

**CHAPTER 33-33-08**  
**FOOD ESTABLISHMENT LICENSE FEES**

Section  
33-33-08-01 Food Establishment License Fees

**SECTION 1:** Section 33-33-08-01 is amended as follows:

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

1. The following annual license fees must be paid by the proprietors of food establishments, assisted living facilities, schools, or child care centers~~food service establishments shall pay the following annual, administration, and plan review license fees:~~
- 1.a. For a restaurant with or catering kitchen used for general food service, one hundred ~~ten~~thirty dollars plus fifty cents per seat, with a maximum license fee of ~~two~~three hundred ten dollars.
- 2.b. For a limited restaurant, one hundred ~~ten~~thirty dollars.
- 3.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 ~~ten~~thirty dollars.
- 4.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 ~~twenty~~forty-five dollars.
- 5.e. For a retail food store, retail meat market, or bakery with more than five thousand square feet [464.52 square meters], one hundred ~~forty~~seventy dollars.
- 6.f. For a bar or tavern dispensing beer, liquor, or other alcoholic beverages, ~~eighty~~one hundred dollars.
- 7.g. For a mobile food unit or temporary food stand, one hundred ~~ten~~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.
- 8.i. For a food processing facility, ~~sixty~~one hundred thirty dollars.
- 9.j. For an assisted living facility, one hundred ~~twenty~~seventy dollars.

~~10-k.~~ For a school, one hundred ~~forty~~seventy dollars.

~~11-l.~~ For a child care facility, ~~fifty~~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 when 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 when 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 ~~fifty~~eighty dollars for those establishments with not more than two thousand five hundred square feet [232. square meters], two hundred ~~ten~~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 ~~two~~three hundred ~~ninety~~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.

**General Authority:** NDCC 23-01-03

**Law Implemented:** NDCC 23-01-03