



# Jackson County Missouri

Jackson County Courthouse  
415 E.12th Street, 2nd floor  
Kansas City, Missouri 64106  
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## Legislation Details (With Text)

**File #:** 4390      **Version:** 1      **Name:** Jackson County Code, 1984 relating to food safety  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/13/2012      **In control:** Public Works Committee  
**On agenda:** 2/13/2012      **Final action:** 2/27/2012  
**Title:** AN ORDINANCE repealing sections 4001., 4010., 4028., 4029., 4030., 4031., 4035., 4038., 4039., 4044., 4046., 4047., 4049., 4050., and 4052., and schedule I to chapter 40, Jackson County Code, 1984, relating to food safety, and enacting, in lieu thereof, fifteen new sections and one new schedule relating to the same subject.  
**Sponsors:** Bob Spence  
**Indexes:** FOOD SAFETY, JACKSON COUNTY CODE  
**Code sections:**  
**Attachments:** 1. 4390adopt.pdf

Date	Ver.	Action By	Action	Result
2/27/2012	0	Public Works Committee		
2/27/2012	1	County Legislature	adopt	Pass
2/27/2012	0	County Legislature	amend	
2/27/2012	1	County Legislature	perfect	Pass
2/27/2012	0	County Legislature	suspend the rules to consider final passage	Pass
2/27/2012	1	County Legislature	Consent Agenda	Pass
2/27/2012	0	County Legislature	Consent Agenda	
2/24/2012	0	County Legislature	Go To 2nd Perfection	Pass
2/21/2012	0	Public Works Committee		
2/17/2012	0	County Legislature	Go To 1st Perfection	Pass
2/13/2012	0	County Legislature	assign to committee	

Public Works  
Committee Amendment  
February 27, 2012

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**AN ORDINANCE** repealing sections 4001., 4010., 4028., 4029., 4030., 4031., 4035., 4038., 4039., 4044., 4046., 4047., 4049., 4050., and 4052., and schedule I to chapter 40, Jackson County Code, 1984, relating to food safety, and enacting, in lieu thereof, fifteen new sections and one new schedule relating to the same subject.

**ORDINANCE #4390**, February 13, 2012

**INTRODUCED BY** Bob Spence, County Legislator

WHEREAS, Public Works staff have completed a thorough review of chapter 40 of the Jackson County Code, relating to food safety and environmental standards; and,

WHEREAS, staff now recommends several revisions to the code to bring it more closely into compliance with modern food safety standards; and,

WHEREAS, such revisions 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. Sections 4001., 4010., 4028., 4029., 4030., 4031., 4035., 4038., 4039., 4044., 4046., 4047., 4049., 4050., and 4052., and schedule I to chapter 40, Jackson County Code, 1984, are hereby repealed, and fifteen new sections enacted in lieu thereof, to be known as sections 4001., 4010., 4028., 4029., 4030., 4031., 4035., 4038., 4039., 4044., 4046., 4047., 4049., 4050., and 4052., and schedule I, to read as follows:

4001. Application. This chapter shall apply to all Food Establishments, Temporary Food Establishments, **Food Processor/Warehouses, Farmers' Market Vendors, and Lodging Establishments** in the unincorporated area of the county. Incorporated cities, towns, and villages **[of less than [75,000 inhabitants]]** may, by agreement, contract with the county to apply and enforce this chapter. The provisions of this chapter shall govern in the unincorporated County and its cities, towns, and villages under contract to the County.

4010. Definitions. As used in this chapter and in the Missouri Department of Health rules governing sanitation of Food Establishments, the following words and phrases shall have indicated meanings, unless the context clearly indicates otherwise. In the event of a discrepancy between a definition contained in the Missouri Department of Health rules and a definition contained in this section, the

definition contained in this section shall prevail.

**Catering Operation.** The process of an individual or business with a restaurant-type food permit that conducts food service activities outside of the permitted establishment.

