



## Legislation Details (With Text)

**File #:** BOH17-01      **Version:** 1

**Type:** R&R      **Status:** Passed

**File created:**      **In control:** Metropolitan King County Council

**On agenda:**      **Final action:** 1/19/2017

**Enactment date:**      **Enactment #:** ..title

**Title:** A RULE AND REGULATION relating to food safety ratings for general food service establishments; amending R&R 05-05, Section 25, as amended, and BOH 2.10.080, adding new sections to BOH chapter 5.04, adding a new chapter to BOH Title 5 and prescribing penalties; enacted pursuant to RCW 70.05.060, including the latest amendments or revisions thereto.

**Sponsors:**

**Indexes:** Public Health

**Code sections:**

**Attachments:** 1. R&R BOH17-01.pdf, 2. BOH 17-01 Notice of Hearing.doc, 3. BOH Presentation Restaurant Rating 01-19-2017 FINAL sent.pptx, 4. BOH staff report - Restaurant Rating - 1-19-2017 FINAL sent.doc, 5. Affidavit of Pub - Seattle Times 1-4-17.pdf

Date	Ver.	Action By	Action	Result
1/19/2017	1	Board of Health	Hearing Held	
1/19/2017	1	Board of Health	Passed	Pass

Clerk 01/12/2017

A RULE AND REGULATION relating to food safety ratings for general food service establishments; amending R&R 05-05, Section 25, as amended, and BOH 2.10.080, adding new sections to BOH chapter 5.04, adding a new chapter to BOH Title 5 and prescribing penalties; enacted pursuant to RCW 70.05.060, including the latest amendments or revisions thereto.

BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

SECTION 1. R&R 05-05, Section 25, as amended, and BOH 2.10.080 are each hereby amended to read as follows:

**Miscellaneous fees.**

A. The food establishment owner or operator shall pay the following miscellaneous fees, as applicable:

1. Variance request fee      \$215.00 per hour

2. Reinspection fee for establishments 50 percent of applicable  
other than temporary food permit fee.  
establishments, farmers markets and  
temporary farmers market food  
establishments
3. Reinspection fee for temporary food \$160.00 per reinspection.  
establishments, farmers markets  
and temporary farmers market food  
establishments
4. Reinstatement of permit after 100 percent of applicable  
suspension permit fee.
5. Penalty for commencing 50 percent of applicable  
operation of a food establishment permit fee.  
without required permit or plan review.
6. Penalty for removing, obstructing 50 percent of applicable  
the view of or failing to post a food permit fee.  
safety rating placard at a general food  
service establishment - first violation  
within any two-year period.
7. Penalty for removing, obstructing 100 percent of applicable  
the view of or failing to post a food permit fee.  
safety rating placard at a general food  
service establishment - second violation  
within any two-year period.

8. Penalty for removing, obstructing      200 percent of applicable  
the view of or failing to post a food                      permit fee.  
safety rating placard at a general food  
service establishment - third and  
subsequent violation within any  
two-year period.

B. The health officer is authorized to charge a fee equal to one-half of the applicable permit fee when he or she determines that a second inspection is necessary following a routine inspection or compliant investigation, and to adopt administrative policies to specify the terms and conditions upon which such reinspections are made, to be based upon the extent and severity of violations found.

C. The food establishment owner or operator shall pay fees, as applicable, for dishonored check submittal, permit replacement, permit transfer or name change, inspections outside regular department working hours, special services, and refunds, in accordance with the fee provisions of BOH chapter 2.06.

D. The health officer is authorized to charge penalty fees of fifty, one hundred, and two hundred percent of the applicable permit fee for the willful removal, obstruction of the public view or failure to post food safety rating placards at a general food service establishment after the first, second, third or subsequent violation, respectively, within any two-year period, and to adopt administrative policies consistent with this section to specify the terms and conditions under which placards shall be displayed.

NEW SECTION. SECTION 2. There is hereby added to BOH chapter 5.04 a new section to read as follows:

**Food safety rating.** WAC 246-215-01115 is supplemented with the following:

Food safety rating (WAC 246-215-01115(49.1)).

"Food safety rating" means a food safety inspection performance score issued by the health officer following a routine inspection of a general food service establishment, derived from up to the four most recent

routine inspection results at the establishment and compared with establishments of similar food establishment risk category and geographic location as determined by the health officer.

NEW SECTION. SECTION 3. There is hereby added to BOH chapter 5.04 a new section to read as follows:

**Food safety rating placard.** WAC 246-215-01115 is supplemented with the following:

Food safety rating placard (WAC 246-215-01115(49.2)).

"Food safety rating placard" means a placard displaying the food safety rating score of a general food service establishment as determined by the health officer in accordance with this title.

SECTION 4. Section 6 of this rule should constitute a new chapter on food safety inspections in BOH Title 5.

NEW SECTION. SECTION 5. **Food safety rating placards.**

A. The requirements of this section apply to general food service establishments and not to any other category of food establishment.

B. The general food service establishment owner or operator shall post, at the establishment, a food safety rating placard or placards provided by the health officer. Each placard must be posted:

1. Within five feet of the main public entrance or entrances of the general food service establishment, positioned conspicuously in a window or display case to ensure the placard is clearly visible to passersby and to patrons entering the establishment; or

2. In a conspicuous location at the general food service establishment as determined and directed in the discretion of the health officer to ensure the placard is clearly visible to passersby and to patrons entering the establishment.

C. After the conclusion of each routine food safety inspection, the health officer shall recalculate the food safety rating of the general food service establishment, and provide the establishment owner or operator one or more updated food safety rating placards for display at the establishment.

SECTION 6. **Severability.** If any provision of this rule or its application to any person or circumstance is held invalid, the remainder of the rule or the application of the provision to other persons or circumstances is not affected.