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ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

3 January 30, 2024

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~~May 23, 2023~~ September 19, 2023

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

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Dear Supervisors:

**APPROVAL OF AN ORDINANCE TO AMEND LOS ANGELES COUNTY CODE,
TITLE 8 – CONSUMER PROTECTION, BUSINESS AND WAGE REGULATIONS
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

Request approval of an ordinance amending Los Angeles County Code, Title 8 – Consumer Protection, Business and Wage Regulations to establish new and updated public health permit, plan check, and service fees related to requirements for compact mobile food operations, mobile food facilities, and commissaries.

IT IS RECOMMENDED THAT THE BOARD, AFTER THE PUBLIC HEARING:

Introduce, waive reading, and ~~adopt~~ place on the agenda for adoption the attached ordinance (Exhibit A) that amends Los Angeles County Code ("LACC"), Title 8 – Consumer Protection, Business and Wage Regulations to establish public health permit, plan check, and service fees for compact mobile food operations, mobile food facilities, and commissaries, to align with recent changes to the California Retail Food Code.

PURPOSE/JUSTIFICATION FOR RECOMMENDED ACTION

Senate Bill No. ("SB") 972, signed into law by the Governor in September 2022, amended the California Retail Food Code. The Code establishes health and safety standards for retail food facilities and requires local health agencies to enforce its provisions. In Los Angeles County, the Department of Public Health ("Public Health"), Environmental Health Division ("EH"), is the local health agency that enforces the California Retail Food Code. The Code authorizes Public Health EH to perform mandated public health services that are primarily offset by fees from the permits and services provided.

Approval of the recommended action would authorize Public Health EH to implement the following new provisions in SB 972 and recover program costs for the state-mandated services through permit, plan check, and service fees:

- Defines and establishes a "compact mobile food operation ("CMFO")" as a mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.
- Allows for a CMFO to offer prepackaged food or limited food preparation.
- Requires a CMFO to meet the applicable requirements of mobile food facilities.
- Authorizes an enforcement agency to approve a permanent food facility to operate as a CMFO commissary with nonconforming structural conditions if those conditions do not pose a public health hazard.
- Authorizes an enforcement agency to allow the use of a private home for the storage of a CMFO after an evaluation by the enforcement agency, unless prohibited by local ordinance.
- Requires the local health agency to approve the storage of a compact mobile food facility in a permitted permanent food facility if, after initial inspection, the agency determines that the compact mobile food facility is protected from contamination.
- Exempts a CMFO that has 25 square feet or less of display area and sells only prepackaged, non-potentially hazardous foods or whole uncooked produce from the permit requirement.
- Authorizes the local health agency to preapprove a standard plan for the mass production of CMFO, and to collect a fee for the final inspection of the CMFO.
- Authorizes a cottage food operation to serve as a commissary for up to two CMFOs if the cottage food operation includes an endorsement from the local health agency. Also, the cottage food operation must be capable of supporting the preparation and storage of the food being sold from the CMFO and the storage and cleaning of the CMFO.
- Authorizes approved cottage food items prepared in a permitted cottage food operation to be served from a CMFO.

- Makes violations of State law or the LACC by an operator or employee of a compact mobile food facility or a sidewalk vendor punishable only by an administrative fine.

Adoption of the recommended ordinance would:

- Create new public health permit requirements and fees for inspections of CMFOs, site evaluations to ensure structural and operational requirements are met, and the final inspection of a CMFO for adherence to the pre-approved model plan.
- Establish new permit and corresponding fees for mobile food facilities and commissaries.
- Delete existing definitions (food carts, food vehicles, food vehicle commissary, food vehicle storage or cleaning facility, personal hawker, mobile food preparation units, and processor-owned milk delivery vehicle) or modify definitions (cottage food operations and food vehicle wholesale independent delivery) to align with provisions in SB 972, to consolidate business classifications, or to update the current business operation.

Approval of the recommended action will also amend LACC Title 8 to reflect technical and non-substantive changes to established public health license, permit, and service fees related to food vehicles.

Implementation of Strategic Plan Goals

The recommended action supports Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability of the County's Strategic Plan.

FISCAL IMPACT/FINANCING

There is no net County cost associated with the recommended action at this time since the permit, inspection, evaluation, endorsement, and other enforcement activities mandated by the state would be offset by the public health fees proposed in the ordinance.

Currently, Public Health EH proposes to use existing staff to implement SB 972. However, Public Health EH will review staffing requirements after implementation. If additional staffing is necessary, a budget request will be submitted accordingly.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Public Health EH is a regulatory agency and is staffed with Registered Environmental Health Specialists that perform mandated services, including inspections and investigations related to food, housing, drinking water, water pollution, land use, solid waste, and vector management. State law authorizes Public Health EH to collect fees to offset “reasonable expenses” that arise from its inspection activities. These service fees are exempt from voter approval, pursuant to Proposition 26.

County Counsel has reviewed and approved the proposed ordinance (Exhibit A) as to content and form. The Auditor-Controller has approved the methodology of determining the fees as reasonable, based on its review of the Public Health EH worksheets calculating the program costs. The plan check fee for Food Vehicle Commissary was renamed to Food Preparation, High Risk with a fee of \$796. The permit fee for Food Vehicle, Independent Wholesale was renamed to Independent Milk-Delivery Vehicle with a fee of \$127. Both fees reflect the existing fee that was approved by the Board on June 26, 2018.

~~Pursuant to California Government Code section 66018,~~ a A local agency must hold a public hearing at a regularly scheduled meeting of the Board of Supervisors before adopting an ordinance, resolution, or other legislative enactment adopting a new fee and shall publish notice of the public hearing in a newspaper per Government Code section 6062(a).

IMPACT ON CURRENT SERVICES FOR PROJECT(S)

There is no anticipated impact on current Public Health EH services due to the recommended action.

Respectfully submitted,



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

BF:ig
#06782

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller

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ANALYSIS

This ordinance amends Title 8 – Consumer Protection, Business and Wage Regulations of the Los Angeles County Code ("County Code") by establishing new and updated public health permit, plan check, and service fees related to requirements for compact mobile food operations, mobile food facilities and commissaries, to align with recent changes to the California Retail Food Code pursuant to Senate Bill 972. These amendments establish health and safety standards for certain retail food facilities and allow the Department of Public Health to perform services that are primarily offset by fees from the permits and services provided. The amendments implement the following:

- Defines and establishes what a "compact mobile food operation" ("CMFO") is and also provides for the requirements needed in order to meet certain standards;
- Allows for CMFOs to offer prepackaged food or limited food preparation;
- Provides the enforcement agency the authority to approve permanent food facilities to operate as a CMFO;
- Allows the use of a private home for the storage of a CMFO;
- Requires the local health agency to approve storage of a CMFO in a permitted permanent food facility;
- Exempts a CMFO that has 25 square feet or less of display area and sells only prepackaged, non-potentially hazardous foods or whole uncooked produce from the permit requirement;
- Authorizes the local health agency to preapprove a standard plan for the mass production of CMFO, and to collect a fee for the final inspection of the CMFO;
- Authorizes a cottage food operation to serve as a commissary for up to two CMFOs if the cottage food operation includes an endorsement from the local health agency. Also, the cottage food operation must be capable of supporting the preparation and storage of the food being sold from the CMFO and the storage and cleaning of the CMFO;
- Authorizes approved cottage food items prepared in a permitted cottage food operation to be served from a CMFO; and
- Makes violations of State law and the County Code by an operator or employee of a compact mobile food facility or a sidewalk vendor punishable only by an administrative fine.

DAWYN R. HARRISON
County Counsel

By



VANESSA MIRANDA
Deputy County Counsel
Health Services Division

VM:rg

Requested Date: 1/25/23

Revised Date: 8/22/23

ORDINANCE NO. _____

This ordinance amends Title 8 – Consumer Protection, Business and Wage Regulations of the Los Angeles County Code, by establishing new and updated public health permit, plan check, and service fees related to requirements for compact mobile food operations, mobile food facilities and commissaries, to align with recent changes to the California Retail Food Code pursuant to Senate Bill 972. These amendments establish health and safety standards for retail food facilities and allow the Department of Public Health to perform services that are primarily offset by fees from the permits and services provided.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.025 is hereby amended to read as follows:

8.04.025 Animal ~~f~~Food ~~m~~Market.

"Animal ~~f~~Food ~~m~~Market" means a retail facility selling pet food or livestock feed, either packaged or in bulk.

SECTION 2. Section 8.04.030 is hereby amended to read as follows:

8.04.030 Animal ~~k~~Keeper—Category I.

"Animal ~~k~~Keeper, Category I" means any person not an ~~a~~Animal ~~k~~Keeper, Category II, and not an ~~a~~Animal ~~k~~Keeper, Category III, who does one or more of the following:

A. Has, keeps, maintains or raises 10 or more but not more than 49 animals of the same or different classifications of the horse, cow, sheep, goat or hog species;

B. Has, keeps, maintains, or raises 50 or more but not more than 499 rabbits or hares;

C. Has, keeps, maintains, or raises five or more but not more than 49 horses, including ponies, mules, or donkeys.

SECTION 3. Section 8.04.035 is hereby amended to read as follows:

8.04.035 Animal kKeeper—Category II.

"Animal kKeeper, Category II" means any person not an aAnimal kKeeper, Category III, who does one or more of the following:

- A. Has, keeps, maintains, or raises at least 50 but not more than 100 animals of the same or different classifications of the horse, cow, sheep, goat, or hog species;
- B. Has, keeps, maintains, or raises 500 or more rabbits or hares;
- C. Has, keeps, maintains, or raises at least 500 but not more than 999 poultry or wild fowl.

SECTION 4. Section 8.04.040 is hereby amended to read as follows:

8.04.040 Animal kKeeper—Category III.

"Animal kKeeper, Category III" means any person who does any one or more of the following:

- A. Has, keeps, maintains, or raises more than 100 animals of the same or different classifications of the horse, cow, sheep, goat, or hog species;
- B. Has, keeps, maintains, or raises 1,000 or more poultry or wild fowl.

SECTION 5. Section 8.04.045 is hereby amended to read as follows:

8.04.045 Animal kKeeper—Exceptions.

A person is not an aAnimal kKeeper in any category if his only acts described in any of the definitions of aAnimal kKeeper set forth in Sections 8.04.030 through 8.04.040 are as:

- A. A slaughterer; or
- B. A dairyman.

SECTION 6. Section 8.04.050 is hereby amended to read as follows:

8.04.050 Animal kKeeper—Fee eExemptions.

The eCounty hHealth eOfficer shall issue without a fee a license to:

A. A person who owns at least five but not more than nine horses and who does not operate a commercial boarding facility or derive income from the rental or use of such horses, unless such person is required to be licensed under other provisions of this eCode; or

B. A 4-H Club, Future Farmers of America Club, school with animals maintained for agricultural classes, or other similar recognized group which carries on an organized program to encourage student participation in agricultural activities.

SECTION 7. Section 8.04.055 is hereby amended to read as follows:

8.04.055 Backflow pPrevention dDevice.

"Backflow pPrevention dDevice" means a plumbing device that prevents a cross-connection, as defined in ~~Title 11~~, Section 11.38.030 of this eCode "Backflow pPrevention dDevice" shall include, but is not limited to, devices as approved by the County hHealth eOfficer in accordance with California Health and Safety Code, Ssections 116800-116810, California Plumbing Code, Ssection 603.2, and California Code of Regulations, Title 17, Ssection 7583.

SECTION 8. Section 8.04.060 is hereby amended to read as follows:

8.04.060 Boarding ~~h~~Home.

"Boarding ~~h~~Home" means any premises, structures, or portion thereof (except any hospital or other health facility as defined in ~~S~~section 1250 of the Health and Safety Code and except any mental or alcoholic institution licensed by the ~~s~~State of California), used or intended to be used as a place where sleeping or rooming accommodations are furnished to the whole or any part of the public, with or without compensation and with or without meals, for five or more persons who are unrelated to the operator. "Boarding ~~h~~Home" includes, but is not limited to, a rooming house, home for the aged, sober living facility, boarding house, lodging house, and bed and breakfast facility.

SECTION 9. Section 8.04.063 is hereby amended to read as follows:

8.04.063 Body ~~a~~Art ~~b~~Bloodborne ~~p~~Pathogens ~~e~~Exposure ~~e~~Control ~~t~~Training ~~a~~Approval.

"Body ~~a~~Art ~~b~~Bloodborne ~~p~~Pathogens ~~e~~Exposure ~~e~~Control ~~t~~Training ~~a~~Approval" means the triennial review, audit, and approval of a training provider's Body Art Bloodborne Pathogens Exposure Control Training evidencing its compliance with the criteria in California Health and Safety Code ~~s~~Section 119307.

SECTION 10. Section 8.04.064 is hereby amended to read as follows:

8.04.064 Body ~~a~~Art ~~f~~Facility.

"Body ~~a~~Art ~~f~~Facility" means a body art facility as defined in the California Health and Safety Code, ~~S~~section 119301(d).

SECTION 11. Section 8.04.065 is hereby amended to read as follows:

8.04.065 Body aArt pPractitioner.

"Body aArt pPractitioner" means a practitioner as defined in California Health and Safety Code, ~~S~~section 119301(t) who has submitted an application and documentation demonstrating that they meet the requirements of the California Health and Safety Code, ~~S~~section 119306(b)(1-7).

SECTION 12. Section 8.04.067 is hereby amended to read as follows:

8.04.067 Body aArt fFacility, tTemporary.

"Body aArt fFacility, tTemporary" means a ~~b~~Body aArt eEstablishment as defined in ~~Los Angeles County Code, Title 8,~~ Section 8.04.064 which operates for up to seven (7) days in a ninety (90) day period at a body art temporary event.

SECTION 13. Section 8.04.068 is hereby amended to read as follows:

8.04.068 Body aArt tTemporary eEvent, pPromoter.

"Body aArt tTemporary eEvent, pPromoter" means the person who is responsible for the maintenance of all areas and facilities that are used by the public, or are shared by temporary ~~b~~Body aArt fFacilities, at an event with one or more temporary ~~b~~Body aArt fFacilities.

