

BEFORE THE BOARD OF NORTHEAST TRI COUNTY HEALTH DISTRICT

IN THE MATTER OF ADOPTING) RESOLUTION 06-2013
REGULATION NO. 01-2013)
FOOD SERVICE REGULATION) ADOPTING REGULATION NO. 01-2013
FOOD SERVICE REGULATION)

WHEREAS, the Washington State Board of Health has made revisions to Chapter 246-215 WAC governing food served or sold to the public; AND

WHEREAS, the Board of Health of the Northeast Tri County Health District has adopted its own regulation governing food served or sold to the public; AND

WHEREAS, there now exists a need to amend the Northeast Tri County Health District regulation to comply with provisions of Chapter 246-215; AND

NOW, THEREFORE:

IT IS HEREBY RESOLVED by the Board of Health of the Northeast Tri County Health District that the attached Northeast Tri County Health District Regulation 01-2013 is adopted and shall be in full force and effect within the jurisdiction of Northeast Tri County Health District and that Northeast Tri County Health District Regulation No. 01-2005 is repealed, effective May 1, 2013 and upon signatures.

Done this 17th day of April, 2013 Newport, Washington and effective May 1, 2013 upon signatures as of this date.

Board Member, City of Republic

Brad Z Miller

Board Member, Ferry County

[Signature]

Board Member, City of Colville

Board Member, Ferry County

Sanley Sands

Board Member, City of Newport

Mike Brown

Board Member, Pend Oreille County

[Signature] mb

Health Officer

[Signature]

Board Member, Pend Oreille County

[Signature]

Board Member, Stevens County

[Signature]

Board Member, Stevens County



Northeast Tri County Health District Regulation # 01-2013 Food Service Regulation

A REGULATION RELATING TO PUBLIC HEALTH; ESTABLISHING FOOD SERVICE REGULATIONS IN NORTHEAST TRI COUNTY HEALTH DISTRICT.

BE IT ADOPTED BY THE BOARD OF HEALTH FO THE NORTHEAST TRI COUNTY HEALTH DISTRICT AS FOLLOWS:

1. **Scope:** These regulations shall apply to food served or sold to the public within the jurisdiction of Northeast Tri County Health District.
2. **Purpose:** The purpose of this regulation is to protect the public from food borne illness by the adoption of the revisions to Chapter 246-215 WAC, approved by the Washington State Board of Health on October 10, 2012 and effective May 1, 2013. It is also the purpose of this regulation to rescind prior Northeast Tri County Health District rules pertaining to food service to the public.
3. **Authority:** These regulations are adopted under the authority of RCW 70.05.060 and RCW 70.46.060. It shall be the duty of the Health Officer to enforce the provisions of this regulation.
4. **Adoption of State Regulation:** The Northeast Tri County Board of Health adopts in its entirety, as a rule and regulation of this Board of Health, Chapter 246-215 WAC as amended by the Washington State Board of Health on October 10, 2012. That Chapter 246-215 WAC of the Codified Rules and Regulations of the Washington State Board of Health is incorporated by reference as fully set forth in this regulation.
5. **Adoption of Inspection Report Form:** For the purposes of documenting findings, the Northeast Tri County Health District will utilize the Washington State Department of Health Food Service Inspection Report or other report form approved by the Washington State Department of Health.
6. **Prior Regulations Repealed:** This regulation shall herewith supersede and repeal Northeast Tri County Health District *Regulation Number 01-2005: Food Service Regulation*.
7. **Development of Policies:** Northeast Tri County Health District may establish written policies and procedures to ensure uniform implementation of provisions of WAC 264-215 and to establish acceptable procedures and practices in the enforcement of these rules.

8. Appeals:

- 8.1.** Any person aggrieved by a determination or action may appeal such determination or action. Appeal request must be made in writing and shall be processed in conformance with the appeal procedure adopted by the Northeast Tri County Health District Board of Health.
- 8.2.** Persons violating Section 9 shall not be entitled to the appeal in Section 8.1.

9. Permit Requirements /Penalties:

- 9.1.** No person may operate any food establishment without having first obtained from the Northeast Tri County Health District, a permit to operate such an establishment. Such permit shall be conspicuously displayed at all times upon the premises. Food establishment permits shall expire on the date indicated on the permit.
- 9.2.** Any person operating a food service establishment without a valid permit from the Northeast Tri County Health District shall be in violation of this regulation and WAC 246-215. Such person shall be guilty of a misdemeanor under RCW 70.05.120.

10. Fees: Fees for food establishments are established by the Northeast Tri County Health District Board of Health.

11. Severability: If any section or provision of this regulation is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this regulation as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

12. Effective Date: These regulations shall be in full force and effect after approval and adoption by the Northeast Tri County Health District Board of Health and after the effective date of May 1, 2013 for the revised provisions of Chapter 246-215 WAC.