

REGULATION 2-2018

**REGULATION ADOPTING REVISED LOCAL FEES FOR VENDING OPERATIONS
AND MOBILE FOOD SERVICES**

The Board of Health of the Hamilton County General Health District met in regular session on October 8, 2018 with the following members present:

Jim Brett, President	<u>Present</u>
Mark A. Rippe, Vice President	
Elizabeth Kelly, M.D.	<u>Present</u>
Tracey A. Puthoff, Esq.	<u>Present</u>
Kenneth G. Amend, M.D.	<u>Present</u>

Ms. Puthoff moved for adoption of the following regulation:

Regulation 2-2018 adopting revised fees pursuant to the Ohio Revised Code Sections 3709.09, 3717.25 and Section 3717.45 for vending operations and mobile food services.

WHEREAS, the Board of Health of the Hamilton County General Health District has the authority pursuant to the Ohio Revised Code Sections 3709.09, 3717.25 and Section 3717.45 to establish a uniform system of fees for services; and

WHEREAS, the Board of Health of the Hamilton County General Health District is mandated to provide services that protect the public health and prevent disease; and

WHEREAS, the Board of Health of the Hamilton County General Health District licenses and inspects all vending operations and mobile food services within jurisdiction; and

WHEREAS, the Board of Health of the Hamilton County General Health District has determined it is necessary to revise the fees for vending operations and mobile food services pursuant to Ohio Revised Code, Chapter 3717, Ohio Administrative Code, Chapter 3701-21, Ohio Revised Code 3717.01, and Ohio Administrative Code, Chapter 901:3-4; and

WHEREAS, any entity that would be affected by the revision to the fees for vending operations, and mobile food services were advised by the Board of Health of the Hamilton County General Health District at least twenty (20) days prior to establishing the revised fees pursuant to Ohio Revised Code Section 3717.25(A) and 3717.45(A); and

NOW, THEREFORE BE IT RESOLVED that the Board of Health of the Hamilton County General Health District hereby adopts the revised local fee schedule as follows for vending operations and mobile food services, effective December 1, 2018:

Proposed License Fee Language:

VENDING OPERATIONS AND MOBILE FOOD SERVICES

Local Fees:	Mobile Food Operations	\$50.00
	Vending	\$6.73 per location

State Fees In addition to the local fee for a license, a state fee portion, which is determined by the Public Health Council pursuant to the Ohio Revised Code, will be added.

Late Fees Pursuant to Ohio Revised Code 3717.23 (D) if a person or government entity does not file a renewal application with the licensor postmarked on or before the first day of March or, in the case of a mobile or seasonal retail food establishment, the first day of operation in a new licensing period, the licensor shall assess the maximum penalty as permitted by law.

BE IT FURTHER RESOLVED that the Board of Health of the Hamilton County General Health District hereby finds by a vote of at least three-fourths of its members that this regulation be read only once and the requirement that it be read on three different days be dispensed with as provided by law; and

BE IT FURTHER RESOLVED that any previous regulation, rule or policy adopted by the Board of Health of the Hamilton County General Health District, that in any way conflicts with this regulation in part or in whole is rescinded and repealed in part or in whole to the extent of any conflict; and

BE IT FURTHER RESOLVED by this Board of Health of the Hamilton County General Health District that the regulation be published in one newspaper of general circulation within the Hamilton County General Health District once a week for two consecutive weeks and that the first publication take place no later than ten (10) days prior to the effective date of the regulation;

BE IT FURTHER RESOLVED that the Board of Health of the Hamilton County General Health District finds and determines that all formal actions relative to the passage of this regulation were taken in an open meeting of the Board and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the applicable legal requirement, including Sections 121.22 of the Ohio Revised Code.

Dr. Amend seconded the regulation, upon roll call, the vote was as follows:

Jim Brett, President	<u>yes</u>
Mark Rippe, Vice President	<u> </u>
Elizabeth Kelly, M.D.	<u>yes</u>
Tracey A. Puthoff, Esq.	<u>yes</u>
Kenneth G. Amend, M.D.	<u>yes</u>

Board of Health of the Hamilton County General Health District

 Oct. 8, 2018
Jim Brett, President Date

Attest:  Oct. 8, 2018
Timothy I. Ingram, Health Commissioner Date

This regulation was approved as to form by the office of the Hamilton County Prosecuting Attorney, Joseph T. Deters, Prosecutor.

By:  October 8, 2018
Nee Fong Chin Date
Chief Assistant Prosecuting Attorney