SECTION 14. Section 8.04.070 is hereby amended to read as follows:

8.04.070 Certified ~~b~~Backflow pPrevention dDevice tTester.

"Certified ~~b~~Backflow pPrevention dDevice tTester" means any person possessing a currently valid certificate of competence which certifies that he has successfully passed an examination conducted by the County hHealth eOfficer which has

determined him to be competent to test and make reports on ~~b~~Backflow ~~p~~Prevention ~~d~~Devices.

SECTION 15. Section 8.04.071 is hereby amended to read as follows:

8.04.071 Catering Operation.

"Catering ~~e~~Operation" means a food service that is conducted by a permanent ~~f~~Food ~~f~~Facility approved for food preparation where food is served, or limited food preparation is conducted, at a location other than its permitted location, in either of the following circumstances:

1. As part of a contracted off-site food service event.
2. When operating in conjunction with a ~~h~~Host ~~f~~Facility with direct food

sales.

SECTION 16. Section 8.04.072 is hereby amended to read as follows:

8.04.072 Catering Operation Host Facility.

"Host ~~f~~Facility" means a facility located in a brewery, winery, commercial building, or another location as approved by the local enforcement agency, that meets applicable requirements to support a ~~e~~Catering ~~e~~Operation that provides food directly to individual consumers for a limited period of time, up to four hours, in any one 12-hour period and that maintains a host facility permit issued by the County Health Officer.

SECTION 17. Section 8.04.075 is hereby amended to read as follows:

8.04.075 Certified ~~f~~Farmers' ~~m~~Market.

"Certified ~~f~~Farmers' ~~m~~Market" means that portion of a ~~e~~Community ~~e~~Event or other location, approved by the Los Angeles County Agricultural Commissioner, where agriculture products are sold by producers or certified producers directly to consumers.

A Certified Farmers' Market may be operated by one (1) or more certified producers, by a nonprofit organization, or by a local government agency.

SECTION 18. Section 8.04.076 is hereby amended to read as follows:

8.04.076 Certified Farmers' Market Sponsor.

"Certified Farmers' Market Sponsor" means a person or organization that operates a location within a Community Event or other location, which location is approved by the Los Angeles County Agricultural Commissioner, and from which agriculture products are sold by producers or certified producers directly to consumers.

SECTION 19. Section 8.04.080 is hereby amended to read as follows:

8.04.080 Children's Camp.

A. "Children's Camp" means a site with program(s) and facilities attended by five (5) or more children ages three (3) to seventeen (17) which is established for the primary purpose of providing a group experience with social, spiritual, educational, or recreational objectives, and operates for over three (3) hours per day for at least five (5) days during any 12-month period.

B. "Children's Camp" does not include the following:

1. Program(s) and facilities subject to licensure by the California Department of Social Services.

2. Any juvenile detention facility.

3. Program(s) and facilities commonly referred to as "drop-in"

recreation programs in which attendees may participate without signup or registration by attendees, or their parents or guardians.

4. Outdoor education programs and classes offered to students by school districts, county boards of education, or private schools, which are operated pursuant to California Education Code requirements.

5. Organized camps subject to State law and regulation, unless otherwise specified in this division.

SECTION 20. Section 8.04.081 is hereby amended to read as follows:

8.04.081 Children's Day Camp.

"Children's day ecamp" means a eChildren's ecamp as defined in Section 8.04.080, with no more than one overnight stay per season (consecutive 90-day period).

SECTION 21. Section 8.04.082 is hereby amended to read as follows:

8.04.082 Children's Overnight Camp.

A. "Children's eOvernight ecamp" means a eChildren's ecamp as defined in Section 8.04.080 with two (2) to three (3) overnight stays per season (consecutive 90-day period).

B. A eChildren's day ecamp which provides only one overnight stay per season (consecutive 90-day period) shall not be considered a eChildren's eOvernight ecamp.

SECTION 22. Section 8.04.086 is hereby amended to read as follows:

8.04.086 Commercial ~~s~~Sex ~~v~~Venue.

"Commercial ~~s~~Sex ~~v~~Venue" is as defined in Section 11.04.310.

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SECTION 23. Section 8.04.087 is hereby amended to read as follows:

8.04.087 ~~Community event.~~ Commissary.

~~"Community event" means an event which is of a public, civic, political, or educational nature, including state and county fairs, city festivals, circuses, carnivals, certified farmers markets and other public gathering events approved by the County health officer.~~ "Commissary" means any structure or portion of a structure used exclusively for the storage, cleaning and/or servicing of Mobile Food Facilities, Mobile Support Units, Temporary Food Facilities, or Vending Machines. a food facility that services Mobile Food Facilities, Mobile Support Units, or Vending Machines where any of the following occur:

1. Food, containers, or supplies are stored.
2. Food is prepared or prepackaged for sale or service at other

locations.

3. Utensils are cleaned.

4. Liquid and solid wastes are disposed, or potable water is obtained.

A. "Commissary, Food Preparation" means a Food Facility that is used for food preparation and food storage; provides potable water supply hook-ups and a clarifier for disposal of wastewater; and is used for the storage and/or cleaning of Mobile Food Facilities, Mobile Support Units, or Vending Machines.

B. "Commissary, Food Storage and Cleaning Facility" means a Food Facility that is used for food storage; provides potable water supply hook-ups, a clarifier for disposal of wastewater, and is used for the storage and/or cleaning of Mobile Food

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Facilities, Mobile Support Units, or Vending Machines. Food shall not be prepared in such a facility.

C. "Commissary, Cleaning and Storage Facility" means a Commissary that provides potable water supply hook-ups, a clarifier for disposal of wastewater, and is used for the storage and/or cleaning of Mobile Food Facilities, Mobile Support Units, or Vending Machines. Food shall not be prepared or stored in such a facility.

D. "Commissary, Storage Facility" means a Commissary used exclusively for storage of Mobile Food Facilities, Mobile Support Units, or Vending Machines. No cleaning of equipment or storage of food is allowed in such a facility.

SECTION 24. Section 8.04.088 is hereby amended to read as follows:

8.04.088 Community eEvent organizer.

"Community eEvent-organizer" means an event conducted for not more than twenty-five (25) consecutive or nonconsecutive days in a 90-day period, which is of a public, civic, political, or educational nature, including State and county fairs, city festivals, circuses, carnivals, Certified Farmers' Markets and other public gathering events approved by the County Health Officer. ~~A person who is responsible for the maintenance of all areas and facilities that are used by the public or are shared by food booths at a community event.~~

A. "Community Event Organizer" means a person who is responsible for the maintenance of all areas and facilities that are shared by two or more Food Facilities at a Community Event and Toilet Facilities used by the public.

B. "Community Event/Temporary Food Facility Permit" means written authorization to operate issued by the County Health Officer to a Community Event

Organizer or Temporary Food Facility following approval of an application and payment of the appropriate service fee.

SECTION 25. Section 8.04.089 is hereby deleted in its entirety:

~~**8.04.089** **Community event/seasonal event permit.**~~

~~"Community event/seasonal event permit" means written authorization to operate issued by the County health officer to a community event organizer or food booth following approval of an application and payment of the appropriate service fee.~~

SECTION 26. Section 8.04.090 is hereby amended to read as follows:

8.04.090 **Community wWater sSystem.**

"Community wWater sSystem," as used in this eChapter, means a public water system as defined in S§ection 64411, Title 22, California Code of Regulations, that serves at least fifteen (15) service connections used by yearlong residents.

SECTION 27. Section 8.04.091 is hereby added to read as follows:

8.04.091 Compact Mobile Food Operation.

"Compact Mobile Food Operation" means a mobile food facility as defined in the California Health and Safety Code section 113831(a) that is required to comply with Division 104, Part 7, Chapter 11.7 Compact Mobile Food Operation of the California Health and Safety Code.

A. "Compact Mobile Food Operation, Approved Model Plan Final Evaluation" means a final evaluation of a Compact Mobile Food Operation to ensure that the individual unit and proposed method of operation conforms to the model plan that has been approved by the County Health Officer.

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B. "Compact Mobile Food Operation Auxiliary Conveyance Operator, Site Specific" means a person who is responsible for the facilities, including the handwashing and warewashing auxiliary conveyances, that are shared by two (2) or more Compact Mobile Food Operations that are permitted to operate at a site-specific location.

C. "Compact Mobile Food Operation, High Risk" means an unenclosed, non-motorized conveyance, that is approved for limited food preparation as defined in California Health and Safety Code section 113818 and used to prepare raw meat, raw poultry, or raw fish. In addition to the provisions outlined in Chapter 11.7 of the California Health and Safety Code, a Compact Mobile Food Operation that is used to prepare raw meat, raw poultry, or raw fish is subject to warewashing and handwashing facility requirements as outlined including the preparation of raw meat, raw poultry, or raw fish; and meets the requirements for mobile food facilities as defined in Division 104, Part 7, Chapter 10 Mobile Food Facilities of the California Health and Safety Code commencing with section 114294.

D. "Compact Mobile Food Operation Home Storage Endorsement" means an assessment of a private home by the County Health Officer to ensure that storage of one or more Compact Mobile Food Operations in the private home do not pose a public health hazard and are stored in a manner that protects the equipment from contamination. This Section applies to either:

1. Cottage Food Operation, Class B endorsed by the County Health Officer to store and support up to two (2) Compact Mobile Food Operations; or

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2. A private home that has been endorsed by the County Health Officer to store up to two (2) Compact Mobile Food Operations.

E. "Compact Mobile Food Operation, Low Risk" means:

1. An individual stand, showcase, rack, display approved for the sale and display of no more than twenty-five (25) square feet of prepackaged non-potentially hazardous food, and whole uncooked produce.

a. Compact mobile food facilities that have twenty-five (25) square feet or less of display area and sell only prepackaged, non-potentially hazardous foods or uncooked produce are exempt from the requirements for mobile food facilities.

2. A pushcart, peddle-driven cart, wagon, or other unenclosed, non-motorized conveyance that is approved for sale and display of no more than twenty-five (25) square feet of prepackaged non-potentially hazardous food.

a. Compact mobile food facilities that have twenty-five (25) square feet or less of display area and sell only prepackaged, non-potentially hazardous foods or uncooked produce are exempt from the requirements for mobile food facilities.

3. A pushcart, peddle-driven cart, wagon, or other unenclosed, non-motorized conveyance that is approved for sale and display of pre-packaged ice cream bars and frozen fruit bars.

F. "Compact Mobile Food Operation, Moderate Risk" means an unenclosed, non-motorized conveyance, such as a pushcart, peddle-driven cart, or wagon that is approved for sale and display of prepackaged potentially hazardous

foods and/or limited food preparation that does not include raw meat, raw poultry, or raw fish.

SECTION 28. Section 8.04.093 is hereby amended to read as follows:

8.04.093 Contract Water Use Survey.

"Contract ~~w~~Water ~~u~~Use ~~s~~Survey," as used in this ~~e~~Chapter, means an evaluation, performed pursuant to a written agreement between a water purveyor and the County Health Officer, to determine the need for a ~~backflow protection assembly~~ Backflow Prevention Device at one or more external service connections, in order to protect the water distribution system from backflow.

SECTION 29. Section 8.04.095 is hereby amended to read as follows:

8.04.095 Cottage ~~f~~Food ~~e~~Operation.

"Cottage ~~f~~Food ~~e~~Operation" means an enterprise within the registered or permitted area of a private home where the ~~e~~Cottage ~~f~~Food Operation operator resides and where cottage food products are prepared or packaged, ~~for as defined in direct, indirect, or direct and indirect sale to consumers. The enterprise shall not have more than one full-time equivalent cottage food employee, not including a family or household member of the cottage food operator, and shall not have gross annual sales that exceed the amounts specified in this section. In 2013, the enterprise shall not have more than thirty-five thousand dollars (\$35,000) in gross annual sales in the calendar year. In 2014, the enterprise shall not have more than forty-five thousand dollars (\$45,000) in gross annual sales in the calendar year. Commencing in 2015, and each subsequent year thereafter, the enterprise shall not have more than fifty thousand dollars (\$50,000)~~

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~~in gross annual sales in the calendar year~~ California Health and Safety Code section 113758.

A. "Cottage Food Operation, Class A" means a Cottage Food Operation that may engage only in ~~D~~direct ~~S~~sales of cottage food products from the Cottage Food Operation or other ~~D~~direct ~~S~~sales, as defined by California Health and Safety Code section 113758(b)(4)under the definition of Direct Sale as set forth in Section 8.04.106. The enterprise shall not have gross annual sales that exceed the amounts specified in California Health and Safety Code section 113758.

B. "Cottage Food Operation, Class B" means a Cottage Food Operation that may engage in both ~~D~~direct ~~S~~sales and ~~I~~indirect ~~S~~sales of cottage food products from the Cottage Food Operation, from ~~D~~direct ~~S~~sales venues as defined by California Health and Safety Code sections 113758 (b)(4) and (b)(5)the definition of Direct Sale, as set forth in Section 8.04.106, from offsite events, or from a third party retail Food Facility described under the definition of Indirect Sale, as set forth in Section 8.04.272, or from a permitted Compact Mobile Food Operation as defined by California Health and Safety Code section 113831. The enterprise shall not have gross annual sales that exceed the amounts specified in California Health and Safety Code section 113758.

C. "Cottage Food Operation, Class B with Compact Mobile Food Operation Storage" means a Cottage Food Operation as defined in Section 8.04.095 that is endorsed for the storage of up to two (2) Compact Mobile Food Operations.

SECTION 30. Section 8.04.096 is hereby deleted in its entirety:

~~**8.04.096** **Cottage food operation—Class A.**~~

~~"Cottage food operation, Class A" means a cottage food operation that may engage only in direct sales of cottage food products from the cottage food operation or other direct sales as described under the definition of "direct sale," as set forth in section 8.04.106.~~

SECTION 31. Section 8.04.097 is hereby deleted in its entirety:

~~**8.04.097** **Cottage food operation—Class B.**~~

~~"Cottage food operation, Class B" means a cottage food operation that may engage in both direct sales and indirect sales of cottage food products from the cottage food operation, from direct sales venues including those described within the definition of "direct sale," as set forth in section 8.04.106, from offsite events, or from a third-party retail food facility described under the definition of "indirect sale," as set forth in section 8.04.272.~~

SECTION 32. Section 8.04.100 is hereby amended to read as follows:

8.04.100 **County hHHealth eOfficer.**

"County hHHealth eOfficer" means the dDirector of the dDepartment of pPublic hHHealth of the eCounty of Los Angeles, or the duly authorized representative.

