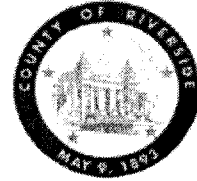


FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]* 5/14/09
 DATE

**SUBMITTAL TO THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

808



FROM: Community Health Agency/Environmental Health

SUBMITTAL DATE:

5/14/09

SUBJECT: Amending Ordinance No. 492, "Regulating Food Establishments and Food Facilities and Incorporating By Reference Ordinance No. 725"

RECOMMENDED MOTION:

1. That the Board introduce and set for Public Hearing the adoption of Ordinance No. 492.10 amending Ordinance No. 492.9 which establishes regulation of food establishments and food facilities.
2. That the Board authorize the Clerk to place an advertisement for the Public Hearing in the appropriate local publications;
3. That, upon the close of the Public Hearing, the Board adopts Ordinance 492.10.

BACKGROUND: This amendment to Ordinance No. 492 revises the language of the ordinance to be consistent with changes to the California Retail Food Code (the "Code"), California Health & Safety Code § 113700 et seq. Changes include deleting the term "Food Establishment," addition of the new term "Permanent Food Facility," updating other terms and Code citations, and other minor clean up.

[Signature: Steve Van Stockum]

SVS:gf

Steve Van Stockum
 Director, Department of Environmental Health

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	

SOURCE OF FUNDS: No Funding Necessary	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *[Signature: Debra Cournoyer]*
 Debra Cournoyer

County Executive Office Signature

Dept't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: | Agenda Number:

3.24

1 3. The letter "C" shall indicate a score of less than eighty percent (80%), and
2 indicates that the Permanent Food Facility has failed the inspection and
3 has conditions existing which may pose a potential or actual threat to
4 public health and safety. The food facility may also be ordered closed,
5 with its permit being suspended or revoked by the Enforcement Officer.
6 Grade "C" cards shall be printed in red on High-Impact White Styrene
7 Plastic.

- 8 B. The Grade Card shall be provided by the Enforcement Officer and shall be nine
9 inches by eleven inches (9" x 11") in size. The grade letter shall not be more than
10 five inches (5") in height.
- 11 C. The Grade Card shall be posted in a conspicuous place selected by the
12 Enforcement Officer, at or near each entrance to the Permanent Food Facility used
13 by its patrons, and shall be removed only by the Enforcement Officer.
- 14 D. It shall be unlawful to operate a Permanent Food Facility unless the grade card is in
15 place as posted by the Enforcement Officer.
- 16 E. Permanent Food Facilities which are not engaged in Food Preparation shall not be
17 required to post a Grade Card.”

18 Section 9. Section 3 of Ordinance No. 492.9 is amended to read as follows:

19 **“SECTION 3. INSPECTIONS.**

- 20 A. The Enforcement Officer shall inspect each Permanent Food Facility at regular
21 intervals. All permanent Food Facilities shall comply with those requirements set
22 forth in the California Health and Safety Code sections 113700, et seq.
- 23 B. A signed copy of the Official Inspection Form shall be delivered to the owner,
24 operator, or person in charge of the Permanent Food Facility who shall sign in
25 receipt thereof.

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1 C. Any Permanent Food Facility that has received a "B" or "C" grade shall receive a
2 re-inspection within five (5) working days of the initial inspection, or as otherwise
3 arranged with the facility operator, to assure that the violations have been
4 corrected. The grade "B" or "C" shall remain posted at the Permanent Food
5 Facility, indicating to the public that the particular Permanent Food Facility failed
6 to maintain minimum health standards during its most recent routine inspection
7 performed by the Department of Environmental Health.

8 D. If, after a re-inspection of the Permanent Food Facility, the score is not ninety
9 percent (90%) or higher, any or all of the following legal actions may ensue:

- 10 1. Administrative hearing offered for the suspension or revocation of the
11 permit pursuant to California Health and Safety Code sections 114405,
12 et seq.
- 13 2. Issuance of a citation.
- 14 3. Initiation of civil, criminal or other legal proceedings.

15 E. Notwithstanding the foregoing, the Enforcement Officer may order immediate
16 closure of a Food Facility pursuant to California Health and Safety Code section
17 114409 whenever the Enforcement Officer reasonably believes the Food Facility to
18 present an immediate danger to the public health or safety.

19 F. Any re-inspections following legal actions, other than one (1) re-inspection
20 following an initial administrative hearing, will result in the operator being
21 charged an hourly on-site fee.

22 Section 10. Section 4 of Ordinance No. 492.9 is amended as follows:

23 The term "food facility" therein shall be capitalized.

24 Section 11. Section 8 of Ordinance No. 492.9 is amended as follows:

25 The term "food facility" therein shall be capitalized.

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27 ///
28 ///