**Commissary.** A catering establishment, kitchen, or mobile food service base of operations, or any place in which food, containers, or supplies are kept, handled, prepared, packaged, or stored. A commissary must meet all requirements of this chapter.

**Department.** The Jackson County Department of Public Works, [Environmental Services] Planning and Environmental Health Division.

**Director.** The Director of the Jackson County Department of Public Works or designated representative.

**Farmers Market.** A designated location used by local farmers and producers primarily for distribution and sale of locally produced agricultural products, or a limited amount of non-agricultural, locally produced products.

**Food Establishment.**

- a. An operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption such as a restaurant, satellite, or central preparation facility, catered feeding location, catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people, market, vending (location) operation if the operation provides potentially hazardous foods, conveyance used to transport people; institution, or food bank; and that relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by a common carrier.
- b. "Food Establishment" includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the Health Officer, satellite catered feeding location, a vending location or satellite feeding location unless the vending or feeding location is permitted by the Health Officer, and an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location, where consumption is on or off the premises.
- c. "Food Establishment" does not include an establishment that offers only prepackaged foods that are not potentially hazardous, a produce stand that only offers whole, uncut fresh fruits and vegetables, a food processing plant, a kitchen in a private home if only food that is not potentially hazardous, is prepared for sale or service at a function such as a religious or charitable organization's bake sale, if allowed by law, and if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the Health Officer, an area where food that is prepared as specified in subparagraph (c)

(iv) of this definition is sold or offered for human consumption, a kitchen in a private home, such as a small family daycare provider or a bed-and-breakfast operation that prepares and offers food to guests, if the home is owner-occupied, the number of available guest bedrooms does not exceed 4, breakfast is the only meal offered, the number of guests served does not exceed 12, and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the Health Officer, or a private home that receives catered or home-delivered food.

**Food Processor/Warehouse.** A commercial operation, such as a food manufacturer, warehouse, processor, or distribution center, that manufactures, packages, labels, or stores food for human consumption and does not provide food directly to the consumer.

**Health Officer.** The Director of the Jackson County Department of Public Works or designated representative.

**Lodging Establishment.** Any building, group of buildings, structure, facility, place, or places of business where five (5) or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised, or held out to the public for hire, which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests. This definition shall not apply to dormitories and other living or sleeping facilities owned or maintained by public or private schools, colleges, universities, or churches unless made available to the general public and not used exclusively for students and faculty, school sponsored events, baseball camps, conferences, dance camps, equitation camps, football camps, learned professional society meetings, music camps, retreats, seminars, soccer camps, swimming camps, track camps, youth leadership conferences, or church-sponsored events.

**Mobile Food Unit.** A vehicle-mounted food service establishment, designed to be readily movable, that returns to a commissary daily for clean-up and service.

**Non-Profit Organization Temporary Food Establishment.** A Food Establishment operated by a non-profit organization for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration. A non-profit organization shall submit proof of 501(c) exemption form or other tax-exempt letter with its application.

**Pushcart.** A non-self-propelled vehicle limited to serving non-potentially hazardous foods or commissary-wrapped food maintained at proper temperatures, or limited to the preparation and serving of frankfurters.

**Seasonal Food Establishment.** Any Food Establishment which operates for a period in

excess of fourteen (14) days, but not longer than six (6) months.

Soft Serve Frozen Dessert Machine. Any machine that dispenses any type of mix or ice cream mix, whipped cream mix, ice cream, milk sherbet, ice milk, fruit ice, or ice sherbet, frozen custard, frozen dietary food, diabetic or dietetic ice cream, diabetic or dietetic ice milk, ice milk mix, frozen malted milk, novelty, or other similar product designated as a frozen dessert by the Health Officer, but only if operated in connection with a Food Establishment, Temporary Food Establishment, or Seasonal Food Establishment.

Temporary Food Establishment. Any Food Establishment which operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration. Temporary food service may be in conjunction with a fair, carnival, circus, public exhibition, or similar gathering.