SECTION 33. Section 8.04.103 is hereby added to read as follows:

8.04.103 Dependent Food Operator.

"Dependent Food Operator" means a person that has been approved by the County Health Officer to operate within a permanent Food Facility when the primary permit holder is not operating the permanent Food Facility.

REVISED

SECTION 34. Section 8.04.106 is hereby ~~amended to read as follows~~
deleted in its entirety:

~~**8.04.106** **Direct sSale.**~~

~~"Direct sSale" means a transaction between a cCottage fFood oOperation operator and a consumer, where the consumer purchases the cottage food product directly from the cCottage fFood oOperation. Direct sSales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, cCertified fFarmers' mMarkets, or through community-supported agriculture subscriptions, and transactions occurring in person in the cCottage fFood oOperation, and transactions made via phone, internet, or any other digital method.~~

SECTION 35. Section 8.04.120 is hereby amended to read as follows:

8.04.120 **Dwelling uUnit.**

"Dwelling uUnit" means the same as defined in ~~§~~§ection 405 of the Uniform Building Code, and includes "efficiency dwelling unit" as defined in ~~§~~§ection 406 of the Uniform Building Code, adopted as Rules and Regulations under authority of ~~Section~~ 17922, California Health and Safety Code section 17922.

SECTION 36. Section 8.04.130 is hereby amended to read as follows:

8.04.130 **Fertilizer mManufacturer.**

"Fertilizer mManufacturer" means any person engaged in the wholesale business of processing or sacking manure for fertilizer purposes.

SECTION 37. Section 8.04.138 is hereby deleted in its entirety:

~~**8.04.138** ————— **Food cart, high risk.**~~

~~"Food cart, high risk" means an unenclosed, non-motorized vehicle with compartments for preparing food, including, but not limited to, a heated cooking surface and hot and cold holding bins. Food preparation shall be limited to: cooking to order; preparing beverages to order; dispensing and portioning of non-potentially hazardous foods, as defined in California Health and Safety Code, Section 113871; slicing or chopping food on the heated cooking surface; and the holding in a hot food compartment as permitted by California Health and Safety Code, Section 113818 (b)(6).~~

SECTION 38. Section 8.04.139 is hereby deleted in its entirety:

~~**8.04.139** ————— **Food cart, low risk.**~~

~~"Food cart, low risk" means an unenclosed, non-motorized vehicle which sells prepackaged foods only.~~

SECTION 39. Section 8.04.140 is hereby amended to read as follows:

8.04.140 **Food dDemonstrator.**

"Food dDemonstrator" means any person who engages in the business or practice of offering or serving, without charge to the consumer, unpackaged bulk food to the public for the purpose of publicizing, advertising or promoting the sale of food, food products or food equipment. "Food dDemonstrator" shall not include any person operating a ~~food vehicle~~ Mobile Food Facility that is otherwise under Public Health Permit and for which a valid Public Health Permit has been obtained.

SECTION 40. Section 8.04.141 is hereby amended to read as follows:

8.04.141 Food eEstablishment.

"Food eEstablishment" means any room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, manufacturing, packaging, transporting, salvaging, or otherwise handling food at the wholesale level. Food eEstablishments include, but are not limited to, food warehouses, wholesale food markets, food processing establishments, and ice plants.

SECTION 41. Section 8.04.142 is hereby amended to read as follows:

8.04.142 Food fFacility.

"Food fFacility" means a food facility as defined in the California Health and Safety Code, Ssection 113789.

SECTION 42. Section 8.04.143 is hereby amended to read as follows:

8.04.143 Food Facility, High Risk.

"Food fFacility, hHigh rRisk" means a Food Facility, such as a restaurant, rRetail fFood mMarket, iInterim hHousing fFacility, or licensed health care facility, which meets any of the following criteria:

...

SECTION 43. Section 8.04.144 is hereby amended to read as follows:

8.04.144 Food Facility, Low Risk.

"Food fFacility, lLow rRisk" means a Food Facility, such as any bar serving only alcoholic beverages, a restaurant, rRetail fFood mMarket, or licensed health care facility, which meets all of the following criteria:

- A. Offers for sale or serves only pPrepackaged fFood items;

B. Prepares or serves only non-potentially hazardous foods or heats only commercially processed, potentially hazardous foods for hot holding; and

C. Offers only single-use eating and drinking utensils, if utensils are offered.

SECTION 44. Section 8.04.145 is hereby amended to read as follows:

8.04.145 Food Facility Remodel.

"Food Facility Remodel" means any construction or alteration to an existing Food Facility. Remodeling also includes the installation of equipment or repair to a Food Facility which alters the configuration or method of operation and requires a permit from the local building department. For purposes of this title, a remodel shall be limited to a maximum of 300 square feet of affected area. Facility remodeling areas over 300 square feet shall be assessed the Plan Check and Site Evaluation fee for a new facility of the same size as specified in Section 8.04.725 of this Title.

SECTION 45. Section 8.04.146 is hereby amended to read as follows:

8.04.146 Food Facility, Moderate Risk.

"Food Facility, Moderate Risk" means a Food Facility, such as a restaurant, Retail Food Market, licensed health care facility with nonpackaged foods, or a private school cafeteria, except for preschools, which meet the following criteria:

A. Prepares or serves potentially hazardous food in quantities based on projected same day consumer demand, and discards prepared foods that are not sold or served the same day; and

B. Uses single-use eating and drinking utensils; or

C. Cuts or trims produce for sale without further preparation.

SECTION 46. Section 8.04.150 is hereby amended to read as follows:

8.04.150 Food ~~m~~Market, ~~r~~Retail.

"Food ~~m~~Market, ~~r~~Retail" means a ~~f~~Food ~~f~~Facility where bakery products, meats, fish, shellfish, seafood, poultry, preserves, dairy products, eggs, ice, candy, fruits, vegetables, spices, herbs, vitamins, food supplements, or any other foods or food products, or beverages, whether in bulk, canned, wrapped, bottled, packaged, or in any other form, are sold or offered for sale at retail for consumption on premises other than where sold. "Food ~~m~~Market, ~~r~~Retail," however, shall not include any "~~f~~Food ~~s~~Salvager" as defined in Section 8.04.180.

A. "Retail ~~f~~Food ~~m~~Market" includes, but is not limited to, any vitamin and supplement store, botanica, retail fruit and vegetable market, retail fish market, retail grocery market, convenience store, retail meat market, or combination of those listed.

B. Facilities utilizing an area of less than twenty-five (25) square feet for ~~r~~Retail ~~f~~Food ~~m~~Market operations, that do not sell or offer for sale foods other than prepackaged candy, prepackaged nuts, chewing gum, bottled soft drinks, or other prepackaged non-potentially hazardous food, shall be exempt from the requirement for a ~~p~~Public ~~h~~Health ~~p~~Permit under this ~~s~~Section.

SECTION 47. Section 8.04.155 is hereby amended to read as follows:

8.04.155 Food ~~m~~Market ~~e~~Complex, ~~w~~Wholesale.

"Food ~~m~~Market ~~e~~Complex, ~~w~~Wholesale" means any establishment, its contents, and the contiguous land or property that rents, leases or lends facilities within said establishment, for the purpose of conducting business as a food market, wholesale. A ~~f~~Food ~~m~~Market ~~e~~Complex, ~~w~~Wholesale, that rents, leases or lends space to no more

than two (2) food market, wholesale, facilities, or dedicates a combined total of less than one thousand, five hundred (1,500) square feet for the purpose of operating a food market, wholesale, is exempt from this definition.

SECTION 48. Section 8.04.160 is hereby amended to read as follows:

8.04.160 Food mMarket, wWholesale.

"Food mMarket, wWholesale" means any establishment, other than a slaughterhouse, from which food is sold for resale by others, as further defined in Section 11.12.005-~~(S)~~.

SECTION 49. Section 8.04.165 is hereby amended to read as follows:

8.04.165 Food eOfficial iInspection rReport.

"Food eOfficial iInspection rReport" means the written notice prepared and issued by the eCounty hHealth eOfficer after conducting an inspection of a fFood fFacility to determine compliance with all applicable federal, sState and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health.

SECTION 50. Section 8.04.170 is hereby amended to read as follows:

8.04.170 Food pProcessing eEstablishment.

"Food pProcessing eEstablishment," as used in this eChapter, means any room, building or place, or portion thereof, maintained, used or operated for the purpose of commercially storing in conjunction with processing, packaging, repackaging, making, cooking, mixing, processing, bottling, packing, or otherwise preparing or handling, food; provided, however; that for fee purposes the term "fFood pProcessing eEstablishment" shall not include a brewery, winery, any other establishment manufacturing alcoholic

beverages or spirits, nor establishments otherwise specifically mentioned in this Chapter.

SECTION 51. Section 8.04.172 is hereby amended to read as follows:

8.04.172 Food processing establishment, low risk.

"Food processing establishment, low risk" means a food processing establishment, as defined in Section 8.04.170, containing less than six thousand (6,000) square feet, that does not process as a final product potentially hazardous food, as defined by law.

SECTION 52. Section 8.04.180 is hereby amended to read as follows:

8.04.180 Food salvager.

"Food salvager" means any person who engages in the business of reconditioning, labeling, relabeling, repacking, reconditioning, sorting, cleaning, culling, or by other means salvaging, and who sells, offers for sale, or distributes for human or animal consumption any salvaged food, beverage (including beer, wine, and distilled spirits), vitamin, food supplement, dentifrice, drug, cosmetic, single-use food container or utensil, soda straws, paper napkins, or any other product of a similar nature that has been damaged or contaminated by fire, water, smoke, chemicals, transit, insects, rodents, or by any other means.

SECTION 53. Section 8.04.189 is hereby deleted in its entirety:

~~**8.04.189 Food vehicle, high risk.**~~

~~"Food vehicle, high risk" means a fully enclosed vehicle which prepares food for retail sale.~~

SECTION 54. Section 8.04.190 is hereby deleted in its entirety:

~~8.04.190~~ ~~Food vehicle, independent wholesale.~~

A. ~~"Independent delivery food vehicle" means any motorized conveyance delivering any of the following foods, or any combination thereof, either as a retail independent delivery vehicle pursuant to a prior order or as wholesale independent distributor:~~

- ~~1. Milk or other dairy products;~~
- ~~2. Meat, fish, shellfish, or other seafood;~~
- ~~3. Bakery goods;~~
- ~~4. Fruit and vegetables;~~
- ~~5. Groceries;~~
- ~~6. Ice or beverages;~~
- ~~7. Any other type of food or food product.~~

B. ~~Vehicles used by a fixed location restaurant, food warehouse, fruit and vegetable market, food market, or food processing establishment having a valid public health permit under this chapter to deliver food products from said establishment to other locations shall not be required to have a separate public health permit under this chapter.~~

C. ~~Any "independent delivery food vehicle" originating outside of the jurisdiction of the health officer, County of Los Angeles, which has been inspected by the health officer at the jurisdiction of origin and which bears an identification that the jurisdiction of origin has issued a public health permit shall not be required to obtain a public health permit under this chapter.~~

SECTION 55. Section 8.04.192 is hereby deleted in its entirety:

~~8.04.192~~ ~~Food vehicle, low risk.~~

~~"Food vehicle, low risk" means a vehicle which sells prepackaged foods with no food preparation.~~

SECTION 56. Section 8.04.200 is hereby deleted in its entirety:

~~8.04.200~~ ~~Food vehicle, retail.~~

~~A. "Retail food vehicle" means any motorized or non-motorized conveyance or portable food service unit upon which prepackaged or approved unpackaged food is sold or offered for sale at retail. Categories of retail food vehicles include:~~

- ~~1. Animal food vehicle;~~
- ~~2. Bakery vehicle;~~
- ~~3. Fish peddler vehicle;~~
- ~~4. Food vehicle—Department of Motor Vehicles exempt;~~
- ~~5. Food salvage distributor vehicle;~~
- ~~6. Fruit and vegetable vehicle;~~
- ~~7. Grocery vehicle;~~
- ~~8. Ice vehicle;~~
- ~~9. Meat vehicle;~~
- ~~10. Milk vehicle;~~
- ~~11. Industrial catering vehicle;~~
- ~~12. Limited food vehicle;~~
- ~~13. Unpackaged food vehicle;~~

~~14. — Prepackaged food cart, a non-motorized vehicle, from which the operator dispenses prepackaged and labeled food;~~

~~15. — Any combination of the above;~~

~~16. — Or any vehicle, including, but not limited to, a mobile food facility, from which animal food, bakery products, fish, shellfish, seafood, fruits, vegetables, meats, poultry, preserves, jelly, relish, milk or other dairy products, food or food products, ice or beverages, whether in bulk, canned, wrapped, bottled, packaged, or any other form, are sold or kept for sale at retail.~~

~~B. — Vehicles owned and operated by a fixed location food market, restaurant or other business having a valid public health permit under this chapter to deliver food products from said establishment to other locations shall not be required to have a separate public health permit under this chapter.~~

SECTION 57. Section 8.04.205 is hereby deleted in its entirety:

~~**8.04.205 — Food vehicle commissary.**~~

~~"Food vehicle commissary" means any structure or portion of a structure used exclusively for the storage, cleaning and servicing of retail food vehicles or mobile food-preparation units, and/or from which food, supplies and equipment are provided for use by a food vehicle operator.~~

SECTION 58. Section 8.04.206 is hereby deleted in its entirety:

~~**8.04.206 — Food vehicle storage facility defined.**~~

~~A. — "Food vehicle storage facility" means any structure or any portion of a structure, other than a food vehicle commissary, used exclusively for the storage of no more than two of any combination of the following food vehicles:~~

1. ~~Unpackaged food vehicles;~~
2. ~~Prepackaged food carts.~~

~~B. Vehicles or carts may not be cleaned or serviced at such a facility, nor shall food be prepared or stored in such facility. The term "service" includes, but is not limited to the provision of potable water, the disposal of wastewater from the vehicle, and automotive repair. Service does not include minor mechanical repair.~~

SECTION 59. Section 8.04.207 is hereby deleted in its entirety:

~~8.04.207 Food vehicle cleaning and storage facility defined.~~

~~A. "Food vehicle cleaning and storage facility" means any structure or any portion of a structure, other than a food vehicle commissary, used exclusively for the storage, cleaning and supply of potable water for:~~

1. ~~Unpackaged food vehicles;~~
2. ~~Prepackaged food carts; or~~
3. ~~Limited food vehicles.~~

~~B. No more than two unpackaged food vehicles or prepackaged food carts may be stored at such facility. Food shall not be prepared or stored in such facility.~~

SECTION 60. Section 8.04.210 is hereby amended to read as follows:

8.04.210 Food wWarehouse.

"Food wWarehouse" means any:

1. Cold-storage warehouse except bonded cold storage;
2. Fruit and vegetable warehouse;
3. Dry foods warehouse;
4. Ice-storage house;

5. Combination of the above; or

6. ~~or a~~Any place, building, structure, room or portion thereof where fruit, vegetables or any foods are commercially stored, kept or held at any temperature, where any foods are commercially stored at any artificial temperature of less than 45 degrees Fahrenheit, or where ice is stored, other than any coin-operated ice-vending structure.

