

REGULATION 1-2011

REGULATION ADOPTING REVISED LOCAL FEES FOR FOOD SERVICE OPERATIONS, RETAIL FOOD ESTABLISHMENTS, VENDING OPERATIONS, TEMPORARY FOOD SERVICES, AND MOBILE FOOD SERVICES

The Board of Health of the Hamilton County General Health District met in special session on January 12, 2011 with the following members present:

Tracey A. Puthoff, President	<u>present</u>
Thomas Chatham, Vice President	<u>present</u>
Kenneth G. Amend, M.D.	<u>absent</u>
Jim Brett	<u>present</u>
Mark A. Rippe	<u>present</u>

Mr. Rippe moved for adoption of the following regulation:

Regulation 1-2011 adopting revised fees pursuant to the Ohio Revised Code Sections 3709.09, 3717.25 and Section 3717.45 for food service operations, retail food establishments, vending operations, temporary food services, 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 food service operations, retail food establishments, vending operations, temporary food services, 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 all food service operations, retail food establishments, vending operations, temporary food services, and mobile food services pursuant to Ohio Revised Code, Chapter 3717, Ohio Administrative Code, Chapter 3701-21, and Ohio Administrative Code, Chapter 901:3-4; and

WHEREAS, any entity that would be affected by the revision to the fees for food service operations, retail food establishments, vending operations, temporary food services, and mobile food services were advised by the Board of Health of the Hamilton County General Health District at least thirty (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 food service

operations, retail food establishments, vending operations, temporary food services, and mobile food services, effective March 1, 2011:

Proposed License Fee Language:

Food Service Operations (FSOs) and Retail Food Establishments (RFEs)

Local Fees:	C1S	Commercial Class 1	Less than or equal to 25,000 sq ft	\$151.05
	C1L	Commercial Class 1	Greater than 25,000 sq ft	\$213.10
	C2S	Commercial Class 2	Less than or equal to 25,000 sq ft	\$168.65
	C2L	Commercial Class 2	Greater than 25,000 sq ft	\$223.65
	C3S	Commercial Class 3	Less than or equal to 25,000 sq ft	\$311.85
	C3L	Commercial Class 3	Greater than 25,000 sq ft	\$763.05
	C4S	Commercial Class 4	Less than or equal to 25,000 sq ft	\$392.15
	C4L	Commercial Class 4	Greater than 25,000 sq ft	\$808.20
		Mobile Food Operations		\$31.40
		Temporary Food Operations		\$30.55 per event
		Vending		\$10.30 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.

Ms. Chatham seconded the regulation, upon roll call, the vote was as follows:

Tracey A. Puthoff, President	<u>aye</u>
Thomas Chatham, Vice President	<u>aye</u>
Kenneth G. Amend, M.D.	<u>not present</u>
Jim Brett	<u>aye</u>
Mark A. Rippe	<u>aye</u>

Board of Health of the Hamilton County General Health District

Tracey A. Puthoff, President 1/12/11
Date

Attest: Timothy I. Ingram, Health Commissioner Jan. 12, 2011
Date

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

By: Nee Fong Chin January 25, 2011
Date
Chief Assistant Prosecuting Attorney

December 17, 2010



PREVENT. PROMOTE. PROTECT.

*Timothy I. Ingram
Health Commissioner*

*250 William Howard Taft Road, 2nd Floor
Cincinnati, OH 45219*

*Phone 513.946.7800
Fax 513.946.7890*

hamiltoncountyhealth.org

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Dear Operator:

The 2011 licensing year is upon us and Hamilton County Public Health is **REDUCING FEES** for all Food Service Operations and Retail Food Establishments. As prescribed in ORC 3717.25, a public hearing will be held on January 10, 2011 at the Hamilton County Public Health office located at 250 William Howard Taft Road, Cincinnati, Ohio 45219 at 6:30 pm. The proposed reduced fees are as follows:

	2010 Fees	2011 Fees
Level 1 <25,000 sq ft	\$185.00	\$151.05
Level 1 >25,000 sq ft	\$258.00	\$213.10
Level 2 <25,000 sq ft	\$206.00	\$168.65
Level 2 >25,000 sq ft	\$270.00	\$223.65
Level 3 <25,000 sq ft	\$373.00	\$311.85
Level 3 >25,000 sq ft	\$900.00	\$763.05
Level 4 <25,000 sq ft	\$467.00	\$392.15
Level 4 >25,000 sq ft	\$953.00	\$808.20
Temporary	\$50.00	\$30.55
Mobile	\$100.00	\$31.40
Vending	\$15.00	\$10.30

Should you have any questions regarding the proposed changes or the hearing, please contact our office at (513) 946-7800. Please expect license renewal applications mailed shortly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Kesterman', is written over a horizontal line.

Greg Kesterman
Assistant Health Commissioner