

Jefferson County Code
Chapter 8.05
Food Service Sanitation

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8.05.010 Regulations Adopted

1. The State Board of Health Rules and Regulations, Food Service Sanitation, as adopted October 1, 1980, is hereby adopted by reference as the rules and regulations governing food service sanitation in Jefferson County, and including subsequent amendments thereto.
2. The 1976 Edition of the United States Public Health Service Food Service Sanitation Manual is hereby adopted by reference as the official interpretation of this chapter, where applicable.
3. Where a conflict may occur between this chapter and the State Board of Health Regulations, or the PHS Food Service Sanitation Manual, State Board of Health Regulations second preference and the PHS Sanitation Manual third. (Ord. 2-85; Ord. 2-77 Part 1 ^U 1)

8.05.020 Permit – Required

A valid permit issued by the Health Officer shall be required for any person to operate a food service establishment within the jurisdiction of the Jefferson County Health Department. Only persons who comply with the minimum requirements of these regulations shall be entitled to receive and retain such a permit. Permits shall not be transferable from one person to another or place other than that specified on the permit. A valid permit shall be posted in a conspicuous place in every food establishment. Application for a temporary food service establishment permit shall be made no later than 10 days prior to the first scheduled date of operation. Permits issued for temporary food service establishments shall not exceed a period of 14 days. (Ord. 2-85; Ord. 2-77 Part 1 ^U 2.1)

8.05.030 Permit – Application

A written application for a permit shall be made on forms provided by the Health Officer. Such application shall include the name or names of the applicant and whether such application is for an individual, firm, corporation or partnership. The application shall include location of the operation and type of food service proposed and any other information requested on the form to help evaluate the proposal. Applications for temporary food service establishments shall include the inclusive dates of the proposed operation, location and proposed menu items. (Ord. 2-85; Ord. 2-77 Part 1 ^U 2.2)

8.05.040 Permit – Issuance

A permit shall be issued by the Health Officer after receipt of the application and an inspection of the premises reveals compliance with minimum requirements and upon receipt of inspection fees as established by this chapter. (Ord. 2-77 Part 1 ^U 2.3)

8.05.050 Permit – Display

No food service establishment shall operate after the effective date of the ordinance codified in this chapter except in compliance with the provisions of this chapter, and unless there is conspicuously displayed on the premises thereof a valid and current food service establishment permit.

(Ord. 2-77 Part 1 ^U 2.4)

8.05.060 Permit – Suspension

The Health Officer may suspend the permit to operate for failure to comply with these rules and regulations. Whenever a food establishment fails to comply with the demerit provisions of this chapter the operator shall be given the opportunity to attend a hearing called by the Health Officer for the purpose of reviewing the inspection records and arriving at a mutually satisfactory schedule of compliance with all violations of these rules and regulations. Notwithstanding this provision of these regulations, should the inspecting officer have reasonable grounds to believe that unsanitary, or other conditions exist which constitute a substantial immediate hazard to public health he shall contact the Director of Environmental Health and/or the County Health Officer who may without warning, notice or hearing issue a written notice that the permit to operate is immediately suspended.

(Ord. 2-77 Part 1 ^U 2.5)

8.05.070 Permit – Suspension – Appeal

Whenever a food service establishment operator feels aggrieved by the decision made by the Health Officer following a hearing, he may within five days file a written notice of appeal with the Jefferson County Board of Health. (Ord. 2-85; Ord. 2-77 Part 1 ^U 2.6)

8.05.080 Inspection Records

The Health Officer shall cause to be made inspections of all food service establishments at least annually, or at frequent enough intervals to assure compliance with these rules and regulations. Upon completion of the inspection the demerit values of all violations shall be totaled and the establishment notified in writing on the inspection forms in use. (Ord. 2-85; Ord 2-77 Part 1 ^U 3.1)

8.05.090 Demerit Values

Demerit values shall be the weighted hazard point values on the food service establishments inspection report form designated as form DSHS 9-106. (Ord. 2-85; Ord. 2-77 Part ^U 3.1.a)