SECTION 61. Section 8.04.219 is hereby amended to read as follows:

8.04.219 Garment mManufacturing eComplex.

"Garment mManufacturing eComplex" means any establishment, its contents, and the contiguous land or property which rents, leases or lends facilities within said establishment, for the purpose of conducting business as a "gGarment mManufacturing eEstablishment", as defined in Section 8.04.220. A "gGarment mManufacturing eComplex" which rents, leases, or lends space to no more than one "gGarment mManufacturing eEstablishment" is exempt from this definition.

SECTION 62. Section 8.04.220 is hereby amended to read as follows:

8.04.220 Garment mManufacturing eEstablishment.

"Garment mManufacturing eEstablishment" means any place, building or structure, room or portion thereof, where apparel and other garments and accessories are cut, sewed, assembled, embroidered, silk screened, or otherwise made, decorated, or finished, from fabrics and similar materials. Such apparel includes: suits, coats, work clothing, and other furnishings; outerwear and undergarments; hats, caps and millinery; fur goods; and miscellaneous apparel and accessories. "Garment mManufacturing eEstablishment" includes any place, building or structure, room or

portion thereof, where graders, pattern makers, and sample makers of fabrics and similar materials are located.

SECTION 63. Section 8.04.222 is hereby amended to read as follows:

8.04.222 Geothermal hHeat eExchange wWell.

"Geothermal hHeat eExchange wWell" means a geothermal heat exchange well as defined in ~~Section 13713 of the~~ California Water Code section 13713.

SECTION 64. Section 8.04.225 is hereby amended to read as follows:

8.04.225 Grading, sScoring mMethod and lLetter gGrade eCard.

A. "Grading" means the letter grade issued by the eCounty hHealth eOfficer at the conclusion of the rRoutine iInspection of a fFood fFacility. The grade shall be based upon the scoring method set forth in this sSection resulting from the fFood eOfficial iInspection rReport and shall reflect the fFood fFacility's degree of compliance with all applicable federal, sState and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health.

B. "Scoring mMethod" means a procedure used by the eCounty hHealth eOfficer where a score is calculated by adding values predefined on the fFood eOfficial iInspection rReport for violations that are observed during an inspection, and subtracting that total from one-hundred (100). The resulting numerical sum, stated as a percentage, constitutes the score for the inspection.

C. "Letter gGrade eCard" means a card that may be posted by the eCounty hHealth eOfficer at a fFood fFacility upon completion of a rRoutine iInspection that indicates the letter grade of the facility as determined by the eCounty hHealth eOfficer using the scoring method set forth in this sSection. For the purposes of this provision, a

Food Facility shall include a Food Facility operating in conjunction with a Food Processing Establishment.

D. The County Health Officer, in ~~his~~ the County Health Officer's discretion, may immediately close any Food Facility which, upon completion of the Routine Inspection, does not achieve at least a "C" grade as defined herein. Nothing in this provision shall prohibit the County Health Officer from immediately closing any Food Facility if, in ~~his~~ the County Health Officer's discretion, immediate closure is necessary to protect the public health.

E. The letter grade for a Food Facility shall be based upon the final numerical percentage score set forth in the Food Official Inspection Report, as follows:

1. A grade of "A" shall indicate a final score of ninety (90) percent or higher as determined by the County Health Officer;
2. A grade of "B" shall indicate a final score less than ninety (90) percent but not less than eighty (80) percent as determined by the County Health Officer;
3. A grade of "C" shall indicate a final score less than eighty (80) percent but not less than seventy (70) percent as determined by the County Health Officer.

SECTION 65. Section 8.04.230 is hereby deleted in its entirety:

~~**8.04.230 Hawker, personal.**~~

~~"Personal hawker" means any person who vends processed packaged food, other than potentially hazardous food, at retail, which is carried by such person on his person in a container such as a pack, bag, box or basket.~~

SECTION 66. Section 8.04.240 is hereby amended to read as follows:

8.04.240 Health ~~o~~Officer.

"Health ~~o~~Officer" means the ~~e~~Director of the ~~e~~Department of ~~p~~Public ~~h~~Health of the ~~e~~County of Los Angeles, or ~~h~~isthe Director's duly authorized representative.

SECTION 67. Section 8.04.270 is hereby amended to read as follows:

8.04.270 Ice ~~p~~Plant.

A. "Ice ~~p~~Plant" means any place or structure, other than a private residence, where ice intended to be used with drinks or food for human consumption, for the preservation of food, or other similar use, is manufactured for use, sale or distribution.

B. A restaurant, ~~m~~Motel, food market or other establishment having a valid ~~p~~Public ~~h~~Health ~~p~~Permit shall not be required to obtain a separate ~~p~~Public ~~h~~Health ~~p~~Permit for an ~~i~~lce ~~p~~Plant where such ~~i~~lce ~~p~~Plant is incidental to the operation of such establishment. Such ~~i~~lce ~~p~~Plant shall be deemed, for the purposes of this ~~e~~Chapter, not to be an ~~i~~lce ~~p~~Plant.

SECTION 68. Section 8.04.271 is hereby added to read as follows:

8.04.271 Independent Milk-Delivery Vehicle.

"Independent Milk-Delivery Vehicle" means any vehicle, not owned by a processor of milk, used for the delivery of milk to a retail store or wholesaler.

REVISED

SECTION 69. Section 8.04.272 is hereby ~~amended to read as follows~~ deleted in its entirety:

~~**8.04.272** **Indirect sSale.**~~

~~"Indirect sSale" means an interaction transaction between a cCottage fFood eOperation operator, a third-party retailer, and a consumer, where in which the consumer purchases cottage food products made by the cCottage fFood eOperation from a third-party retailer that holds a valid permit issued pursuant to California Health and Safety Code section 114381. Indirect sSales include, but are not limited to, sales made to retail shops or to retail fFood fFacilities where food may be immediately consumed on the premises. Indirect Sales may be fulfilled in person, via mail delivery, or using any third-party delivery service.~~

SECTION 70. Section 8.04.275 is hereby amended to read as follows:

8.04.275 **Inspection sScore eCard.**

A. "Inspection sScore eCard" means a card that may be posted by the eCounty hHealth eOfficer at a fFood fFacility, upon completion of a rRoutine iInspection, that indicates the total numerical percentage score for the facility as determined by the eCounty hHealth eOfficer and as set forth in the fFood eOfficial iInspection rReport. For the purposes of this provision, a fFood fFacility shall include a fFood fFacility operating in conjunction with a fFood pProcessing eEstablishment.

B. The eCounty hHealth eOfficer, in his discretion, may immediately close any fFood fFacility which, upon completion of the rRoutine iInspection, achieves a total numerical percentage score less than seventy (70) percent as set forth in Section 8.04.225. Nothing in this provision shall prohibit the eCounty hHealth eOfficer

from immediately closing any ~~f~~Food ~~f~~Facility if, in ~~his~~the County Health Officer's discretion, immediate closure is necessary to protect the public health.

SECTION 71. Section 8.04.277 is hereby amended to read as follows:

8.04.277 Interim Housing Facility.

"Interim ~~h~~Housing ~~f~~Facility" means any premises, structures, or portion thereof (except any hospital or other health facility as defined in ~~section 1250 of the~~California Health and Safety Code section 1250 and except any mental health or alcoholism and drug abuse rehabilitation or treatment facility licensed by the State of California), used or intended to be used as a place where provisional sleeping or rooming accommodations are furnished on a temporary basis to persons who lack permanent housing, are experiencing homelessness or are at imminent risk of becoming homeless, with or without compensation from the resident and with or without meal service.

"Interim ~~h~~Housing ~~f~~Facility" includes, but is not limited to, bridge housing, crisis housing, recuperative care housing, stabilization housing, recovery bridge housing, and shelters.

SECTION 72. Section 8.04.280 is hereby amended to read as follows:

8.04.280 Laundry.

A. "Laundry" means any building, room or place, or portion thereof, used for the washing, ironing or drying of clothing, linen, towels, uniforms, and other similar articles for money or other consideration.

B. Also, "~~l~~Laundry" includes any establishment, except apartment houses, hotels, ~~t~~Tourist ~~e~~Courts, ~~m~~Motels, or mobilehome parks, in which six or more customer-operated laundry machines are installed and permitted to be used for a fee.

SECTION 73. Section 8.04.283 is hereby amended to read as follows:

8.04.283 Limited Service Charitable Feeding Operation.

"Limited sService eCharitable fFeeding eOperation" means an operation for food service to a consumer solely for providing charity, that is conducted by a nonprofit charitable organization operating with a registration from the County Health Officer, and whose food service is limited to the functions specified by State law.

SECTION 74. Section 8.04.285 is hereby amended to read as follows:

8.04.285 Local sSmall wWater sSystems.

"Local sSmall wWater sSystems" means a water system for the provision of piped water to county-owned or county-operated facilities, such as a fire station, library, school, or other similar institutions, for human consumption which serves at least one (1), but not more than four (4), service connections. Shared well agreement parcels and single parcels of land with homes occupied by members of the same family shall not be included in this classification.

SECTION 75. Section 8.04.288 is hereby amended to read as follows:

8.04.288 Massage Establishments.

"Massage Establishment" means any business that offers "mMassage₁"; "mMassage sServices₁"; or "mMassage tTherapy₁"; including, but not limited to, reflexology, fomentations, shiatsu, alcohol rubs, Russian, Swedish, Turkish baths, or acupressure or any combination thereof in exchange for compensation at a fixed place of business. Any business that offers any combination of "mMassage tTherapy" and "bBath fFacilities" — including, but not limited to, showers, baths, wet and dry heat rooms, pools and hot tubs — shall be deemed a "Massage Establishment" under this

Chapter. Excluded from the definition of "Massage Establishment" shall be any "eCommercial sSex venue" as defined in Section 11.04.310.

SECTION 76. Section 8.04.300 is hereby amended to read as follows:

8.04.300 Milk ~~w~~Warehouse.

"Milk ~~w~~Warehouse" means any place, building, structure, room or portion thereof other than where milk is bottled or processed, where milk is commercially stored or held for transfer at a temperature of fifty (50) degrees Fahrenheit or below.

SECTION 77. Section 8.04.305 is hereby amended to read as follows:

8.04.305 Mobile ~~b~~Body ~~a~~Art ~~f~~Facility.

"Mobile ~~b~~Body ~~a~~Art ~~f~~Facility" means a vehicle, conveyance, or other mobile platform approved for use by the department as a ~~b~~Body ~~a~~Art ~~f~~Facility.

SECTION 78. Section 8.04.306 is hereby amended to read as follows:

8.04.306 Mobile ~~f~~Food ~~f~~Facility.

"Mobile ~~f~~Food ~~f~~Facility" means any vehicle used in conjunction with a eCommissary or other permanent ~~f~~Food ~~f~~Facility upon which food is sold or distributed at retail. "Mobile ~~f~~Food ~~f~~Facility" does not include a "~~t~~ransporter" used to transport packaged food from a ~~f~~Food ~~f~~Facility, or other approved source to the consumer.

A. "Mobile Food Facility, High Risk" means a Mobile Food Facility that prepares food, including raw meat, raw fish, or raw poultry, for retail sale.

B. "Mobile Food Facility, Low Risk" means a Mobile Food Facility that sells only whole, uncut, uncooked produce, frozen ice cream, pre-packaged ice cream bars or frozen fruit-based bars, or prepackaged non-potentially hazardous foods, for retail sale.

C. "Mobile Food Facility, Moderate Risk" means a Mobile Food Facility that offers potentially hazardous foods or prepared food that does not include any raw meat, raw fish, or raw poultry, for retail sale.

SECTION 79. Section 8.04.308 is hereby added to read as follows:

8.04.308 Mobile Food Facility Route Sheet.

"Mobile Food Facility Route Sheet" means a form obtained from the County Health Officer prior to the issuance of a Public Health Permit that lists the address, telephone number, arrival and departure times of each location where the retail food business will be conducted.

SECTION 80. Section 8.04.310 is hereby deleted in its entirety:

~~**8.04.310 Mobile food preparation units.**~~

~~"Mobile food preparation units" means any vehicle upon which ready-to-eat food is prepared, cooked, wrapped, packaged, or portioned for service, sale or distribution. However, for fee purposes, the term "mobile food preparation vehicle" shall not include other types of vehicles specifically defined in this Chapter 8.04, Part 1.~~

SECTION 81. Section 8.04.311 is hereby amended to read as follows:

8.04.311 Mobile sSupport uUnit.

"Mobile sSupport uUnit" means a vehicle used in conjunction with a eCommissary or other permanent fFood fFacility that travels to and services mMobile fFood fFacilities as needed to replenish supplies, including food and potable water, clean the interior of the unit, or dispose of liquid or solid wastes. ~~The county health officer shall have the discretion to score a mobile support unit pursuant to the method set forth in Section 8.04.225.~~

SECTION 82. Section 8.04.315 is hereby amended to read as follows:

8.04.315 Monitoring wWell.

"Monitoring wWell" means a monitoring well as defined in ~~Section 13712~~ of the California Water Code section 13712.