4028. Food Handler, Permit Required. No person shall prepare, handle, or dispense food for human consumption, or come into contact with food or food preparation utensils, at any Food Establishment, unless that person has applied for and obtained a food handler permit, with fifteen days of commencement of employment or operation of an establishment, from the **[City of Independence, Missouri, Health Department] County's online vendor or other vendor approved by the Director.**

4028.1 Permit, Standards. [The issuance of] Food handler permits shall be **[governed by the standards imposed by the City of Independence] issued by the County's designated online vendor or other approved vendor and governed by the standards of the issuing authority** as to fee, required training, and duration, then in effect at the time of application.

4028.2 Permit, Disposition and Display. Each holder of a permit required under this section shall keep said permit on his or her person at all times while working in a Food Establishment.

4028.3 Permit, Failure to Produce. Failure of any person to produce a valid food handler permit upon the demand of the Health Officer shall be presumptive evidence that such person is not a permitted food handler, in violation of this section.

4029. Food Establishment Operator Not to Permit Violation. No holder of a permit to operate a Food Establishment shall suffer or allow any person in such establishment to prepare, handle, or dispense food for human consumption, or come into contact with food or food preparation utensils, unless that person has applied for and obtained, within fifteen days of commencement of employment or operation of the establishment, a food handler permit from the **[City of Independence, MO, Health Department] County's online vendor or other approved vendor.**

4029.1 Food Establishment Operator, Maintenance of Listing Required. Each holder of a Food Establishment permit shall maintain a listing of all employees who possess food handler permits, which listing shall be updated at least once every three months.

4030. Permit Required. No person, firm, partnership, or corporation shall operate a Food Establishment, Temporary Food Establishment, **Non-Profit Organization Temporary Food Establishment**, Seasonal Food Establishment, Soft Serve Frozen Dessert Machine, **Mobile Food Unit, Pushcart, Lodging Establishment, Food Processor/Warehouse, Farmers' Market Stall, or**

**Catering Operation** without **[a] the appropriate** permit issued by the Health Officer.

**4030.1 Farmers' Market Vendor Stall Permit.** **Issued to and required of any vendor at a farmers' market that will offer samples of produce, or that will sell pre-packaged, potentially hazardous foods such as inspected frozen meats or eggs. This does not include concession-type sales for immediate consumption (no cooking or food preparation, except for sampling).**

**4030.2 Catering Operation Permit.** **Issued to a permitted restaurant-type establishment that may apply for a catering permit issued by the Health Officer to conduct food service activities outside of the permitted establishment. A Catering Operation permit will be issued to any establishment that has demonstrated proper food safety knowledge relating to food preparation and transportation techniques. The Health Officer reserves the right to deny a Catering Operation permit, and/or revoke any previously issued permit, to any establishment that has not demonstrated the ability to safely conduct food service operations off-site.**

**4030.3 Food Processor/Warehouse Exception.** **A permit shall not be required for any Food Processor/Warehouse establishment inspected by the State of Missouri Health Department.**

**4030.4 Lodging Establishments.** **Any Lodging Establishment shall be constructed and operated in a safe and sanitary manner, and in accordance with this chapter and any other applicable local code and the State of Missouri's laws and regulations for Lodging Establishments.**

**a. Compliance Procedures.** **Prior to approval of an application for a permit, the Health Officer shall inspect the proposed Lodging Establishment to determine compliance with the requirements of this chapter. The Health Officer shall issue a permit to the applicant if the inspection reveals that the proposed Lodging Establishment complies with the requirements of this chapter.**

**b. Inspection, Annual.** **An inspection of a Lodging Establishment shall be performed at least once every year. Additional inspections of a lodging establishment shall be performed as often as necessary for the enforcement of this chapter.**

**c. Inspection, Other.** **The Health Officer or designee, after proper identification, is authorized to enter any Lodging Establishment at any reasonable time for the purpose of making inspections to determine compliance with this chapter.**

**4031. Permit Application.** **Any person, firm, partnership, or corporation desiring to operate a Food Establishment, Temporary Food Establishment, Non-Profit Organization Temporary Food Establishment, Seasonal Food Establishment, Soft Serve Frozen Dessert Machine, **Mobile Food Unit, Pushcart, Lodging Establishment, Food Processor/Warehouse, Farmers' Market Vendor Stall, or Catering Operation** 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 I to**

this chapter.