8.05.100 Hazard Point Scores

1. When the hazard point total is 74 or less all violations of blue items must be corrected by the next regular inspection and all red items must be corrected immediately. When the hazard point total is at least 75, but not greater than 100, or when there are 50 or more red item points, all red items must be corrected immediately and the blue items must be corrected within 30 days. At that time the establishment shall be re-inspected, and the operator shall pay the Health Department the re-inspection fee as set forth in the Jefferson County Health Department fee schedule.
At the time of re-inspection, if there are 30 or more red item points, all red violations must be corrected immediately (or within a reasonable, agreed-upon time) and the blue items in violation must be corrected within 15 days. The establishment shall also provide time for employees to have an education session on safe food handling. The establishment may be re-inspected and the operator shall pay the Health Department a re-inspection fee.
2. When the hazard point total exceeds 74 red items or exceeds 100 total items, the establishment's food service permit is subject to immediate suspension and closure of the establishment by the Director of Environmental Health or the County Health Officer, if, in the opinion of the inspecting officer, an immediate health hazard exists or if the establishment has on record a hazard point total of 40 or more on the last previous inspection.
3. In the case of temporary food service establishments, violations must be corrected within a specified period of time not to exceed 24 hours. All red items shall be corrected immediately. Failure to comply with such notice shall result in immediate suspension of the permit.

An administrative hearing shall be scheduled after two re-inspections and failure to correct repeated violations. The hearing shall review the inspection records and arrive at a mutually satisfactory schedule of compliance with all provisions of the state and county rules and regulations. An administrative hearing fee may be charged to the operator. In the event the operator refuses or fails to abide by the compliance schedule, the board may take appropriate action.

4. When an establishment has over three blue items (sanitation and maintenance) that are repeated violations over a course of three inspections, these violations must be corrected within 30 days. At that time the establishment may be re-inspected and the operator shall pay the Health Department a re-inspection fee. (Ord. 2-89; Ord. 2-85; Ord. 2-77 Part 1 ^U 3.2)

8.05.110 Additional Provisions

In addition to those requirements set forth by the State Board of Health rules and regulations and the interpretation by the U.S. Public Health Service Sanitation Manual, 1976 Edition, the stipulations of JCC 8.05.120 through 8.05.160 shall also be met. (Ord. 2-85; Ord. 2-77 Part 1 ^U 4.1)

8.05.120 Toilet, Handwashing Facilities

All food service establishments, other than temporary establishments, that are constructed or extensively reconstructed after the effective date of the ordinance codified in this chapter, shall have toilet and handwashing facilities for each sex which are available to the public and which are available without passing through a food processing or storage area. (Ord. 2-77 Part 1 ^U 4.1.a)

8.05.130 Backflow Prevention Devices

All threaded water taps inside or outside the establishment shall be equipped with approved siphon breakers or other backflow prevention devices. (Ord. 2-77 Part 1 ^U 4.1.b)

8.05.140 Hand Dishwashing

Where hand dishwashing is in use, all food service establishments that are constructed or extensively reconstructed after the effective date of the ordinance codified in this chapter shall provide a separate drain-connected metal compartment with convenient spray attachment adjacent to, but separate from the sink washing compartment for the purpose of scraping and pre-rinsing eating and drinking utensils.

(Ord. 2-77 Part 1 ^U 4.1.c)

8.05.150 Worker Permits

It shall be the duty of the operator of every establishment to see that all food service workers are in compliance with state law requiring such workers to obtain valid food service worker permits.

(Ord. 2-77 Part 1 ^U 4.1.d)

8.05.160 Access to Establishments

The Health Officer, after proper identification, shall be permitted to enter any food establishment at any reasonable time for the purpose of inspecting the establishment and/or equipment to determine compliance with these regulations. (Ord. 2-77 Part 1 ^U 4.1.e)

8.05.170 Fees

Fees shall be as per Jefferson County Health District fee schedule. (Ord. 2-77 Part 1 ^U 5)

8.05.180 Plan Review

Prior to the construction or remodeling of any food service establishment, plans for such construction or remodeling shall be submitted to the Health Department for review and approval prior to the issuance of a building permit commencing any construction or remodeling. (Ord. 2-77 Part 1 ^U 6)

8.05.190 Enforcement

1. Penalties. Any person violating or failing to comply with any of the provisions of these rules and regulations shall be guilty of a misdemeanor. In addition thereto, such person can be enjoined from continuing such violation. Each day upon which such violation occurs shall constitute a separate violation.
2. The prosecuting authority of the county or municipality in which any alleged violations may occur and/or the County health Officer shall be empowered to enforce the provisions of this chapter.
3. Any section of this chapter not covered in Chapter 248 – 84 WAC (Rules and Regulations of the State Board of Health – Food Service Sanitation) may be waived by the Jefferson County Health Department if it causes a hardship on the operator and it can be shown that no health hazard will result. (Ord. 2-77 Part 1 ^U 7)