SECTION 83. Section 8.04.316 is hereby amended to read as follows:

8.04.316 Motion pPicture eCatering eOperation.

A "mMotion pPicture eCatering eOperation" shall consist of a "mMobile fFood fFacility," no more than two (2) mobile storage vehicles and outdoor food preparation and service areas, where the operator is under contract to operate at a licensed film studio or at a site with a permit for filming on location, which permit is issued by the appropriate city or the eCounty.

SECTION 84. Section 8.04.320 is hereby amended to read as follows:

8.04.320 Multiple dDwelling uUnit.

"Multiple dDwelling uUnit" means:

A. Any structure, including an apartment house, condominium, or any portion of any structure, occupied, designed, or built, or rented for occupation as a home by five (5) or more families, each living in a separate unit and cooking within such structure;

B. A group of five (5) or more dDwelling uUnits, including a condominium, other than a hotel, mMotel or tTourist eCourt, as defined in this eChapter, located upon a single lot, adjoining lots or parcel of land and upon which the vacant or unoccupied portion thereof surrounding or abutting on said dDwelling uUnits is used or intended to be used in common by the inhabitants thereof;

C. A "eCondominium" which consists of a parcel or area of land on which there exists a building or buildings, or portions thereof, occupied, designed or built, or rented for occupation as a home for five (5) or more families, each living in a separate eDwelling uUnit and cooking within such structure, the vacant or unoccupied portion thereof surrounding or abutting said dwelling is used or intended to be used in common by the inhabitants thereof.

SECTION 85. Section 8.04.330 is hereby amended to read as follows:

8.04.330 Non-community/sState sSmall wWater sSystem.

"Non-community/sState sSmall wWater sSystem," as used in this eChapter, means public water systems, as defined in Health and Safety Code section 116275(j) and (n) Section 64411, Title 22, California Administrative Code as either a non-community water system or a sState small water system.

SECTION 86. Section 8.04.331 is hereby amended to read as follows:

8.04.331 Non-community wWater sSystems Non-transient pPopulation.

"Non-community wWater sSystems—Non-transient pPopulation" means a non-community water system as defined in California Health and Safety Code, Section 116275(j) which regularly serves twenty-five (25) or more of the same persons for more than six (6) months per year.

SECTION 87. Section 8.04.332 is hereby amended to read as follows:

8.04.332 Non-community wWater sSystems—Transient pPopulation.

"Non-community wWater sSystems—Transient pPopulation" means a non-community water system as defined in California Health and Safety Code, Section 116275(j) which regularly serves fewer than twenty-five (25) of the same persons for more than six (6) months per year.

SECTION 88. Section 8.04.333 is hereby amended to read as follows:

8.04.333 Non-conventional eOnsite wWastewater tTreatment sSystem.

"Non-conventional eOnsite wWastewater tTreatment sSystem" (NOWTS) means an eOnsite wWastewater tTreatment sSystem that utilizes one or more supplemental treatment components to provide further treatment of the sewage effluent prior to discharging into the dispersal system. Supplemental treatment components include but are not limited to a three (3) compartment treatment tank, aerator, filter pods, pump, ultraviolet disinfection, clarifier, and effluent filtration.

SECTION 89. Section 8.04.334 is hereby amended to read as follows:

8.04.334 Non-diagnostic gGeneral hHealth aAssessment pProgram.

"Non-diagnostic gGeneral hHealth aAssessment pProgram" means any program engaged in the testing of human biological specimens for the purpose of referral to licensed sources of care, subject to the provisions of ~~Sections 1244 and 1244.1 of the~~ California Business and Professions Code sections 1244 and 1244.1.

SECTION 90. Section 8.04.335 is hereby amended to read as follows:

8.04.335 Notice of eClosure.

"Notice of eClosure" means a public notice that may be posted by the eCounty hHealth eOfficer at a fFood fFacility upon suspension or revocation of the facility's pPublic hHealth pPermit and that results in the immediate closure of the facility and the discontinuance of all operations of the fFood fFacility, by order of the eCounty hHealth eOfficer, because of violations of applicable federal, sState, and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health.

SECTION 91. Section 8.04.336 is hereby amended to read as follows:

8.04.336 Onsite wWastewater tTreatment sSystem.

"Onsite wWastewater tTreatment sSystem" (OWTS) means a system consisting of a septic tank with effluent discharging into a subsurface disposal field, into one (1) or more seepage pits, or into a combination of subsurface disposal field and seepage pits.

SECTION 92. Section 8.04.337 is hereby amended to read as follows:

**8.04.337 Onsite wWastewater tTreatment sSystem eEvaluation—
With nNo vVerification of pPrior sSystem aApproval.**

"Onsite wWastewater tTreatment sSystem eEvaluation—wWith nNo vVerification of pPrior sSystem aApproval" means the review of construction plans to repair an existing eOnsite wWastewater tTreatment sSystem (OWTS) or "nNon-eConventional eOnsite wWastewater tTreatment sSystem" (NOWTS) in order to restore the system to its originally intended condition or to determine that the proposed addition to a structure neither increases the designed flow nor requires greater capacities for an existing OWTS/NOWTS when evidence of the original approval of the system is not available.

SECTION 93. Section 8.04.338 is hereby amended to read as follows:

**8.04.338 Onsite ~~w~~Wastewater ~~t~~Treatment ~~s~~System ~~e~~Evaluation—
With ~~v~~Verification of ~~p~~Prior ~~s~~System ~~a~~Approval.**

"Onsite ~~w~~Wastewater ~~t~~Treatment ~~s~~System ~~e~~Evaluation—~~w~~With ~~v~~Verification of ~~p~~Prior ~~s~~System ~~a~~Approval" means the review of construction plans to repair an existing ~~e~~Onsite ~~w~~Wastewater ~~t~~Treatment ~~s~~System (OWTS) or ~~n~~Non-~~e~~Conventional ~~e~~Onsite ~~w~~Wastewater ~~t~~Treatment ~~s~~System (NOWTS) in order to restore the system to its originally intended condition or to determine that the proposed addition to a structure neither increases the designed flow nor requires greater capacities for an existing OWTS/NOWTS when evidence of the prior approval of the system is available.

SECTION 94. Section 8.04.338.5 is hereby amended to read as follows:

8.04.338.5 Organized Camp.

"Organized ~~e~~Camp" means an organized camp as defined in California Health and Safety Code section 18897.

SECTION 95. Section 8.04.339 is hereby amended to read as follows:

8.04.339 Owner ~~i~~Initiated ~~i~~Inspection.

"Owner ~~i~~Initiated ~~i~~Inspection" means an inspection of a ~~f~~Food ~~f~~Facility that is conducted no more than once in any 12-month period by the ~~e~~County ~~h~~Health ~~e~~Officer at the request of a ~~f~~Food ~~f~~Facility's owner to provide the ~~f~~Food ~~f~~Facility the opportunity to improve the letter grade or numerical score issued by the ~~e~~County ~~h~~Health ~~e~~Officer pursuant to the provisions of this ~~e~~Chapter.

SECTION 96. Section 8.04.345 is hereby amended to read as follows:

8.04.345 Permanent ~~s~~Supportive ~~h~~Housing.

"Permanent ~~s~~Supportive ~~h~~Housing" means housing which is available to, and intended for, persons who are homeless, or at-risk of homelessness, and have multiple barriers to employment and housing stability, which barriers include mental illness, chemical dependency, or other disabling or chronic health conditions. To qualify as "~~p~~Permanent ~~s~~Supportive ~~h~~Housing" each tenant household must have a lease, or a similar form of occupancy agreement, without a limit on length of tenancy, as long as the terms and conditions of the lease or occupancy agreement are met. Additionally, all members of tenant households must have facilitated access to case managers who provide access to supportive services, including intensive case management, information and referral to services to health and dental care, mental health services, substance abuse services, transportation coordination, and linkage to potential out-placements for tenants.

SECTION 97. Section 8.04.347 is hereby amended to read as follows:

8.04.347 Plan ~~e~~Check Submission and site evaluation and ~~site evaluation~~.

"Plan ~~e~~Check Submission and site evaluation" means ~~initial~~ the submission ~~review and approval~~ of construction plans for business categories subject to this ~~title~~ for review and approval to operate under a Public Health Permit, ~~allowing for two plan reviews, one interim and one final site visit to grant approval of improvements.~~ The County ~~Health~~ Officer shall recover the reasonable expenses incurred in making the necessary additional plan reviews and site inspections in order to grant final approval to an applicant for such approval.

SECTION 98. Section 8.04.349 is hereby amended to read as follows:

8.04.349 Post-Coastal Commission aApproval.

"Post-Coastal Commission aApproval" means the review of construction plans approved by the California Coastal Commission to ensure that no changes or additional requirements have been imposed on an eOnsite wWastewater tTreatment sSystem project that would pose a risk or threat to public health or safety.

SECTION 99. Section 8.04.351 is hereby amended to read as follows:

8.04.351 Pre-Coastal Commission aApproval.

"Pre-Coastal Commission aApproval" means the project review of an "eOnsite wWastewater tTreatment sSystem" (OWTS) or "nNon-conventional eOnsite wWastewater tTreatment sSystem" (NOWTS) project, which is located in the Coastal Zone and requires a California Coastal Commission review.

SECTION 100. Section 8.04.353 is hereby amended to read as follows:

8.04.353 Prepackaged fFood.

"Prepackaged fFood" means any food prepared at an approved source, properly labeled and packaged by the manufacturer to prevent any contamination of the food prior to opening and/or consumption by the consumer.

SECTION 101. Section 8.04.360 is hereby amended to read as follows:

8.04.360 Private bBoarding sSchool.

"Private bBoarding sSchool" means any institution providing room and board and giving a course of training similar to that given in any grade of public school or college, but shall not include any establishment maintained by a public school or college, nor shall it include eChildren's eCamps as defined in Section 8.04.080. A "pPrivate

hBoarding sSchool" may prepare and serve food to its students and employees without being classed as a "rRestaurant" as defined in Section 8.04.400.

SECTION 102. Section 8.04.365 is hereby amended to read as follows:

8.04.365 Production wWell.

"Production wWell" means a well or water well as defined in ~~Section 13710 of the California Water Code~~ section 13710.

SECTION 103. Section 8.04.370 is hereby deleted in its entirety:

~~**8.04.370 Processor-owned milk-delivery vehicle.**~~

~~"Processor-owned milk-delivery vehicle" means any vehicle owned by a processor of milk used for the delivery of milk at retail processed by such processor.~~

SECTION 104. Section 8.04.372 is hereby amended to read as follows:

8.04.372 Public hHealth lLicense.

"Public hHealth lLicense" means a written authorization, issued by the eCounty hHealth eOfficer, to conduct a particular business or a particular occupation, which is subject to regulation by the eCounty and without which license said conduct would be unlawful.

SECTION 105. Section 8.04.373 is hereby amended to read as follows:

8.04.373 Public hHealth pPermit.

"Public hHealth pPermit" means a written authorization to operate a hBody aArt fFacility, fFood eEstablishment or fFood fFacility, including but not limited to a fFood dDemonstrator, rRetail fFood mMarket, ~~retail food vehicle, dairy food~~ Independent Milk-Delivery vehicle, Mobile Food Facility, ~~mobile food preparation unit, personal hawker or~~

vVending mMachine, issued by the eCounty hHealth oOfficer, without which permit said operation would be unlawful.

SECTION 106. Section 8.04.380 is hereby amended to read as follows:

8.04.380 Public sSwimming aArea.

"Public sSwimming aArea" means any body of water used for swimming and open to the public, operated, maintained or supervised by any person who receives from the public, for its use, any money or other form of compensation, goods, wares, merchandise, labor or otherwise, but does not mean a swimming pool, or the area used for swimming along the Pacific Ocean.

SECTION 107. Section 8.04.390 is hereby amended to read as follows:

8.04.390 Public wWater sSystem.

"Public wWater sSystem" means any collection, treatment, storage or distribution facilities for the provision of piped water to the public, for domestic use, with at least five (5) service connections, or regularly serving an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year.

SECTION 108. Section 8.04.395 is hereby amended to read as follows:

8.04.395 Residential hHotel/sSingle rRoom oOccupancy.

"Residential hHotel/sSingle rRoom oOccupancy" means a hotel which rents single rooms for more than thirty (30) days to be used by individuals as their primary residence and for sleeping purposes.

SECTION 109. Section 8.04.403 is hereby deleted in its entirety:

~~**8.04.403** **Route location.**~~

~~The owner/operator of a mobile food facility or mobile support unit shall complete a Mobile Food Facility Route Sheet, obtained from the county health officer, listing the complete address, telephone number and arrival/departure times of each location where the retail food business is being conducted. The Mobile Facility Route Sheet shall be maintained on file at the Vehicle Inspection Program. The owner/operator of a mobile food facility or mobile support unit shall notify the county health officer of any significant changes to the Mobile Food Facility Route Sheet. Failure to provide an accurate and current Mobile Food Facility Route Sheet may result in suspension or revocation of the public health license or permit.~~

SECTION 110. Section 8.04.405 is hereby amended to read as follows:

8.04.405 **Routine i]nspection.**

"Routine i]nspection" means a periodic, unannounced inspection of any business or occupation specified in Section 8.04.720 to determine compliance with all applicable federal, s]tate and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health. A r]outine i]nspection shall not mean an inspection conducted by the e]County h]Health e]Officer to determine compliance with a previously issued f]ood e]Official i]nspection r]eport or any interim inspection conducted to determine compliance with specific regulations or legal requirements.

