REGULATION 1-2022

REGULATION ADOPTING REVISED LOCAL FEES FOR FOOD SERVICE OPERATIONS, RETAIL FOOD ESTABLISHMENTS, TEMPORARY FOOD SERVICE OPERATIONS, VENDING OPERATIONS, MOBILE FOOD SERVICE OPERATIONS, AND ATTENDANCE AT A COURSE OF STUDY OFFERED BY HAMILTON COUNTY GENERAL HEALTH DISTRICT AS A LICENSOR IN FOOD PROTECTION

The Board of Health of the Hamilton County General Health District met in regular session on September 6, 2022, with the following members present:

Elizabeth A. Kelly, M.D., President

Dan Meloy, Vice President

James Brett

Tracey A. Puthoff, Esq.

Mark A. Rippe

Present

Present

Present

Yresent

Tracey Pothoff moved for adoption of the following regulation:

Regulation 1-2022 adopting revised fees pursuant to the Ohio Revised Code Sections 3709.09, 3709.21, 3717.25, Section 3717.45, and Section 3717.09 for food service operations, retail food establishments, temporary food service operations, vending operations, mobile food service operations, and attendance at a course of study offered by Hamilton County General Health District as a licensor in food protection.

WHEREAS, the Board of Health of the Hamilton County General Health District has the authority pursuant to the Ohio Revised Code Sections 3709.09, 3709.21, 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 its jurisdiction; and

WHEREAS, the Board of Health of the Hamilton County General Health District has determined it is necessary to revise the fees for food service operations, retail food establishments, temporary food service operations, vending operations, mobile food service operations, and attendance at a course of study offered by Hamilton County General Health District as a licensor in food protection, 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 food service operations, retail food establishments, temporary food service operations, vending operations, mobile food service operations, and attendance at a course of study offered by Hamilton County General Health District as a licensor in food protection, were advised by the Board of Health of the Hamilton County General Health District at least twenty (20) days prior to the September 6, 2022 hearing 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 Regulation 1-2022, revising the revised local fee schedule as follows for food service operations, retail food establishments, temporary food service operations, vending operations, mobile food service operations, and attendance at a course of study offered by Hamilton County General Health District as a licensor in food protection, effective December 1, 2022:

Proposed License Fee Language:

VENDING OPERATIONS AND MOBILE FOOD SERVICES

VERDING OF ERATIONS AND MODILE FOOD SERVICES				
Local Fees:	CIS	Commercial Class 1 <25,000 Sq Ft	\$189.00	
	C1L	Commercial Class 1 >= 25,000 Sq Ft	\$263.00	
	C2S	Commercial Class 2 <25,000 Sq Ft	\$210.00	
	C2L	Commercial Class 2 >= 25,000 Sq Ft	\$275.00	
	C3S	Commercial Class 3 <25,000 Sq Ft	\$380.00	
	C3L	Commercial Class 3 >= 25,000 Sq Ft	\$915.00	
	C4S	Commercial Class 4 <25,000 Sq Ft	\$475.00	
	C4L	Commercial Class 4 >= 25,000 Sq Ft	\$969.00	

Mobile Food Operations \$75.00

Vending \$7.33 per location
Temporary food operations \$50.00 per event
Attendance at a course of study \$175.00 per attendee

in food protection

State Fees In addition to the local fee for a license, a state fee portion, pursuant to the Ohio

Revised Code, will be added.

Late Fees Pursuant to Ohio Revised Code 3717.23 and 3717.43 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 board of

health shall assess a penalty pursuant to the Ohio Revised Code.

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 this 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; and

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 this 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 121.22 Ohio Revised Code.

James Brett seconded the regulation	, upon roll call, the vote was as follows:
Elizabeth A. Kelly, M.D., President	
Dan Meloy, Vice President	Ye5
James Brett	Yes
Tracey A. Puthoff, Esq.	Yes
Mark A. Rippe	Yes

Board of Health of the Hamilton County General Health District

lizabeth A. Kelly, M.D. President Dan Helou

Attest:

oreg Kesterman, Health Commissioner

nilton County Prosecuting

extember 6, 2022

This regulation was approved as to form by the office of the Hamilton County Prosecuting

Attorney, Joseph J. Deters Prosecutor.

By: Nee Fong Chin

Chief Assistant Proceduing Attorney