



FOOD DEALER LICENSE INFORMATION

Office of the City Clerk License Division
200 E. Wells St. Room 105, Milwaukee, WI 53202
(414) 286-2238 license@milwaukee.gov

WHO NEEDS A LICENSE?

A Food Dealer License is required of any person or business selling, serving, and/or storing food in the City of Milwaukee.

See page 2 for Exemptions.

RESTAURANT

A restaurant is an establishment in which the majority of food sales consist of meals.

Meal means any ready-to-eat food served or sold to the general public in individual or prepackaged single portions or servings for immediate on-premises consumption, or transported off-premises in individual prepackaged carryout servings for immediate consumption, or specifically preordered individual or multiple serving portions which are transported to an off-premises location for immediate consumption.

MEALS include, but are not limited to, chicken, ribs, sandwiches, roasted corn, baked potatoes, hot dogs, brats, tacos, nachos w/ cheese and meat, French fries, cooked or deep fried vegetables/fruit, cooked cheese curds, corn dogs, egg rolls, salads.

MEALS DO NOT INCLUDE soft drinks, ice cream, milk, milk drinks, coffee, tea, ices, confections, pastry items, or food items sold by the weight, count, or piece in individual packages which require further preparation for consumption at another location.

RETAIL ESTABLISHMENT

A retail establishment is a business in which the majority of food sales consist of beverages or food items requiring further preparation prior to consumption.

RETAIL ESTABLISHMENTS include, but are not limited to, bakeries, grocery stores, coffee shops, butcher shops.

RETAIL items include, but are not limited to, ice cream/soft serve, lemonade, snow cones, coffee, espresso, cappuccino, tea, fruit juice, smoothies, candy, dispensed soda, fruit cups, bakery, cookies, kettle corn, cotton candy, funnel cakes, fritters, tortilla chips w/ cheese.

Convenience Food Store

A store licensed as a food dealer that is also either or both of the following:

- A store that contains less than 5,000 square feet of retail space and has, as its primary business, the sale of basic food items and in addition, sells household products.
- Filling station that sells basic food items and household products.

BASIC FOOD ITEMS include, but are not limited to, milk, dairy products, bread products, frozen entrees, refrigerated food, baby food.

HOUSEHOLD PRODUCTS include, but are not limited to, cleaning products, paper products, baby products, pet food.

Bed & Breakfast

A small lodging establishment that offers overnight accommodations and inclusive breakfast, but usually does not offer other meals.

Micro Market

An indoor, unstaffed, self service area not accessible to the general public where a customer may obtain food or beverage by automated payment without the necessity of replenishing the area between each transaction.

MICRO MARKET does not include a vending machine.

WHOLESALING

Wholesalers sell food to businesses, who then sell to consumers. See table below to determine license(s) required:

If...	And...	License(s) Needed
25% or more of sales is from wholesaling	Retail sales allowed	WI DATCP Processing Plant or Food Warehouse License Only
25% or more of sales is from wholesaling	Meals will be served	WI DATCP Processing Plant License AND City Restaurant License
Less than 25% of sales is from wholesaling	Retail sales and/or meals will be served	City Retail or Restaurant License Only

To obtain the Processing Plant or Food Warehouse License, contact the Wisconsin Department of Agriculture, Trade & Consumer Protection (DATCP) at (608) 224-4923.

APPLY FOR THE LICENSE

You can file your new application between 8:15 a.m. and 12:00 p.m. or 1:30 p.m. and 4:00 p.m. Monday thru Friday at the License Division.

Submit a complete application, which includes the following:

ALL APPLICANTS:

- \$300 (nonrefundable) application fee
\$300 fee does not apply to Bed & Breakfasts and Micro Markets. (The remaining license fee will be due after Health Department inspection. An invoice will be mailed/emailed to you. See fee list on page 3.)
- Business License Application (ccl-busapp)
- Business License Plan of Operation (ccl-busplan)
- Food Dealer License Plan of Operation (ccl-foodplan)
- Menu or list of food items that will be sold
- Detailed Floor Plan (See sample and list of requirements)

APPLICANTS WITH MULTIPLE SITES AT THE SAME LOCATION:

- Food Dealer Additional Site Addendum (ccl-add)

WHAT TO DO NEXT?