SECTION 111. Section 8.04.410 is hereby amended to read as follows:

8.04.410 Section.

Unless otherwise indicated by the context, "sSection" means a section of this eChapter.

SECTION 112. Section 8.04.415 is hereby amended to read as follows:

8.04.415 Senior fFeeding sSite.

"Senior fFeeding sSite" means a location which provides meals that were prepared at an offsite location previously approved by the County hHealth eOfficer, to senior citizens free of charge or at a reduced cost.

SECTION 113. Section 8.04.420 is hereby amended to read as follows:

8.04.420 Seepage/sSewage pPumping vVehicle.

"Seepage/sSewage pPumping vVehicle" means any vehicle used in whole or in part for the transportation of septic tank, cesspool, chemical toilet, or sewage seepage-pit cleanings.

SECTION 114. Section 8.04.422 is hereby amended to read as follows:

8.04.422 Service Connection.

"Service eConnection" means the point of connection between a customer's piping or constructed conveyance, and a water system's meter, service pipe, or constructed conveyance.

SECTION 115. Section 8.04.425 is hereby amended to read as follows:

8.04.425 Shared kKitchen eComplex.

"Shared kKitchen eComplex" means a fFood fFacility as defined under the California Retail Food Code or a food processing establishment as defined under the

California Wholesale Food Code, or both, that is used as a place of business for the exclusive purpose of providing commercial space and equipment to multiple individuals or business entities which commercially prepare or handle food that will be offered for sale. For purposes of this provision, "commercially prepare or handle" shall include, but shall not be limited to, the making, cooking, baking, mixing, processing, packaging, bottling, canning, or storing of food, and other necessary or related activities thereto.

SECTION 116. Section 8.04.428 is hereby amended to read as follows:

8.04.428 Shared Kitchen Complex Tenant, Retail Food Operator.

"Shared kitchen eComplex tenant, retail food eoperator" means an individual or business entity operating within a shared kitchen ecomplex whose business is limited to the retail sale of food products. A shared kitchen ecomplex tenant retail food eoperator shall be permitted to prepare food for sale or service at a location other than the shared kitchen ecomplex, including but not limited to, catered events, ecommunity events and trade shows. A shared kitchen ecomplex tenant retail food eoperator shall comply with all equipment, food safety, and public health requirements set forth in applicable state and local laws, regulations, and ordinances when conducting those activities set forth in Section 8.04.425 within a shared kitchen ecomplex.

SECTION 117. Section 8.04.430 is hereby amended to read as follows:

8.04.430 Shared Kitchen Complex Tenant, Wholesale Food Processor.

"Shared kitchen eComplex tenant, wholesale food processor" means an individual or business entity operating within a shared kitchen ecomplex who is

authorized by the County Health Officer to conduct one of the following food processor businesses: (a) wholesale only, or (b) wholesale and retail. A Shared Kitchen Complex Tenant, Wholesale Food Processor may prepare food for sale or service at another location. A Shared Kitchen Complex Tenant Wholesale Food Processor shall be permitted to prepare food for sale or service at a location other than the Shared Kitchen Complex, including but not limited to catered events, Community Events, and trade shows. A Shared Kitchen Complex Tenant Wholesale Food Processor shall be permitted to prepare and package food for sale to third party distributors, wholesalers, and other permitted Food Facilities. The Shared Kitchen Complex Tenant Wholesale Food Processor shall comply with all equipment, food safety, and public health requirements set forth in applicable State and local laws, regulations, and ordinances when conducting those activities set forth in Section 8.04.425 within a Shared Kitchen Complex.

SECTION 118. Section 8.04.431 is hereby added to read as follows:

8.04.431 Site Evaluation.

"Site Evaluation" means an evaluation of a facility to ensure it meets the minimum structural and operational requirements for the proposed operation prior to applying for a Public Health Permit or License.

SECTION 119. Section 8.04.432 is hereby amended to read as follows:

8.04.432 Soft sServe.

"Soft sServe" means the manufacturing of dairy and non-dairy products, as defined in the ~~State~~California Food and Agriculture Code, which include the following: ice cream from ice cream mix, or frozen yogurt from frozen yogurt mix, or lowfat yogurt

from lowfat yogurt mix, or lowfat frozen dairy dessert from lowfat frozen dairy dessert mix, or nonfat frozen dairy dessert from nonfat frozen dairy dessert mix, when such products are manufactured from a dispensing freezer unit and are dispensed directly in a semi_frozen state, to a retail customer at a fFood eEstablishment or fFood fFacility which has been issued a valid pPublic hHealth pPermit by the eCounty hHealth eOfficer.

SECTION 120. Section 8.04.433 is hereby amended to read as follows:

8.04.433 Soft sServe sSampling.

"Soft sServe sSampling" means the securing of a sample of sSoft sServe, by the eCounty hHealth eOfficer, from a dispensing freezer unit of a fFood eEstablishment or fFood fFacility, for laboratory testing to ensure that the sample does not exceed the maximum limits for bacteria, yeast or mold, as specified in the ~~State~~California Food and Agriculture Code.

SECTION 121. Section 8.04.434 is hereby amended to read as follows:

8.04.434 Soft sServe rResampling.

"Soft sServe rResampling" means the third and all subsequent, additional, consecutive sSoft sServe sSampling, from a dispensing freezer unit of a fFood eEstablishment or fFood fFacility, where laboratory testing of the two (2) previous soft serve samplings demonstrated that the two (2) previous soft serve samplings exceeded the maximum limits for bacteria, yeast or mold, as specified in the ~~State~~California Food and Agriculture Code.

SECTION 122. Section 8.04.435 is hereby amended to read as follows:

8.04.435 Swap mMeet pPrepackaged fFood bBooth.

"Swap mMeet pPrepackaged fFood bBooth" means a tTemporary fFood fFacility, as defined by ~~Section 114335(a) of the California Health and Safety Code~~ section 114335(a), operated at a swap meet, by a swap meet operator or its lessee, which offers for sale, or gives away, only non-potentially hazardous prepackaged foods, and whole, uncut produce. As used in this sSection, "sSwap mMeet" and "sSwap mMeet oOperator" shall have the meanings set forth in ~~Section 21661 of the California~~ Business and Professions Code section 21661.

SECTION 123. Section 8.04.436 is hereby amended to read as follows:

8.04.436 State sSmall wWater sSystems.

"State sSmall wWater sSystems" means a system for the provision of piped water to the public for human consumption which serves at least five (5), but not more than fourteen (14), service connections.

SECTION 124. Section 8.04.440 is hereby amended to read as follows:

8.04.440 Swimming pPool.

"Swimming pPool" means a wholly artificial basin, chamber or tank, constructed or prefabricated with impervious bottoms and sides, that is intended for recreational or therapeutic use. "Swimming pPool" includes spa pools, special purpose pools, and wading pools, but does not include baths where the main purpose is the cleansing of the body, nor individual therapeutic tubs that are drained and sanitized between each use. "Swimming pPool" does not include any pool that is intended for non-commercial use as a pool by the occupants of not more than three (3) eDwelling oOr living uUnits.

SECTION 125. Section 8.04.441 is hereby amended to read as follows:

8.04.441 Swimming ~~p~~Pool, ~~h~~High ~~r~~Risk.

"Swimming ~~p~~Pool, ~~h~~High ~~r~~Risk," means a swimming pool, as defined in Section 8.04.440, located at a health club or water theme park.

SECTION 126. Section 8.04.442 is hereby amended to read as follows:

8.04.442 Swimming ~~p~~Pool, ~~l~~Low ~~r~~Risk/~~l~~Limited ~~u~~Use.

"Swimming ~~p~~Pool, ~~l~~Low ~~r~~Risk/~~l~~Limited ~~u~~Use," means a ~~s~~Swimming ~~p~~Pool, as defined in Section 8.04.440, located at multiple family dwellings with four (4) or more living units, mobile home parks, community pools that serve a collection of single family dwellings, and pools operated for six (6) months or less during the year that are kept empty when not in operation.

SECTION 127. Section 8.04.443 is hereby amended to read as follows:

8.04.443 Swimming ~~p~~Pool, ~~m~~Moderate ~~r~~Risk.

"Swimming ~~p~~Pool, ~~m~~Moderate ~~r~~Risk," means a ~~s~~Swimming ~~p~~Pool, as defined in Section 8.04.440, located at a hotel, ~~m~~Motel, public, or private school, ~~e~~Children's ~~e~~Camp, swim school, country club, municipal facility, organization, or medical facility.

SECTION 128. Section 8.04.450 is hereby amended to read as follows:

8.04.450 Tax ~~e~~Collector.

"Tax ~~e~~Collector" means the Treasurer and Tax Collector of the ~~e~~County of Los Angeles, or ~~h~~the Treasurer and Tax Collector's duly authorized representative.

SECTION 129. Section 8.04.452 is hereby amended to read as follows:

8.04.452 Temporary fFood fFacility.

"Temporary fFood fFacility" means a temporary food facility, as defined in the California Health and Safety Code, §113930, approved by the County HHealth oofficer, which operates at an approved eCommunity eEvent.

SECTION 130. Section 8.04.453 is hereby amended to read as follows:

8.04.453 Temporary fFood fFacility, dDemonstrator.

"Temporary fFood fFacility, dDemonstrator" means a tTemporary fFood fFacility operated at a eCommunity eEvent for the purpose of offering or serving packaged or non-packaged food, without charge, to the public for the purpose of publicizing, advertising, or promoting the sale of food products or food equipment, which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 131. Section 8.04.454 is hereby amended to read as follows:

8.04.454 Temporary fFood fFacility, pPrepackaged.

"Temporary fFood fFacility, pPrepackaged" means a tTemporary fFood fFacility operating at a eCommunity eEvent which offers for sale only commercially pPrepackaged fFood with or without offering prepackaged samples, and which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 132. Section 8.04.455 is hereby amended to read as follows:

8.04.455 Temporary fFood fFacility, pPrepackaged wWith fFood sSampling.

"Temporary fFood fFacility, pPrepackaged wWith fFood sSampling" means a tTemporary fFood fFacility operating at a eCommunity eEvent which offers for sale only commercially prepackaged food and offers or serves nonpackaged food to the public without charge for the purpose of promoting the sale of food, and which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 133. Section 8.04.456 is hereby amended to read as follows:

8.04.456 Temporary fFood fFacility, fFood pPreparation.

"Temporary fFood fFacility, fFood pPreparation" means a tTemporary fFood fFacility operating at a eCommunity eEvent which offers for sale non-packaged food, and which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 134. Section 8.04.457 is hereby amended to read as follows:

8.04.457 Temporary fFood bBooth at sSingle lLocation aAnnual, pPrepackaged.

"Temporary fFood bBooth at sSingle lLocation aAnnual, pPrepackaged" means a prepackaged tTemporary fFood fFacility ~~as defined in Section 8.04.454~~, which operates as a food booth at a eCommunity eEvent or multiple eCommunity eEvents held at a single location for up to twelve (12) months per year.

SECTION 135. Section 8.04.458 is hereby amended to read as follows:

8.04.458 Temporary fFood bBooth at sSingle lLocation aAnnual, pPrepackaged wWith fFood sSampling.

"Temporary fFood bBooth at sSingle lLocation aAnnual, pPrepackaged wWith fFood sSampling" means a prepackaged tTemporary fFood fFacility wWith fFood sSampling as defined in Section 8.04.455, which operates as a food booth at a eCommunity eEvent or multiple eCommunity eEvents held at a single location for up to twelve (12) months per year.

SECTION 136. Section 8.04.459 is hereby amended to read as follows:

8.04.459 Temporary fFood bBooth at sSingle lLocation aAnnual fFood bBooth, fFood pPreparation.

"Temporary fFood bBooth at sSingle lLocation aAnnual fFood bBooth, fFood pPreparation" means a tTemporary fFood fFacility, fFood pPreparation as defined in Section 8.04.456, which operates as a food booth at a eCommunity eEvent or multiple eCommunity eEvents held at a single location for up to twelve (12) months per year.

SECTION 137. Section 8.04.460 is hereby amended to read as follows:

8.04.460 Theater.

A. "Theater" means any building, room or place where any play, motion picture, concert, opera, circus, trick or jugglery show, or gymnastic exhibition is held, given or shown, and where an admission fee is charged.

B. For fee purposes, "tTheater" shall not include cafes, nightclubs, and similar establishments which have a valid restaurant pPublic hHhealth pPermit and

where the seats for the audience are counted in computing the restaurant ~~p~~Public
hHealth ~~p~~Permit fee.

C. A "~~t~~Theater" may, however, have a snack bar or a refreshment stand without being classified as a restaurant, if no food items are prepared on the premises.

SECTION 138. Section 8.04.470 is hereby amended to read as follows:

8.04.470 Toilet ~~r~~Rental ~~a~~Agency.

"Toilet ~~r~~Rental ~~a~~Agency" means any person who supplies or maintains toilet structures to be used for temporary periods.

SECTION 139. Section 8.04.480 is hereby amended to read as follows:

8.04.480 Toilet ~~s~~Structure.

"Toilet ~~s~~Structure" means any room or compartment provided and maintained for a temporary period of time at a construction site or other similar temporary location, to be used for defecation or urination purposes. Said room or compartment may include but is not limited to a chemical toilet or a water-closet room satisfactory for the purposes for which it is intended to be used.

SECTION 140. Section 8.04.485 is hereby amended to read as follows:

8.04.485 Tobacco ~~r~~Retailing.

"Tobacco ~~r~~Retailing" means selling, offering for sale or distribution, exchanging, or offering to exchange, for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia, without regard to the quantity sold, distributed, exchanged, or offered for exchange.

SECTION 141. Section 8.04.490 is hereby amended to read as follows:

8.04.490 Tourist eCourt or mMotel.

"Tourist eCourt" or "mMotel" means a group of attached or detached buildings containing six (6) or more individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, mMotels or motor lodges.

SECTION 142. Section 8.04.500 is hereby amended to read as follows:

8.04.500 Vending mMachine.

A. "Vending mMachine" means any self-service device offered for public use, which upon the insertion of coins, or tokens, or by other means dispenses unit servings of food or drink, either in bulk, cups or in packages, without the necessity of replenishing the device between each vending operation.

