish and collect fees for specific services and records established by local ordinances and state law. However, fees may not exceed the cost of services provided. The fees shall be accounted for and transferred to the Wabash County Health Fund.

Dated this Oct. 25, 2004.

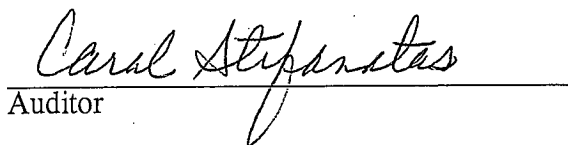
THE BOARD OF COMMISSIONERS
OF WABASH COUNTY, INDIANA







ATTEST:



Auditor

WABASH COUNTY HEALTH DEPARTMENT
89 WEST HILL STREET
WABASH, IN 46992
260-563-0661 Ext. 249
Fax: 260-563-6082

PERMIT FEES FOR FOOD ESTABLISHMENTS

A YEARLY PERMIT FEE SHALL BE LEVIED UPON EACH FOOD ESTABLISHMENT FOR THE PURPOSE OF ENFORCING AND PAYING THE EXPENSE OF THE INSPECTION PROGRAM.

SCHEDULE OF FEES: PERMIT FEES SHALL BE PAID YEARLY. YOUR PERMIT IS NONTRANSFERABLE. ANY CHANGE OF OWNERSHIP, LOCATION OR OPERATOR REQUIRES A NEW PERMIT. ALL PERMITS EXPIRE ON DECEMBER 31ST OF EACH YEAR.

- **RETAIL FOOD ESTABLISHMENT:**
AN OPERATION THAT STORES, PREPARES, PACKAGES, SERVES, VENDS OR OTHERWISE PROVIDES FOOD FOR HUMAN CONSUMPTION.
FEE: \$75.00 PER YEAR

- **TEMPORARY FOOD ESTABLISHMENT:**
A RETAIL FOOD ESTABLISHMENT THAT OPERATES FOR A PERIOD OF NO MORE THAN FOURTEEN (14) DAYS IN CONJUNCTION WITH A SINGLE EVENT OR CELEBRATION.
FEE: \$5.00 PER DAY

- **ANNUAL MOBILE UNIT (FOOD SERVICE OR RETAIL FOOD SERVICE):**
INCLUDES FOOD SERVICE ESTABLISHMENTS OPERATING FROM A VEHICLE OR A FOOD SERVICE THAT RELINQUISHES POSSESSION OF FOOD TO A CONSUMER DIRECTLY OR INDIRECTLY THROUGH A DELIVERY SERVICE OR A RETAIL FOOD ESTABLISHMENT.
FEE: \$75.00 PER YEAR

- **BED & BREAKFAST:**
INCLUDES ALL OPERATOR OCCUPIED RESIDENCES THAT PROVIDES SLEEPING ACCOMMODATIONS TO THE PUBLIC FOR A FEE AND PROVIDES ONLY BREAKFAST TO ITS GUESTS AS PART OF THE FEE.
FEE: \$75.00 PER YEAR

- **PRE-PLAN REQUIREMENTS:**
EACH NEW FOOD ESTABLISHMENT AND/OR ANY EXISTING FOOD ESTABLISHMENT DESIRING TO REMODEL OR BUILD ANY ADDITIONS SHALL BE REQUIRED TO PAY A FEE.
FEE: \$25.00 FOR PLAN REVIEW

PENALTIES

IF THE **PERMIT FEE** AS PRESCRIBED IS NOT RECEIVED BY THE WABASH COUNTY HEALTH DEPARTMENT POSTMARKED ON OR BEFORE JANUARY 10TH OF EACH YEAR, A PENALTY OF **\$100 PER DAY** PAST THE DUE DATE SHALL BE IMPOSED.

