Proposed No. BOH17-01.1  

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 other than temporary food 50 percent of applicable  
16 permit fee.  
17 establishments, farmers markets and  
18 temporary farmers market food  
19 establishments
3. Reinspection fee for temporary food establishments, farmers markets and temporary farmers market food establishments $160.00 per reinspection.

4. Reinstatement of permit after suspension 100 percent of applicable permit fee.

5. Penalty for commencing operation of a food establishment without required permit or plan review 50 percent of applicable permit fee.

6. Penalty for removing, obstructing the view of or failing to post a food safety rating placard at a general food service establishment - first violation within any two-year period 50 percent of applicable permit fee.

7. Penalty for removing, obstructing the view of or failing to post a food safety rating placard at a general food service establishment - second violation within any two-year period 100 percent of applicable permit fee.

8. Penalty for removing, obstructing the view of or failing to post a food safety rating placard at a general food service establishment - third and 200 percent of applicable permit fee.
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 re-inspections 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.

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