**a. Parcel Number. For a new applicant to obtain a permit, the establishment must first obtain a business personal property parcel number from the Jackson County Assessment Department.**

**b. Liquor License and Business Personal Property Tax. For any permitted establishment to renew its annual permit, the establishment must also submit a copy of its Jackson County liquor license (if applicable) and a copy of the previous year's paid business personal property tax receipt (if in business on January 1<sup>st</sup>).**

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 Temporary Food Establishment permit shall include the dates and location of the proposed events. A non-profit organization shall submit its 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.

4035. Posting of Permit. Each permit issued under this chapter shall be posted in a conspicuous place in the permitted establishment.

**4035.1 Mobile Food Unit/Pushcart, Sticker Permit. A sticker permit shall be affixed by the Health Officer to any permitted Mobile Food Unit or Pushcart which shall be visible to the public at all times.**

4038. Enforcement. The Health Officer shall enforce this chapter.

**4038.1 Authority to Issue Citations. The Director or any authorized representative is authorized to issue and serve a general ordinance summons on any person charged with a violation of this chapter.**

4039. Suspend or Revoke Permits. The Health Officer may suspend or revoke permits of establishments which fail to comply with this chapter.

**4039.1 New Permit Required, When. Whenever revocation of a permit is final, the holder of the permit or certificate may make written application for a new permit following correction of violations.**

**4039.2 Resumption of Operation, When. Whenever an establishment is required under any provision of this chapter to cease operations and close, that establishment shall not resume operations until it has shown on reinspection that the conditions giving rise to the order to cease operations no longer exist. Opportunity for reinspection shall be**

**offered within a reasonable time, but not more than 48 hours (excluding county holidays).**

4044. Review Future Construction. Each person, firm, partnership, or corporation seeking to construct, remodel, or alter a Food Establishment **or any other establishment** subject to regulation under this chapter shall submit properly prepared plans and specifications for such construction, remodeling, or alteration to the Health Officer for review and approval prior to the commencement of work.

4044.1 Plans Required. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, and construction materials of work areas, and the type and model of proposed fixed equipment and facilities. All equipment and utensils must meet the standards set forth in Department of Health rule governing sanitation of food establishments. The Health Officer shall approve the plans and specifications if they meet the requirements of this chapter.

**4044.2 Equipment. Commercial kitchens are required to use refrigerators and dishmachines approved by the National Sanitation Foundation International (NSF). Any permitted establishment operating prior to the effective date of Jackson County Ordinance \_\_\_\_\_, that replaces an existing refrigerator or dishmachine, shall replace with equipment approved by the National Sanitation Foundation International (NSF).**

4044.[2]3 Building Permits. The Director shall not issue a building permit for a Food Establishment under chapter 54 of this code unless the plans have been approved by the Health Officer.

4046. Violation, Notice. When the Health Officer discovers a violation of this chapter, the Health Officer shall notify the permit holder or the operator of the establishment of the violation by means of an inspection report form or other written notice.

**[4046.1 Inspection/Enforcement Procedures. Inspection and enforcement activities shall be conducted in accordance with the current edition of Section 3.0 of Missouri Department of Health operational guidelines, as modified by this section.]**

4046.[2]1 Temporary Food Establishment Inspection Violations. In the case of a Temporary Food Establishment, all critical violations shall be corrected immediately and all other violations shall be corrected within twenty-four (24) hours. If violations are not corrected within the time period set out in this subsection, the establishment shall immediately cease food service operations until authorized to resume by the Health Officer.