- Obtain an occupancy permit*
- Obtain a Wisconsin Seller's Permit*
*See the "Business License Information" sheet for detailed instructions.
- Contact the District Alderperson:
You may wish to contact the district alderperson where your business will be located at (414) 286-2221 to discuss your plans.
- Schedule a Health Inspection:
 - At least 24 hours after filing your application, schedule an inspection by calling (414) 286-8327 or send an email to CEHcoordinator@milwaukee.gov.

EXEMPT FROM FINGERPRINTING

Fingerprinting is not required for this license. However, a background check will be done by the Milwaukee Police Department.

NOTE: If you are applying for other licenses at this time, they may require fingerprinting.

VARIANCES

For any of the following activities, you also need to apply for a variance with the Health Department.

- Peddler base waiver
- Dogs in outside dining areas
- No person in charge
- Bare hand contact to ready to eat foods
- Bathrooms not accessible to the public
- Convenience store safety requirements
- Curing, Sprouting, Fermenting,
- Reduced oxygen packaging
- Acidification of food such as rice
- Non-continuous cooking
- Sale without consumer advisory
- Shellfish comingling, shellfish display tanks
- Smoking for preservation, wild game

LICENSE APPROVAL & ISSUANCE

If there are items on your police report or objections on file, you may receive a notice requiring you to appear before the License Committee.

Typically, from the date of application, issuance of the license will be a minimum of 15 days. Before a license can be issued, the License Division must have all of the following:

- A complete application and payment of all license fees
- Police background report
- Support from district alderperson
- Health Department approval
- Neighborhood Services approval
- Copy of your Wisconsin Seller's Permit
- Proof of registration with the Department of Financial Institutions for Corporations and Limited Liability Companies

The license will expire 1 year from date of issuance.

ADDITIONAL LICENSES

Sidewalk Dining Facility Permit

If you will be allowing customers to consume food or beverages on a sidewalk café (in/on the public right of way) you must also submit a Sidewalk Dining Facility Permit application.

Extended Hours Establishment License

If you wish to be open between the hours of midnight and 5 am, you will also need to apply for an Extended Hours Establishment License.

EXEMPTIONS (LICENSE NOT NEEDED)

A Food Dealer License is not needed for the following:

- Retail peddlers using a processing plant or food warehouse licensed by DATCP as their base.
- A person/business selling only:
 - Canned or bottled non-alcohol drinks that do not need refrigeration.
 - Raw agriculture (includes fresh uncut produce, cottage food products, honey, cider, sorghum, maple syrup).
 - Pickle Bill items (pickles or other processed vegetables or fruits with an equilibrium pH value of 4.6 or lower).
 - Prepackaged food that does not require temperature control (includes chips, candy, nuts, cookies).
 - Sample size (2 oz. or less) food portions
 - Flour-based baked goods that do not require temperature control that are made in a residence and sold directly to consumers.
- A school serving meals only to enrolled students and where the food is directly provided by the school. (If food is provided through a private contractor, the contractor must be licensed).
- A concession stand at a locally sponsored sporting event, such as a little league game. "Concession stand" means a food stand that serves meals and is operated only for the benefit of a participating youth sports team or program or the governing of youth sports organization, and "locally sponsored sporting event" means a competitive game, taking place inside or outside, specifically for youth, that is organized or sponsored by one or more local business, governmental or other civic organization, or by parents of the youth, including a school-sponsored interscholastic sports competition.
- A restaurant, vending machine, vending machine commissary or other establishment for which a permit is issued under s. 254.64., Wis. Stats., to the extent their activities are covered by the permit.
- An establishment selling only vitamins or vitamin supplements regulated by the Food and Drug Administration (FDA). This does not include herbs or herbal teas.

RULES & REGULATIONS

Review Chapter 68, Milwaukee Code of Ordinances online at www.milwaukee.gov/ordinances.

ADDITIONAL REQUIREMENTS

Robbery Prevention/Deterrence Training

Section 68-4.3 of the Milwaukee Code of Ordinances states “Owners and employees of convenience food stores shall be required to complete a training course in robbery prevention approved of or provided by the police department within 120 days of ownership or employment.”

The Community Services Section offers several training courses on Convenience Store Robbery Prevention/Deterrence at the Safety Academy each year.

