

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing section 4031., and Schedule I to Chapter 40, Jackson County Code, 1984, relating to sanitation of food establishments, and enacting in lieu thereof, one new section and one new schedule relating to the same subject.

ORDINANCE #4200, March 29, 2010

INTRODUCED BY Theresa Garza Ruiz, County Legislator

WHEREAS, the Environmental Health Division of the Public Works Department has identified a need for regulation of temporary, non-profit organization fundraising events involving food in the community; and,

WHEREAS, a need has also been identified for the orderly regulation of temporary fundraising events involving food authorized to be conducted by County employees within County facilities for charitable purposes; and,

WHEREAS, the amendments embodied in this Ordinance are in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section A. Enacting Clause. Section 4031., and Schedule I to Chapter 40, Jackson County Code, 1984, are hereby repealed and one new section and one new schedule enacted in lieu thereof, to be known as section 4031. and Schedule I, to read as follows:

4031. Permit Application.

Any person, firm, partnership, or corporation desiring to operate a Food Establishment, Temporary Food Establishment, Seasonal Food Establishment, or Soft Serve Frozen Dessert Machine shall make written application for a permit.

4031.1 Forms and Fees

All applications for permits shall be made on forms provided by the Health Officer, and shall be accompanied by the appropriate fee as set out on Schedule 1 to this chapter.

4031.2 Temporary Food Establishment.

Applications for a Temporary Food Establishment permit shall include the dates of the proposed operation.

4031.3 Non-Profit Organizations, Temporary Events

Applications for a non-profit organization's temporary food establishment permit shall include the dates and location of the proposed events. A non-profit organization shall submit proof of 501(c)3 exemption form or other tax-exempt letter with the application.

4031.4 Authorized Events by County Employees in County Facilities

Applications for permits for fundraising events by County or Circuit Court employees within County facilities that are open to the public and that have been authorized by the County shall include the dates and locations of the authorized events.

CHAPTER 40

SCHEDULE I

FOOD SERVICE ESTABLISHMENTS

Permit Fees.

The following annual permit fees shall be charged.

Fees, Food Establishment Permits.

The following annual fees apply to Food Establishments. Note that Food Establishments that engage in both food service and retail business in the same location are subject to fees based on low, medium, or high priority classification, as defined in the Missouri Department of Health Rules.

Low Priority Establishment.

An annual fee of one hundred dollars (\$100) shall be charged of each Low Priority Food Establishment.

Medium Priority Establishment.

An annual fee of two hundred fifty dollars (\$250) shall be charged of each Medium Priority Food Establishment.

High Priority Establishment.

An annual fee of seven hundred sixty dollars (\$760) shall be charged of each High Priority Food Establishment.

Fee, Temporary Food Establishment Permit.

A fee of fifty dollars (\$50) shall be charged of each Temporary Food Establishment for a permit not to exceed fourteen (14) days. A separate permit is required for each event in which a Temporary Food Establishment participates.

Fee, Seasonal Food Establishment Permit.

A fee of one hundred dollars (\$100) shall be charged of each Seasonal Food Establishment.

Fee, Non-Profit Organization.

A flat fee of two hundred dollars (\$200) shall be charged for any one-day fundraising event sponsored by a non profit organization(s) that has more than four (4) vendors or food providers participating so long as all profits from the proceeds of the event must benefit a non-profit organization.

Fee, Authorized Events by County Employees in County Facilities.

The fee shall be waived for any approved one-day fundraising event that is sponsored by the County or Circuit Court within County facilities and open to the public for a nonprofit/charitable cause.

School Cafeteria.

An annual permit of fifty dollars (\$50) shall be charged of each school cafeteria.

Late Fee.

A late fee of twenty-five dollars (\$25) will be charged for any annual Food Establishment permit issued after December 31st of any year.

Re-inspection Fee.

A re-inspection fee of fifty dollars (\$50) will be charged for a critical violation when a re-inspection is required, with the exception of school cafeterias and Temporary Food Establishments.

Soft Serve Frozen Dessert Machine Fee.

A soft serve frozen dessert machine annual permit fee of fifty dollars (\$50) shall be charged for each soft serve frozen dessert machine within a Food Establishment, Temporary Food Establishment, or Seasonal Food Establishment.

Plan Review/ Pre-Opening Inspection Fee.

A fee of one hundred fifty dollars (\$150) shall be charged for the review of plans and pre-opening inspection of Food Establishments, excluding Temporary Food Establishments.

Replacement Permits.

A replacement permit will be issued upon receipt of written application. A charge of five dollars (\$5.00) shall be made for the duplicate permit.

Public Agencies.

Whenever a public agency with taxing authority is the applicant for a permit, any fee authorized by this chapter may be reduced or abated by the Health Officer for the purpose of conserving public tax resources.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Pamela Tellin
Deputy/Assistant County Counselor

Wm. G. Spino
Acting County Counselor

I hereby certify that the attached Ordinance, Ordinance #4200 introduced on March 29, 2010 was duly passed on April 5, 2010, by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9 Nays 0
Abstaining 0 Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

4.6.10
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4200.

4/6/2010
Date

Michael D. Sanders
Michael D. Sanders, County Executive