4046.[3]2 Imminent Health Hazard. If an imminent health hazard exists, such as complete lack of refrigeration, sewage backup into the establishment, fire, misuse of poisonous or toxic materials, gross unsanitary occurrence or conditions, or other circumstances that may endanger public health, the establishment shall immediately cease food service operations. Operations shall not be resumed until authorized by the Health Officer.

4047. Content of Violation Notice. The notice of violation shall include the following.



4047.1 Violation. The notice shall include the specific violation(s) found.

4047.2 Time to Correct. The notice shall include a specific and reasonable period of time for the correction of the violations.

4047.3 Effect of Noncompliance. The notice shall include a statement that failure to comply with the notice within the time period specified may result in the immediate closure of the **[Food] permitted** establishment and suspension of the permit.

4047.4 Appeal. The notice of violation shall include a statement that an opportunity for an appeal from the order/notice or inspection findings will be provided on written request to the Director within the period of time established in the notice for correction.

4049. Failure to Comply. When a permit holder fails to comply with a notice of violation issued by the Health Officer, the permit holder shall be notified of the following:

4049.1 Immediate Suspension and Closure of the Food Establishment. The current permit is immediately suspended and the Food Establishment is closed effective on service of notice.

**a. Notice of Closure. On closure of an establishment, a "Notice of Closure" sign shall be conspicuously placed upon that part of the establishment to which the public has access. It shall be unlawful for any person to remove a "Notice of Closure" sign unless authorized to do so by the Health Officer.**

**4049.2 Closing Procedures. Suspension is effective upon service of the notice required by this chapter. When a permit is suspended, establishment operations shall immediately cease and the establishment shall be closed.**

**a. Whenever a permit is suspended, the holder of the permit or the person then in charge of the Food Establishment shall be notified in writing that the permit is, upon service of the notice, immediately suspended and that an opportunity for hearing shall be provided if a written request for hearing is filed with the Health Officer within ten (10) calendar days. If no written request for hearing is filed within ten (10) calendar days, then no hearing shall be held and the suspension is final. The Health Officer may rescind the suspension at any time if the reason (s) for suspension no longer exist.**

**b. The Health Officer may, after providing an opportunity for a hearing, revoke a permit for serious or repeated violations of any of the requirements of this chapter or for interference with the Health Officer in the performance of duty.**

**c. Prior to revocation, the Health Officer shall provide written notice to the holder of the permit, or the person then in charge of the Food Establishment, of the specific reason(s) for which the permit is to be revoked and that the permit shall be revoked at the expiration of ten (10) days following service of the notice. Unless a written request for a hearing is filed with the Health Officer by the holder of the permit or certificate within the ten (10) day period, the revocation of the permit is final.**

**d. Examples of violations of this chapter that may result in suspension or revocation of a permit include:**

**i. One (1) or more critical violations that remains uncorrected after two (2) reinspections.**

**ii. An imminent health hazard at any establishment.**

**iii. A score of 65 out of 100 received on an inspection. The point value is determined by the severity of the violation as determined by the currently adopted Food Service Code as defined in section 4000 of this chapter.**

**iv. Continual, repeated violations at a Lodging Establishment.**

**e. A notice provided for in this chapter is properly served when it is delivered to the holder of the permit or the person then in charge of the establishment, or it is mailed by certified mail to the last known address of the holder of the permit or when the notice is posted on the entrance to the establishment. A copy of the notice shall be retained in the records of the Health Officer.**

4049.[2]3 **Hearing. In the event of the suspension of a permit and/or the closure of any permitted establishment, on written request to the Health Officer, a hearing shall be afforded [as soon as possible] within twenty (20) calendar days of receipt of the request.**

**a. Any hearing provided for in this section shall be conducted by the Health Officer at a time and place designated. Oral testimony shall be recorded verbatim. The Health Officer shall make a decision based upon the complete hearing record and shall sustain, modify or rescind any notice or order at issue in the hearing. A written report of the decision shall be furnished to the holder of the permit by the Health Officer via mailing the decision certified U.S. Mail, return receipt requested.**

4050. **Disease Control.** No person who is infected with any disease in a communicable form, or who is a carrier of such disease, or who is afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a Food Establishment or **[Temporary Food Establishment] any other permitted food operation** in any capacity where there is a likelihood that the person may contaminate food or food-contact surfaces or transmit disease to other individuals.

