

CHAPTER 33-33-08

FOOD ESTABLISHMENT LICENSE FEES

Section

33-33-08-01 Food Establishment License Fees

33-33-08-01. Food establishment license fees.

1. The proprietors of food establishments, assisted living facilities, schools, or child care food service establishments shall pay the following annual, administration, and plan review license fees:
 - a. For a restaurant or catering kitchen used for general food service, one hundred thirty dollars plus fifty cents per seat, with a maximum license fee of three hundred ten dollars.
 - b. For a limited restaurant, one hundred thirty dollars.
 - c. For a retail food store, retail meat market, or bakery with not more than two thousand five hundred square feet [232.26 square meters], one hundred thirty dollars.
 - d. For a retail food store, retail meat market, or bakery with two thousand five hundred to five thousand square feet [232.26 to 464.52 square meters], one hundred forty-five dollars.
 - e. For a retail food store, retail meat market, or bakery with more than five thousand square feet [464.52 square meters], one hundred seventy dollars.
 - f. For a bar or tavern dispensing beer, liquor, or other alcoholic beverages, one hundred dollars.
 - g. For a mobile food unit, one hundred thirty dollars.
 - h. For a temporary food service establishment, pushcart, or food stand, fifty dollars at each event that operates at a fixed location for not more than fourteen consecutive days, with a maximum annual fee of two hundred fifty dollars.
 - i. For a food processing facility, one hundred thirty dollars.
 - j. For an assisted living facility, one hundred seventy dollars.
 - k. For a school, one hundred seventy dollars.
 - l. For a child care facility, sixty dollars.
 - m. For a person's initial license application, an annual license fee and a license application administration fee of one hundred dollars is required in addition to fifty percent of the annual license fee if a plan review application is required. The license application administration fee does not apply to temporary food service establishments.
 - n. For a proprietor, a plan review application fee of fifty percent of the annual license fee if a plan review application is required.
2. If a business operates more than one type of food establishment on the same premises and under the same management, the department shall issue a single license stating the types of establishments the business is licensed for and the maximum annual license fee charged may not exceed one hundred eighty dollars for those establishments with not more than two thousand five hundred square feet [232. square meters], two hundred fifty-five dollars for those establishments with two thousand five hundred square feet [232.26 square meters] to

not more than five thousand square feet [464.52 square meters], and three hundred fifty dollars for those establishments over five thousand square feet [464.52 square meters].

History: Effective January 1, 2006; amended effective April 1, 2008; January 1, 2014; January 1, 2026.

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