

Council Bill/General Ordinance No. 3056-2022  
Sponsor \_\_\_\_\_

AN ORDINANCE

AMENDING Chapter 14, “FOOD and FOOD HANDLERS,” of the Moline Code of Ordinances, Section 14-2203, “LICENSE FEES & PAYMENT,” by repealing Section 14-2203 in its entirety and enacting in lieu thereof one new Section 14-2203 dealing with the same subject matter by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review effective January 1, 2023.

WHEREAS, the City of Moline (“*City*”) is a home rule municipal corporation organized and operating in accordance with the Constitution and laws of the State of Illinois; and

WHEREAS, Chapter 14 of the Moline Code of Ordinances contains the City’s food sanitation policies and procedures; and

WHEREAS, the Public Works Director and the Finance Director have reviewed Chapter 14 and have recommended changes related to the fee structure effective January 1, 2023; and

WHEREAS, City Council approved the 2022 Fee Review on September 20, 2022, and voted to amend the Moline Code of Ordinances to reflect the new fee structure.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1.** That Chapter 14, “FOOD and FOOD HANDLERS,” of the Moline Code of Ordinances, Section 14-2203, “LICENSE FEES & PAYMENT,” is hereby amended by repealing said Section 14-2203 in its entirety and enacting in lieu thereof one new Section 14-2203 dealing with the same subject matter by adding amendments to reflect the new fee structure as a result of the 2022 Fee Review, effective January 1, 2023, which shall read as attached (additions in underline and deletions in ~~striketrough~~):

**Section 2.** All ordinances, resolutions, and parts thereof in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

**Section 3.** This Ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

Council Bill/General Ordinance No. 3056-2022

Page 2 of 2

**Section 4.** That this Ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

DocuSigned by:



8D10A88EFE254D4...

Mayor

December 13, 2022

Date

Passed: December 13, 2022

Approved: January 10, 2023

DocuSigned by:



Attest:

1A0D7381B91B4C4...

City Clerk

## SEC. 14-2203. LICENSE FEES &amp; PAYMENT.

(a) Annual license fees **shall be assessed for each permitted establishment, fees shall be based on the risk classification of the establishment.** ~~for food service establishments or retail food stores shall be based on the square footage of the building or facility or part thereof where such operation (including dining area, retail sales area, storage area) exists. In the event multiple types of food service establishments are managed, conducted, operated, or carried on, in and on the same premises, then the square foot area of each category shall be totaled and the appropriate fees charged per type.~~

- ~~(1) \$275.00 Food, Operations of 2000 square feet or less in size~~
- ~~(2) \$325.00 Food, Operations of 2001 to 3000 square feet in size~~
- ~~(3) \$425.00 Food, Operations of 3001 square feet and over in size~~
- ~~(4) \$100.00 Mobile food unit with commissary~~
- ~~(5) \$150.00 Mobile food unit without commissary~~
- ~~(6) \$100.00 Mobile retail sales vehicle~~
- ~~(7) \$40.00 Temporary food service establishment~~
- ~~(8) \$40.00 Temporary retail food store~~
- ~~(9) \$100.00 Seasonal concession stand (serving potentially hazardous food)~~
- ~~(10) \$40.00 Seasonal concession stand (serving only non-potentially hazardous food)~~
- ~~(11) no fee Food, Public schools only~~
- ~~(12) \$100.00 Kiosk (serving potentially hazardous food)~~
- ~~(13) \$40.00 Kiosk (serving only non-potentially hazardous food)~~
- ~~(14) \$75.00 Customer Convenience Counter"~~

**Food Establishments:**

<b>Category I (High Risk)</b>	<b>\$400</b>
<b>Category II (Medium Risk)</b>	<b>\$300</b>
<b>Category III (Low Risk)</b>	<b>\$150</b>

**Mobile Units:**

<b>Category I (High Risk)</b>	<b>\$150</b>
<b>Category II (Medium Risk)</b>	<b>\$125</b>
<b>Category III (Low Risk)</b>	<b>\$100</b>

**Commissary:**

<b>Host Kitchen (serving more than 3 businesses)</b>	<b>\$100</b>
--	--------------

<b>Category I (High Risk)</b>	<b>\$150</b>
<b>Category II (Medium Risk)</b>	<b>\$125</b>
<b>Category III (Low Risk)</b>	<b>\$100</b>

**Temporary Events:**

<b>Single Day Event</b>	<b>\$35</b>
<b>Single Day Event (ONLY pre-packaged, Non PHFs)</b>	<b>\$25</b>
<b>2-14 Day Event</b>	<b>\$70</b>
<b>Fundraiser/Bake Sale</b>	<b>\$0</b>

**Multi Event Temporary (i.e. Mercado on 5<sup>th</sup>):**

<b>Multi-Event (Max. 20 Events)</b>	<b>\$200</b>
<b>Multi-Event (Max. 20 Events) (ONLY pre-packaged, Non PHFs)</b>	<b>\$150</b>

**Concession Stands:**

<b>Seasonal (6 Months)</b>	<b>\$75</b>
<b>Seasonal (6 Months) (ONLY pre-packaged, Non PHFs)</b>	<b>\$125</b>
<b>Annual</b>	<b>\$175</b>
<b>Annual (ONLY pre-packaged, Non PHFs)</b>	<b>\$125</b>

<b>Schools (ONLY Public Schools)</b>	<b>\$0</b>
--------------------------------------	------------

**Kiosks:**

<b>Kiosk</b>	<b>\$100</b>
<b>Kiosk (ONLY pre-packaged, Non PHFs)</b>	<b>\$40</b>
<b>Customer Convenience Counter</b>	<b>\$75</b>

**Other Fees:**

<b>Late Temporary Fee</b>	<b>\$50</b>
<b>Non Compliance Fee (issued on 4<sup>th</sup> and subsequent re-checks)</b>	<b>\$50</b>
<b>Re-Opening Inspection</b>	<b>\$47</b>
<b>Penalty Fee (operating without a valid license)</b>	<b>2x the applicable fee</b>

(b) Any and all schools serving food on a temporary basis shall be issued a license, but shall pay no fee. All schools obtaining a license shall be required to meet all of the provisions and requirements of ~~these articles~~ **this ordinance and the Food Code.**

(c) Any person failing to obtain a license prior to operating any type of food **service** establishment ~~or any type of retail food sales~~ shall be assessed two (2) times the applicable fee in addition to any other fine, penalty or cost assessed for violating this ordinance.

(d) Before any class of license is issued pursuant to this division, the applicant therefore shall pay the license and/or option fee prescribed in this section as well as any outstanding fines, fees, taxes, bills or invoices due and owing the City by the licensee or its partners if the license is a partnership or its stockholders if the licensee is a corporation.