4050.1 **Communicable Disease Suspected by Food Service Operator.** If the operator of an establishment suspects that any employee has contracted a communicable disease or has become a carrier of such a disease, he shall immediately notify the Health Officer.

4052. **Payment of Property Taxes.**

Notwithstanding anything contained in this chapter to the contrary, the issuance of a permit under this chapter to any applicant may be withheld and any permit previously issued under this chapter to any applicant may be suspended or revoked, if property tax due to the county on any Applicant Property (defined below) is or becomes delinquent. As used herein, the term "Applicant Property" shall mean any **real or** personal property that is owned by such applicant or that is used in the activity for which the permit is required and owned by any party related to such applicant or owned by any entity

owned or controlled by or under common ownership or control with such applicant.

## CHAPTER 40

### SCHEDULE I

#### FOOD SERVICE ESTABLISHMENTS AND OTHER OPERATIONS

Permit Fees. The following annual permit fees shall be charged:

Authorized Events Conducted by County Employees in County Facilities Fee, Waiver. [The fee shall be waived] **No fee shall be charged** 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.

**Catering Permit Fee. An annual fee of three hundred seventy five dollars (\$375) shall be charged of each establishment that will have a Catering Operation.**

**Farmers' Market Vendor Stall Permit Fee. An annual fee of twenty five dollars (\$25) shall be charged for each farmer's market vendor stall.**

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)] **one hundred fifty dollars (\$150)** shall be charged of each Low Priority Food Establishment.

Medium Priority Establishment. An annual fee of [two hundred fifty dollars (\$250)] **three hundred fifty dollars (\$350)** 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.

**Food Processor/Warehouse Fee. An annual fee of one hundred and fifty dollars (\$150) shall be charged of each Food Processor/ Warehouse establishment.**

Late Fee. A late fee of [twenty-five dollars (\$25)] **fifty dollars (\$50)** will be charged for any annual [Food] establishment permit issued after [December 31<sup>st</sup> of any year] **the date of expiration.**

**Late Fee, Temporary Event. A late fee of twenty five dollars (\$25) will be charged for any temporary event application received less than 48 hours before the event.**

**Lodging Establishment Fee. An annual fee of one hundred fifty dollars (\$150) shall be charged for each Lodging Establishment.**

**Mobile Food Unit/Pushcart Permit Fee.** **An annual fee of two hundred dollars (\$200) shall be charged for each Mobile Food Unit or Pushcart.**

Non-Profit Organization Fee. 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.

**Non-Profit Temporary Food Establishment Permit Fee.** **A fee of twenty five dollars (\$25) will be charged for each Non-Profit Temporary Food Establishment for a permit not to exceed fourteen (14) days. A permit shall be valid for four (4) events in which a Non-Profit Temporary Food Establishment participates and a new permit shall be required for every four additional events.**

Plan Review/ Pre-Opening Inspection Fee. A fee of [one hundred fifty dollars (\$150)] **three hundred dollars (\$300)** shall be charged for the review of plans and preopening inspection of Food Establishments, excluding Temporary Food Establishments.

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.

Re-inspection Fee. A re-inspection fee of [fifty dollars (\$50)] **one hundred dollars (\$100)** will be charged [for a critical violation] when a re-inspection is required **to correct noncompliance**, with the exception of school cafeterias and 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.

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

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

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.

Temporary Food Establishment Permit Fee. 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.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Chief Deputy County Counselor

\_\_\_\_\_  
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4390 introduced on February 13, 2012 was duly passed on February 27, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absents 0

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4390.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael D. Sanders, County Executive