Information can be found at: <http://city.milwaukee.gov/cstore>

Food Manager Certification

Per City Ordinances and the Wisconsin Food Code, each licensed restaurant and food establishment that processes potentially hazardous food must have at least one manager or operator certified in food protection practices within 90 days after a business opens.

Information can be found at: <http://city.milwaukee.gov/cfm>

LIST OF FEES

APPLICATION FEE		
\$300 (nonrefundable)		
Does not apply to Bed & Breakfasts and Micro Markets.		
RESTAURANT		
Prepackaged Food		\$250
Food Processing	\$20,000 or less gross sales	\$525
	\$20,001-\$200,000 gross sales	\$800
	\$200,001-\$2,000,000 gross sales	\$1250
	\$2,000,001 or more gross sales	\$1725
Additional Site		\$100
Bed and Breakfast (Application fee does not apply)		\$200
RETAIL		
Food processing	\$20,000 or less gross sales	\$350
	\$20,001-\$200,000 gross sales	\$575
	\$200,001-\$2,000,000 gross sales	\$1325
	\$2,000,001 or more gross sales	\$2050
No Processing	\$20,000 or less gross sales	\$200
	\$20,001-\$200,000 gross sales	\$300
	\$200,001-\$2,000,000 gross sales	\$575
	\$2,000,001 or more gross sales	\$875
Micro Market		\$40
Micro Market (2 or more at the same address)		\$60



FOOD DEALER LICENSE PLAN OF OPERATION

ccl-foodplan 2/28/19

OFFICE OF THE CITY CLERK, LICENSE DIVISION
CITY HALL, 200 E. WELLS ST, ROOM 105, MILWAUKEE, WI 53202
(414) 286-2238 • license@milwaukee.gov • www.milwaukee.gov/license

Legal Entity Name:

Premises Address:

SECTION 1 TYPE OF BUSINESS

What will be the majority of your food sales? (check one)

Restaurant Items (meals):
MEALS include, but are not limited to, chicken, ribs, sandwiches, roasted corn, baked potatoes, hot dogs, brats, tacos, nachos w/ cheese and meat, French fries, cooked or deep fried vegetables/fruit, cooked cheese curds, corn dogs, egg rolls, salads.

Retail Items (snacks and beverages):
RETAIL items include, but are not limited to, ice cream/soft serve, lemonade, snow cones, coffee, espresso, cappuccino, tea, fruit juice, smoothies, candy, dispensed soda, fruit cups, bakery, cookies, kettle corn, cotton candy, funnel cakes, fritters, tortilla chips w/ cheese.

Will it be a convenience store? Yes No

A convenience store contains less than 5,000 square feet of retail space and has, as its primary business, the sale of basic food items and in addition, sells household products or is a filling station that sells basic food items and household products.

Bed & Breakfast

Micro Market

All Applicants: Submit a menu or a list of food items that will be sold.

Will any wholesale business be done? No Yes If yes, what percentage of food sales will be wholesale?

Less than 25%

25% or More AND:

Restaurant items (meals) will be sold – Complete this application and also contact DATCP.

NO restaurant items (meals) will be sold - Do NOT complete this application. Contact DATCP only.

SECTION 2 FOOD PROCESSING

Will any food processing be done? No Yes

Processing is defined as assembling, grinding, cutting, mixing, baking, coating, stuffing, packing, bottling, grilling, canning, extracting, fermenting, distilling, pickling, freezing, drying, smoking, or packaging.

SECTION 3 FOOD REQUIRING TEMPERATURE CONTROL

Will any food that requires temperature control be sold? No Yes
(includes dairy products such as milk, cheese, and ice cream, fish, shellfish, meat, poultry)

If yes, list the types of food items: _____

SECTION 4 DETAILS OF OPERATION

Will you have seating on site for dining? No Yes

Will you be doing any catering? No Yes

Will you be doing any delivery? No Yes

Will you have outdoor activities? No Yes - Check all that apply: Bar Cooking/Grilling Dining

Will you have a drive thru window? No Yes - Are hours different from inside? No Yes

If Yes, provide drive thru hours: _____

Will scales or barcode scanners be used? No Yes - You must also apply for a Weights & Measures License.