B. For purposes of this eChapter, however, "vVending mMachine" shall not include vending machines that dispense, exclusively, bottled drinks, gum, candy or other not readily perishable food when it is determined by the County hHealth eOfficer that such vending machines do not require rRoutine inspection for the protection of the public health.

SECTION 143. Section 8.04.510 is hereby amended to read as follows:

8.04.510 Vending mMachine bBusiness.

"Vending mMachine bBusiness" means the business of selling food or drinks by means of vending machines by one person, regardless of the number of locations at which the vending machines are located.

SECTION 144. Section 8.04.520 is hereby amended to read as follows:

8.04.520 Water Treatment system.

"Water Treatment system" means any water-using or water-operated equipment, mechanism, device or contrivance installed on any domestic water-supply line to or within any consumer premises, for use with or without the introduction of chemicals for purposes of water treatment. Approved salt (sodium chloride) regenerated zeolite water-softeners are excepted for purposes of this chapter.

SECTION 145. Section 8.04.522 is hereby amended to read as follows:

8.04.522 Well construction.

"Well construction" means to drill, dig, bore, or excavate any well or to convert any industrial, or irrigation well for use as a domestic water well.

SECTION 146. Section 8.04.523 is hereby amended to read as follows:

8.04.523 Well destruction.

"Well destruction" means to destroy a well as defined in ~~Los Angeles County Code, Title 11, Section 11.38.330.~~

SECTION 147. Section 8.04.524 is hereby amended to read as follows:

8.04.524 Well renovation.

"Well renovation" means to deepen an existing well or any modification of an existing well or well casing.

SECTION 148. Section 8.04.525 is hereby amended to read as follows:

8.04.525 Well yYield tTest.

A "Well yYield tTest" means the established protocol acceptable to the Director by which an authorized tester as defined in Section 11.38.275, investigates the sustainability of a water source through pumping and recovery measurements.

SECTION 149. Section 8.04.530 is hereby amended to read as follows:

8.04.530 Wiping rRag bBusiness.

"Wiping rRag bBusiness," as used in this Chapter, means the business of laundering, sanitizing, or selling wiping rags.

SECTION 150. Section 8.04.540 is hereby amended to read as follows:

8.04.540 Purpose and Statutory Authority of Chapter Provisions.

The purpose of the ordinance codified in this Chapter is to establish a Public hHealth lLicense, Public hHealth pPermit, endorsement, and public health registration fee system for activities subject to State statutes, orders, quarantines, rules, or regulations relating to public health, so that County expenses resulting from enforcement of such State statutes, rules, or regulations are offset by the fees collected. The authority for this Chapter is California Health and Safety Code section 101325 and Food and Agricultural Code section 33252.

SECTION 151. Section 8.04.550 is hereby amended to read as follows:

8.04.550 Jurisdiction.

Public hHealth lLicenses and pPermits required by this Chapter shall be required of any business or activity within the area in which the County hHealth

Officer enforces any State statute, order, quarantine, rule, or regulation relating to public health, whether within or outside an incorporated city.

SECTION 152. Section 8.04.560 is hereby amended to read as follows:

8.04.560 Business in Fixed Location—Public Health License and Permit Requirements.

Any person conducting, at a fixed location, any business, occupation or other activity listed in Section 8.04.720 of this Chapter within the geographic area under the jurisdiction of the County Health Officer shall procure a County Public Health License or Permit from the County Health Officer. Such license or permit shall be in addition to any other license or permit required by this County or by any other public jurisdiction.

SECTION 153. Section 8.04.570 is hereby amended to read as follows:

8.04.570 Business in Fixed Location—Receipted Tax Bill in Lieu of When.

Notwithstanding Section 8.04.560, any person conducting at a fixed location any business, occupation, or other activity which is the subject of a direct assessment pursuant to Part 3 of this Chapter shall be permitted to use their receipted tax bill in lieu of a Public Health License.

SECTION 154. Section 8.04.580 is hereby amended to read as follows:

8.04.580 Itinerant Businesses—Public Health Permit Requirements.

A.—Any person conducting a business, occupation, or other activity listed in Section 8.04.720 of this Chapter within the geographic area under the jurisdiction of

the eCounty hHealth eOfficer, but not at a fixed location, shall procure each year a eCounty pPublic hHealth pPermit from the eCounty hHealth eOfficer. Such permit shall be in addition to any other license or permit required by this eCounty or by any other public jurisdiction.

~~B. Either the lessor or the lessee of a food vehicle must obtain a permit. If the lessor obtains the permit and there is a change in the lessee, he shall notify the county health officer and obtain a new permit. If a lessee obtains the permit, any subsequent lessee shall obtain a new permit.~~

SECTION 155. Section 8.04.590 is hereby amended to read as follows:

8.04.590 Separate pPublic hHealth lLicenses and pPermits for sSeparate aActivities.

If a person engages in, conducts, manages, or carries on at the same time more than one of the activities for which a pPublic hHealth lLicense or pPermit is required by this eChapter, ~~he~~ such person shall be deemed to be engaging in, conducting, managing, and carrying on each such activity separately and apart from the other such activity, and a separate license or permit shall be procured for each activity, whether located on the same premises or not, except in those cases specifically mentioned in this eChapter.

SECTION 156. Section 8.04.595 is hereby amended to read as follows:

8.04.595 ~~Public health license and permit—Annual certification inspection~~ Mobile Food Facility Certification.

The owner/operator of a mMobile fFood fFacility or mMobile sSupport uUnit shall obtain ~~an annual certification inspection~~ from the eCounty hHealth eOfficer prior to

~~beginning operation. The enforcement agency shall initially approve all mobile food facilities and mobile support units as complying with California Health and Safety Code Chapters 1-8, inclusive, 10 and 13. The county health officer shall then issue a certification sticker which shall be affixed to the mobile food facility or mobile support unit. The sticker will be valid during the fiscal year corresponding to the mobile food facility's or mobile support unit's current public health operating permit. Failure to secure an annual a certification sticker shall result in a suspension or revocation of the pPublic hHealth lLicense or pPermit.~~

SECTION 157. Section 8.04.600 is hereby amended to read as follows:

8.04.600 Public hHealth lLicense and pPermit—Application rRequirements.

Every person desiring a pPublic hHealth lLicense or pPermit to conduct any business, occupation or other activity provided for in this eChapter shall file an application with the eCounty hHealth eOfficer upon a form to be provided by the eCounty hHealth eOfficer, and at such time pay the required fee and penalty, if any.

SECTION 158. Section 8.04.610 is hereby amended to read as follows:

8.04.610 Public hHealth lLicense and pPermit—County hHealth eOfficer aAction on aApplication.

Upon receipt of an application with all pertinent data and the pPublic hHealth lLicense or pPermit fee, and on condition that the applicant meets all criteria required by law, the eCounty hHealth eOfficer, shall issue the license or permit to the licensee or permittee.

SECTION 159. Section 8.04.620 is hereby amended to read as follows:

8.04.620 Biennial eCertification examination fee.

Certified backflw prevention device testers shall be examined biennially to certify their competence in backflw prevention device testing and reporting. An examination fee shall be established to offset the costs of administering the certification examination.

SECTION 160. Section 8.04.630 is hereby amended to read as follows:

8.04.630 Water treatment system evaluation investigation fee.

Proposals for installation of water treatment systems shall be investigated and evaluated to determine the need for and suitability of the proposed water treatment system. A fee shall be established to offset the costs of the water treatment system evaluation investigation.

SECTION 161. Section 8.04.635 is hereby amended to read as follows:

8.04.635 Plan check requirements for certain businesssifications.

A. Every person proposing to construct, remodel or change the public health license or permit classification of any business listed in Section 8.04.725 of ~~this chapter~~ shall make application to the county health officer and submit the required plan checking fees at the time of submission of plans to the county health officer.

B. Such Plan Checking Fees are in addition to any other Public Health License or Permit fees which may be required for the operation of these establishments.

C. A separate fee to conduct a Site Evaluation may be charged when such an evaluation is deemed necessary by the County Health Officer.

SECTION 162. Section 8.04.640 is hereby amended to read as follows:

**8.04.640 Public Health License and Permit—Period of
Validity—Renewals—Fee Proration.**

A. Except as provided in Subsection B of this Section, Public Health Licenses and Permits required by this Chapter shall be issued for a period of one year, with the license and permit year beginning on July 1st, and extending through June 30th of the following year. Such Licenses and Permits shall be renewable from year to year upon payment, on or before the delinquency date of each such year, of the fee required by Sections 8.04.710 and 8.04.720 ~~of this chapter~~, or upon payment of such fee plus penalties.

B. Where an initial Public Health License or Permit is issued to a person for a business or activity commencing during a license or permit year, the license or permit fee shall be:

1. If the business commences during the months of July, August or September, the full annual fee;
2. If the business commences during the months of October, November or December, three-quarters (3/4) of the annual fee;

3. If the business commences during the months of January, February or March, one-half (1/2) of the annual fee;

4. If the business commences during the months of April, May or June, one-quarter (1/4) of the annual fee.

C. License fees placed on the secured tax roll pursuant to Part 3 of this Chapter shall not be prorated.

SECTION 163. Section 8.04.645 is hereby amended to read as follows:

8.04.645 Fees for Additional Reinspections of Food-Related Businesses.

In addition to the Public Health License and Permit fees provided by Section 8.04.640, all persons engaged in the sale or processing of food shall pay the appropriate reinspection fee listed in Section 8.04.720 of this chapter. A reinspection fee shall be due and payable whenever:

A. The County Health Officer has given an official inspection report identifying a public health code violation or violations to the person who owns or operates such a business, and the notice contains a reinspection date by which the violation or violations must be corrected;

B. The violation or violations have not been corrected by the reinspection date provided on the official inspection report; and

C. An additional reinspection is necessary to determine that the violation or violations have been corrected.

SECTION 164. Section 8.04.650 is hereby amended to read as follows:

8.04.650 Notice ~~t~~To ~~b~~Be ~~g~~Given.

A. All official inspection reports issued to food-related businesses shall contain a notice similar to the following:

"Failure to correct the above violations by the compliance date may result in additional fees of (amount of fee) for each additional reinspection."

B. When an additional reinspection fee is due and payable pursuant to Section 8.04.645 of this eChapter, the eCounty hHealth eOfficer shall provide a written notice of additional reinspection fee and the delinquency date for payment of the fee to the person engaged in such business. The written notice shall provide a warning similar to the following:

"Notice — Because of necessary additional reinspections of your business, you must pay a fee of (amount of fee). The fee shall be collected by the eCounty hHealth eOfficer and must be received or postmarked on or before (date of delinquency).

Failure to pay such fee by this date shall result in the assessment of a penalty of \$50.00, plus interest of one and one-half (1-1/2) percent per month, in addition to the underlying fee."

SECTION 165. Section 8.04.655 is hereby amended to read as follows:

8.04.655 Collection of ~~r~~Reinspection ~~f~~Fee.

The reinspection fee, interest at the rate set forth in Section 8.04.840 and any penalty thereon shall be collected by the eCounty hHealth eOfficer. The eCounty hHealth eOfficer may add any unpaid balance to the amount due for any subsequent pPublic hHealth license or pPermit renewal or license or permit application by the

person who owns or operates such food-related business or refer any delinquent fees to the ~~Treasurer and~~ Tax Collector for collection. The total amount due shall be the license or permit fee for such business.

SECTION 166. Section 8.04.660 is hereby amended to read as follows:

**8.04.660 Public hHealth license or permit—~~Fictitious name~~
~~r~~Restrictions.**

A. A public hHealth license or permit may be issued pursuant to this eChapter to a corporation duly authorized to transact business in this eState, or to a person operating under a fictitious name who has complied with all of the provisions of ~~Section 1790 et seq.~~ of the California Business and Professions Code section 1790 et seq. ~~of this state~~ or any statute superseding or taking the place of such code sections. Otherwise, all such licenses or permits shall be issued in the true name of the individual or individuals applying therefor. Except as above provided, no business so licensed or issued a permit may operate under any false or fictitious name.

B. A public hHealth license or permit issued to a corporation shall designate such corporation by the exact name which appears in the articles of incorporation of such corporation.

SECTION 167. Section 8.04.670 is hereby amended to read as follows:

8.04.670 Fee exemptions—Blind persons.

A. The eCounty hHealth eOfficer shall issue without fee a public hHealth license or permit to any blind person who otherwise would be entitled to such license or permit if such person files with the eCounty hHealth eOfficer a certificate by a licensed physician and surgeon or by the California Department of Rehabilitation ~~of the~~

~~state of California that he~~such person is a blind person as those words are used in this ~~s~~Section.

B. As used in this ~~s~~Section a "blind person" means a person having not more than ten (10) percent visual acuity in the better eye with correction.

SECTION 168. Section 8.04.700 is hereby amended to read as follows:

8.04.700 Fee ~~e~~Exemptions—Conditions for ~~e~~Charitable

~~a~~Activities.

An activity for which a ~~p~~Public ~~h~~Health ~~l~~icense or ~~p~~Permit is required by this ~~e~~Chapter shall be deemed to qualify for a no-fee license or permit if:

A. The entity providing the activity complies with United States Code, Title 26, Internal Revenue Code, ~~S~~ection 501(c)(3); and

B. The activity which is being licensed or permitted exclusively provides:

1. Meals without charge to the recipient; or,

2. Housing without charge to the recipient or at reduced rents through

Permanent Supportive Housing as that term is defined in Section 8.04.345; or,

3. Therapeutic services without charge to the recipient. For purposes of this Section 8.04.700, "therapeutic services" shall mean activities intended to treat an illness or disability.

SECTION 169. Section 8.04.705 is hereby amended to read as follows:

8.04.705 Fees for ~~u~~Unlicensed ~~a~~Activities.

A. The ~~e~~County shall recover the cost of the County ~~h~~Health ~~e~~Officer's enforcement activities when they are otherwise not regulated by a ~~p~~Public ~~h~~Health

HLicense or pPermit as listed in Section 8.04.720. The eCounty shall also recover any reasonable costs that it may incur in connection with the collection of such fees.

