



Signature Report

January 20, 2017

R&R BOH17-01

Proposed No. BOH17-01.1

Sponsors

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

8 BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

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

11 **Miscellaneous fees.**

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

- 14 1. Variance request fee \$215.00 per hour  
15 2. Reinspection fee for establishments 50 percent of applicable  
16 other than temporary food permit fee.  
17 establishments, farmers markets and  
18 temporary farmers market food  
19 establishments

- 20 3. Reinspection fee for temporary food \$160.00 per reinspection.  
21 establishments, farmers markets  
22 and temporary farmers market food  
23 establishments
- 24 4. Reinstatement of permit after 100 percent of applicable  
25 suspension permit fee.
- 26 5. Penalty for commencing 50 percent of applicable  
27 operation of a food establishment permit fee.  
28 without required permit or plan review.
- 29 6. Penalty for removing, obstructing 50 percent of applicable  
30 the view of or failing to post a food permit fee.  
31 safety rating placard at a general food  
32 service establishment - first violation  
33 within any two-year period.
- 34 7. Penalty for removing, obstructing 100 percent of applicable  
35 the view of or failing to post a food permit fee.  
36 safety rating placard at a general food  
37 service establishment - second violation  
38 within any two-year period.
- 39 8. Penalty for removing, obstructing 200 percent of applicable  
40 the view of or failing to post a food permit fee.  
41 safety rating placard at a general food  
42 service establishment - third and

43           subsequent violation within any  
44           two-year period.

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

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

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

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

62           **Food safety rating.** WAC 246-215-01115 is supplemented with the following:  
63 Food safety rating (WAC 246-215-01115(49.1)).

64           "Food safety rating" means a food safety inspection performance score issued by  
65 the health officer following a routine inspection of a general food service establishment,



66 derived from up to the four most recent routine inspection results at the establishment and  
67 compared with establishments of similar food establishment risk category and geographic  
68 location as determined by the health officer.

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

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

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

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

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

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

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

82 B. The general food service establishment owner or operator shall post, at the  
83 establishment, a food safety rating placard or placards provided by the health officer.

84 Each placard must be posted:

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

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

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

95           SECTION 6. Severability. If any provision of this rule or its application to any

96 person or circumstance is held invalid, the remainder of the rule or the application of the  
97 provision to other persons or circumstances is not affected.  
98

R&R BOH17-01 was introduced on and passed by the Board of Health on 1/19/2017,  
by the following vote:

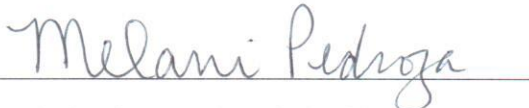
Yes: 12 - Mr. Baker, Ms. Bagshaw, Mr. McDermott, Ms. Wales, Mr.  
Dembowski, Dr. Delecki, Dr. Daniell, Ms. Kohl-Welles and Ms.  
Juarez  
No: 0  
Excused: 3 - Ms. Lambert, Dr. Danielson and Ms. Gonzalez

KING COUNTY BOARD OF HEALTH  
KING COUNTY, WASHINGTON



Rod Dembowski, Chair

ATTEST:



Melani Pedroza, Acting Clerk of the Board

**Attachments:** None