SECTION 5 ADDITIONAL SITES

Where will food be prepared and/or sold?

At a single site At multiple sites: How many? _____ (for example, a hotel with several dining rooms or bars)

If multiple sites, attach a Food Dealer Additional Site Addendum (ccl-foodadd) for each additional site.

SECTION 6 CONSTRUCTION OR CHANGES

Are you planning any construction, remodeling or equipment changes?

No If No, SKIP to Section 8

Yes If Yes, check all that apply: New construction of a building Renovation or remodeling

Construction changes to existing building Equipment changes only

Provide a brief description of the changes: _____

Start date: _____

Name, Address & Phone Number of Architect: _____

Name, Address & Phone Number of Contractor: _____

SECTION 7 ALCOHOL BEVERAGES

Are you applying for an alcohol beverage license?

No If No, SKIP to Section 8

Yes If YES, if your food license is approved prior to the alcohol license, when do you want the food license issued?

Immediately At the same time as the alcohol license

SECTION 8 ACKNOWLEDGEMENTS & SIGNATURE

You must initial each item confirming your understanding:

_____ I understand the Health Department must conduct an inspection and advise the License Division of their approval before the license may be issued.

_____ I understand I must obtain an occupancy permit from the Department of Neighborhood Services and an inspection may be required. Neighborhood Services must advise the License Division of their approval before the license may be issued.

_____ I understand the district alderperson will review and either support or object to my application. If he/she objects, I may appeal and be scheduled to appear before the Licenses Committee. The Licenses Committee will then make a recommendation to the Common Council. The Common Council must grant the license before it may be issued.

_____ I understand proof of payment for all license fees must be on file in the License Division before the license may be issued and the license must be issued and posted in my establishment prior to opening for business.

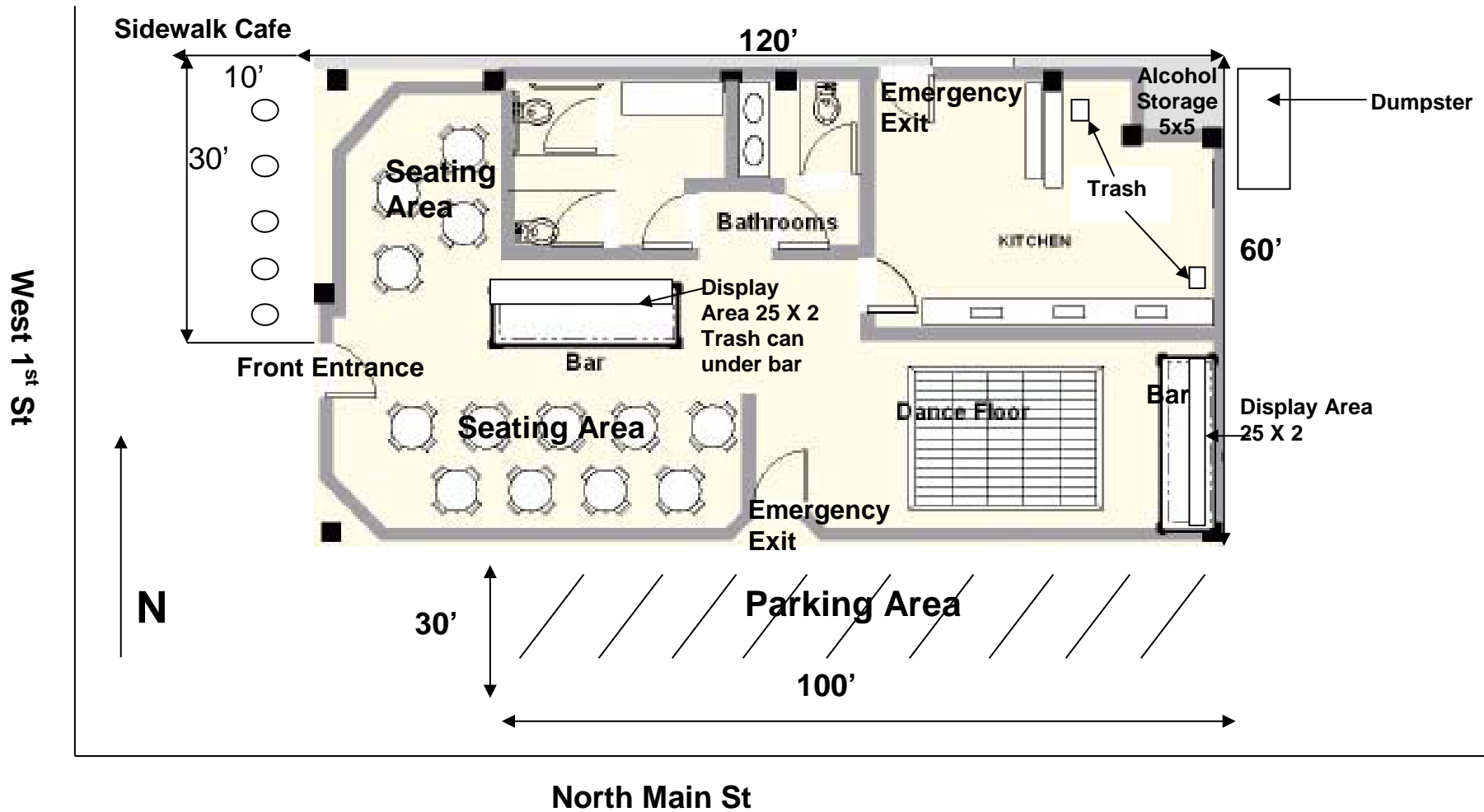
_____ I will not operate my food business until the license has been issued and posted in the establishment.