THE LATE FEE OF \$100 PER DAY SHALL NOT EXCEED THIRTY (30) DAYS AFTER WHICH TIME THE ESTABLISHMENT SHALL BE **CLOSED**. THE ESTABLISHMENT WILL NOT BE RE-OPENED UNTIL THE PRESCRIBED FEE - PLUS THE LATE PENALTY FEE - IS PAID IN FULL AND THE APPLICATION IS PROCESSED.

THE ONLY EXCEPTION TO THE PENALTY FEE IS IN REGARDS TO THE **PRE-PLAN FEE** (FOR REVIEW OF REMODELING AND/OR EXPANSION PLANS). THIS FEE SHALL BE COLLECTED AT THE TIME OF INSPECTION.

PLEASE NOTE THE FOLLOWING:

- ❖ PERMIT FEES ARE NOT REFUNDABLE
- ❖ PERMIT FEES ARE NOT TRANSFERABLE
- ❖ CHANGE OF OWNERSHIP REQUIRES CONTACTING THE WABASH COUNTY HEALTH DEPARTMENT

PERMIT FEE EXEMPTION

NO PERMIT FEE SHALL BE REQUIRED AND NO PERMIT FEE SHALL BE PAID FOR FOOD ESTABLISHMENTS OPERATED BY RELIGIOUS, EDUCATIONAL OR CHARITABLE ORGANIZATIONS. HOWEVER, SUCH ESTABLISHMENTS SHALL COMPLY WITH THE OTHER PROVISIONS OF THIS ORDINANCE, PROVIDED THAT THESE ORGANIZATIONS ARE NOT EXEMPTED BY THE FOLLOWING SECTION:

NON-PROFIT EXEMPTION FROM COMPLIANCE

AN ORGANIZATION THAT IS EXEMPT FROM THE INDIANA GROSS INCOME TAX UNDER IC 6-2.1-3-20 THROUGH IC 6-2.1-3-22 AND THAT OFFERS FOOD FOR SALE TO THE FINAL CONSUMER AT AN EVENT HELD FOR THE BENEFIT OF THE ORGANIZATION IS EXEMPT FROM COMPLYING WITH THE REQUIREMENTS OF THIS ORDINANCE THAT MAY BE IMPOSED UPON THE SALE OF FOOD AT THAT EVENT IF:

1. MEMBERS OF THE ORGANIZATION PREPARE THE FOOD THAT WILL BE SOLD;
2. EVENTS CONDUCTED BY THE ORGANIZATION UNDER THIS SECTION TAKE PLACE FOR NO MORE THAN THIRTY (30) DAYS IN ANY CALENDAR YEAR; AND
3. THE NAME OF EACH MEMBER WHO HAS PREPARED A FOOD ITEM IS ATTACHED TO THE CONTAINER IN WHICH THE FOOD ITEM HAS BEEN PLACED.

THIS SECTION DOES NOT PROHIBIT AN EXEMPTED ORGANIZATION FROM WAIVING THE EXEMPTION AND APPLYING FOR A PERMIT. ONLY PERSONS WHO COMPLY WITH THE APPLICABLE REQUIREMENTS AS SPECIFIED BY THE INDIANA STATE DEPARTMENT OF HEALTH LAWS AND RULES SHALL BE ENTITLED TO RECEIVE SUCH A PERMIT.

EXEMPTION FROM PERMIT FEES: PRE-PACKAGED GOODS

ESTABLISHMENTS WHICH SELL OR OFFER FOR SALE ONLY PRE-PACKAGED CONFECTIONS SUCH AS CANDY, CHEWING GUM, NUT MEATS, POTATO CHIPS, PRETZELS, POPCORN, BOTTLED OR CANNED SOFT DRINKS, OR VENDING MACHINES WHICH DISPENSE ONLY PRE-PACKAGED, PRE-BOTTLED, NON-POTENTIALLY HAZARDOUS FOOD AND BEVERAGES SHALL BE EXEMPT FROM THE PROVISIONS OF OBTAINING A PERMIT, BUT SHALL ADHERE TO ALL OTHER REQUIREMENTS.