Signature of Sole Proprietor, Partner, or 20% Shareholder: _____

Signature of Additional Partner: _____

Alcohol Beverage Establishment & Food Dealer Floor Plan Sample

See the Alcohol Beverage Establishment & Food Dealer Detailed Floor Plan Requirements for a list of all items that **must** be included. **Reminder: The areas for Alcohol Storage and Display must be included and the dimensions must be given. This includes basement storage.**



John A. Doe Agent for "ABC Corporation"
"My Bar"
122 Any Street
Date: June 1, 2015

**Total
Square
Footage =
6600'**

Detailed Floor Plan Requirements for Alcohol Beverage Establishments, Food Dealers and Filling Stations

Please read all instructions before preparing the floor plan.

- A detailed floor plan must be submitted with this application.
- Any application submitted without the floor plan (including all required items as listed below) will be returned.
- Even if the premise has been previously licensed and a floor plan submitted a new floor plan must be submitted with this application.
- The floor plan must be filed on 8 ½ x 11 inch size paper.
- A separate sheet of paper must be filed for each floor where business will be conducted. This includes the basement even if it used only for storage.
- Handwritten plans are acceptable.
- Plans do not need to be architectural drawings and need not be to scale.

ALL FLOOR PLANS MUST INCLUDE THE FOLLOWING:

1. Dimensions of the premises (length x width) and
 Total square feet of the premises
2. Label all entrances and exits
3. Show building/licensed premises in relation to surrounding streets and
 Provide the street names
4. Label all parking areas on the premises (do not include street parking) This is required even if the parking is shared, for example, a strip mall and
 Provide the dimensions (length x width) of all parking areas on the premises. The parking area(s) should be marked on the floor plan for the first floor showing the relation to the building.
5. Label all trash cans inside and outside of the premises
6. Mark the North point (N↑) on each page
7. Write the date on each page
8. Write the legal entity name (and agent's name if a corporation or LLC) on each page
9. Write the trade (business) name on each page
10. Write the premise address on each page

IF APPLICABLE:

1. Label all areas where food and cigarettes are displayed or stored
2. Label all seating areas, food preparation areas and bars
3. Label all outdoor areas used for the sale or service of alcohol beverages and/or food (for example, patios, beer gardens, sidewalk cafes and decks) and
 Provide the dimensions (length x width) of all outdoor areas used for the sale and service of alcohol beverages and/or food.

ALCOHOL APPLICANTS ONLY:

1. Label all alcohol storage areas (coolers, etc.) and
 Provide dimensions (length x width) of the alcohol storage areas
2. Label all alcohol display areas (behind the bar, shelves, etc.) and
 Provide dimensions (length x width) of the alcohol display areas

FILLING STATION APPLICANTS ONLY:

1. Label all gas pumps