B. The fee shall be assessed when:

1. The County hHealth eOfficer has issued an official inspection report or notice of violation requiring correction of a condition found to exist on property owned, maintained or occupied by the person or persons liable for such condition; or

2. The County hHealth eOfficer has spent at least one (1) hour in attempting to obtain correction of the condition.

C. The fee shall be determined in accordance with the Standard Hourly Billing Rate Schedule in Section 8.04.728, Subsection C.

SECTION 170. Section 8.04.710 is hereby amended to read as follows:

8.04.710 Fee rRequirements gGenerally.

Unless otherwise specified, the annual pPublic hHealth HLicense or pPermit fees required to be paid to perform or carry on, conduct or engage in any of the businesses, occupations, institutions or acts set forth in Section 8.04.720 within the area under the jurisdiction of the eCounty hHealth eOfficer shall be as listed in Section 8.04.720.

SECTION 171. Section 8.04.715 is hereby amended to read as follows:

8.04.715 Duty to eObey hHealth eOfficer.

In addition to paying the fee prescribed in Section 8.04.720, in order to perform or carry on, conduct or engage in any of the businesses, occupations, institutions, or acts set forth in Section 8.04.720 within the area under the jurisdiction of the eCounty hHealth eOfficer, and as a condition of the continued validity of a Public hHealth

License or permit, all persons shall comply with all State statutes, orders, quarantines, rules, regulations, or directives relating to the public health.

SECTION 172. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee Schedule.

Business Classification	Permit Fee
Animal Food Market	\$201.00
Animal Keeper:	
Category I	522.00
Category II	646.00
Category III	708.00
...	
<u>Commissary</u>	
<u>Cleaning and Storage Facility</u>	<u>310.00</u>
<u>Food preparation, 1-10 Mobile Food Facilities</u>	<u>678.00</u>
<u>Food preparation, 11+ Mobile Food Facilities</u>	<u>779.00</u>
<u>Food Storage and Cleaning Facility</u>	<u>401.00</u>
<u>Storage Facility</u>	<u>274.00</u>
<u>Compact Mobile Food Operation</u>	
<u>Auxiliary Conveyance Operator, Site-Specific</u>	<u>487.00</u>
<u>High Risk</u>	<u>592.00</u>
<u>Low Risk</u>	<u>126.00</u>
<u>Moderate Risk</u>	<u>299.00</u>

Cottage f <u>Food e</u> Operation, Class B	292.00
<u>Class B</u>	<u>292.00</u>
<u>With Compact Mobile Food Operation Storage</u>	<u>336.00</u>
<u>Dependent Food Operator</u>	<u>309.00</u>
...	
Food vehicle:	
— Food vehicle, independent delivery	127.00
— Mobile food facility— food cart, low risk	393.00
— Mobile food facility— food cart, high risk	772.00
— Mobile food facility— food truck, low risk	692.00
— Mobile food facility— food truck, high risk	905.00
Food vehicle commissary:	
— 0 to 10 vehicles	573.00
— 11 or more vehicles	652.00
Food vehicle storage facility	382.00
Food vehicle cleaning and storage facility	421.00
...	
<u>Independent Milk-Delivery Vehicle</u>	<u>127.00</u>
...	
<u>Mobile Food Facility:</u>	
<u>Low Risk</u>	<u>325.00</u>
<u>Moderate Risk</u>	<u>598.00</u>

<u>High Risk</u>	<u>761.00</u>
<u>Mobile Support Unit</u>	<u>313.00</u>
...	
<u>Personal hawkker</u>	<u>224.00</u>
...	

SECTION 173. Section 8.04.725 is hereby amended to read as follows:

8.04.725 Schedule of Plan Check Fees.

The schedule of pPlan eCheck fEes to be paid at the time plans are submitted to the County Health Officer shall be as follows:

Business Classification	Plan Check Fees
Body a <u>A</u> rt f <u>F</u> acility:	
Permanent e <u>C</u> osmetics	\$343.00
Remodel	343.00
Tattooing, Piercing, Branding	568.00
...	
<u>Commissary:</u>	
<u>Cleaning and/or Storage Facility</u>	<u>402.00</u>
<u>Food Preparation, High Risk</u>	<u>796.00</u>
<u>Food Storage and Cleaning Facility</u>	<u>546.00</u>
<u>Compact Mobile Food Operation:</u>	
<u>Approved Model Plan Final Evaluation, Pre-Packaged</u>	<u>246.00</u>
<u>Approved Model Plan Final Evaluation, Unpackaged</u>	<u>285.00</u>

<u>Home Storage Endorsement</u>	<u>199.00</u>
<u>Prepackaged Potentially Hazardous Food</u>	<u>439.00</u>
<u>Unpackaged Food</u>	<u>633.00</u>
...	
Food vehicle, retail	746.00
Food vehicle commissary	796.00
Food vehicle storage facility	201.00
Food vehicle cleaning and storage facility	201.00
...	
<u>Mobile Food Facility:</u>	
<u>High Risk</u>	<u>741.00</u>
<u>Low or Moderate Risk</u>	<u>544.00</u>
<u>Mobile Support Unit</u>	<u>441.00</u>
...	

SECTION 174. Section 8.04.728 is hereby amended to read as follows:

8.04.728 Service Charges—Basis—Payment.

A. Whenever another government jurisdiction requires a person to secure an inspection, evaluation, report or approval by the County Health Officer, necessitating the County Health Officer to provide a service, such person shall pay a fee to offset the costs incurred by the County Health Officer as set forth in this sSection.

...

F. Following is the Schedule of Service Charges for services provided by the County Health Officer. Failure to pay said fees constitutes a violation of this Section and may be prosecuted as such.

Backflow <u>p</u> revention <u>a</u> ssembly <u>D</u> evice (each):	\$37.00
Backflow <u>p</u> revention <u>d</u> evice tester:	
Biennial <u>e</u> certification <u>e</u> xamination <u>t</u> ester f <u>e</u> e	340.00
Listing of certified <u>b</u> ackflow <u>p</u> revention <u>d</u> evice <u>t</u> esters	276.00
...	
g. Mobile Food Facility, <u>L</u> ow Risk	421.00 <u>298.00</u>
h. Mobile Food Facility, <u>M</u> oderate Risk	<u>326.00</u>
i. Mobile Food Facility, <u>H</u> igh Risk	<u>416.00</u>
...	
Shared <u>k</u> itchen <u>e</u> complex:	
Shut <u>d</u> own <u>t</u> est for Alternate Water Systems	2,368.00
<u>S</u> ite <u>E</u> valuation	<u>1 Hour Minimum Standard</u> <u>Billing Hourly Rate</u>
...	

SECTION 175. Section 8.04.730 is hereby amended to read as follows:

8.04.730 Public hHealth license and permit—Contents.

Each public hHealth license and permit shall state the person to whom, and the kind of business or businesses, the account identifier, and the location for which it is

issued, and the date of issuance, the license or permit period for which it is issued, and shall refer to this Chapter and be signed by the County Health Officer.

SECTION 176. Section 8.04.740 is hereby amended to read as follows:

8.04.740 Public Health License and Permit—Exhibition on Request.

Every person having a Public Health License or Permit under the provisions of this Chapter shall produce and exhibit the same whenever requested to do so by any officer authorized to issue, inspect or collect licenses and permits.

SECTION 177. Section 8.04.750 is hereby amended to read as follows:

8.04.750 Public Health License and Permit—Posting at Fixed Place of Business.

Every person having a Public Health License or Permit under the provisions of this Chapter and conducting, managing or carrying on a business or occupation at a fixed place of business, shall keep such license or permit posted and exhibited while in force in some conspicuous part of said place of business.

SECTION 178. Section 8.04.752 is hereby amended to read as follows:

8.04.752 Posting Requirements—Penalty for Noncompliance—Documents Available for Public Review.

A. Upon issuance by the County Health Officer, the County Health Officer shall post at every Food Facility the Letter Grade Card or the Inspection Score Card as determined by the County Health Officer, so as to be clearly visible to the general public and to patrons entering the facility. "Clearly visible to the general public and to patrons" means:

1. Posted in the front window of the food facility within five (5) feet of the front door or posted in a display case mounted on the outside front wall of the food facility within five (5) feet of the front door;

2. Posted adjacent to the pass out window on a mobile food facility, or on the customer service side of an unenclosed mobile food facility; or

3. Posted in a location as directed and determined in the discretion of the ecounty hhealth eofficer to ensure proper notice to the general public and to patrons.

B. In the event that a food facility is operated in the same building or space as a separately licensed or permitted business, or in the event that a food facility shares a common patron entrance with such a separately licensed or permitted business, or in the event of both, the ecounty hhealth eofficer shall post the letter grade ecard or the inspection score ecard in the initial patron contact area, or in a location as determined in the discretion of the ecounty hhealth eofficer.

C. The letter grade ecard and the inspection score ecard shall not be defaced, marred, reproduced, copied, camouflaged, hidden, or removed. It is unlawful to operate a food facility unless the letter grade ecard or the inspection score ecard as determined by the ecounty hhealth eofficer, is in place as set forth hereunder. Removal of the letter grade ecard or the inspection score ecard is a violation of this echapter and may result in the suspension or revocation of the public hhealth permit and shall be punishable as specified in Section 8.04.930.

D. Every fFood fFacility shall post a legibly lettered sign which displays the following information so as to be clearly visible to the general public and to patrons entering the facility:

Any public health concerns regarding this facility should be directed to the County of Los Angeles, Environmental Health office located at:

_____ (local office address and telephone number to be provided by the eCounty hHealth eOfficer).

E. The fFood eOfficial iInspection rReport upon which the lLetter gGrade eCard or the iInspection sScore eCard is based and all subsequent reports issued by the eCounty hHealth eOfficer shall be maintained at the fFood fFacility and shall be available to the general public and to patrons for review upon request. The fFood fFacility shall keep the fFood eOfficial iInspection rReport and all subsequent reports until such time as the eCounty hHealth eOfficer completes the next rRoutine iInspection of the facility and issues a new fFood eOfficial iInspection rReport.

SECTION 179. Section 8.04.755 is hereby amended to read as follows:

**8.04.755 Letter gGrade eCard and iInspection sScore eCard—
Period of vValidity.**

A lLetter gGrade eCard or iInspection sScore eCard shall remain valid until the eCounty hHealth eOfficer completes the next rRoutine iInspection of the fFood fFacility.

SECTION 180. Section 8.04.760 is hereby amended to read as follows:

8.04.760 Public Health Permit—Carrying by Itinerants.

Every person having such permit and not having a fixed place of business shall carry such permit with him at all times while carrying on the business or occupation for which same was granted.

SECTION 181. Section 8.04.770 is hereby amended to read as follows:

8.04.770 Vehicle and Equipment Identification.

The County Health Officer may, when he deems necessary, issue in conjunction with any Public Health License or Permit required by this Chapter further identification in the form of a license plate, decal or gummed sticker. Upon issuance of same, he shall, in writing, advise the licensee or permittee as to where this identification is to be affixed.

SECTION 182. Section 8.04.780 is hereby amended to read as follows:

8.04.780 Vending Machine Operator Requirements.

A. Each food or drink vending machine shall have affixed thereon, in an accessible place, an identification plate made of durable material, setting forth the model number or symbol of the machine and the serial number identifying each machine.

B. In addition, there shall be affixed to each food or drink Vending Machine a decal or other indication furnished by the County Health Officer that the required Public Health Permit fee has been paid for the current year.

C. The operator of a food or drink Vending Machine Business shall maintain in its headquarters or principal place of business a current record or list by

serial number of every such machine and its location within the area under the jurisdiction of the County Health Officer.

SECTION 183. Section 8.04.785 is hereby added to read as follows:

8.04.785 Additional Requirements for Mobile Food Facilities and Commissaries.

A. The owner/operator of a Mobile Food Facility or Mobile Support Unit shall complete a Mobile Food Facility Route Sheet, obtained from the County Health Officer, listing the complete address, telephone number, and arrival/departure times of each location where the retail food business is being conducted. The Mobile Facility Route Sheet shall be maintained on file at the Mobile Food Program. The owner/operator of a Mobile Food Facility or Mobile Support Unit shall notify the County Health Officer of any significant changes to the Mobile Food Facility Route Sheet within thirty (30) days. Failure to provide an accurate and current Mobile Food Facility Route Sheet may result in suspension or revocation of the Public Health License or Permit.

B. The Commissary operator shall provide a current list of all Mobile Food Facilities that operate in conjunction with the Commissary to the County Health Officer every ninety (90) days.

SECTION 184. Section 8.04.790 is hereby amended to read as follows:

8.04.790 Public Health License and Permit—Transfer.

A. Any Public Health Permit, once issued, is nontransferable. A Public Health Permit shall be valid only for the person, location, and type of activity approved at the time of issuance and, unless suspended or revoked for cause, for the time period indicated.

B. A pPublic hHealth license shall be valid only for the person and type of activity approved at the time of issuance. Any pPublic hHealth license required by this eChapter may be transferred by the licensee upon application to the eCounty hHealth eOfficer and under the following conditions:

1. Investigation by the eCounty hHealth eOfficer determines the proposed facility and its method of operation will conform to all applicable laws and regulations;
2. The proposed facility remains within the same type of activity and the same category of operation as the original facility, as specified in Section 8.04.720; and
3. The transfer is not in conflict with any applicable law or regulation.

C. The eCounty may recover from the person transferring the pPublic hHealth license all reasonable costs that it incurs in connection with the transfer.

SECTION 185. Section 8.04.800 is hereby amended to read as follows:

8.04.800 Public hHealth license and pPermit—Partnership tTransfer fFee.

If a pPublic hHealth license or pPermit is issued to a partnership and the partnership is changed by the addition of new partners, the license or permit may be transferred to the new partnership if the new partnership makes application for such transfer in the same manner as for a new license or permit and pays a transfer fee of \$10.00 to the eCounty hHealth eOfficer.

SECTION 186. Section 8.04.810 is hereby amended to read as follows:

8.04.810 Lost pPublic hHealth lLicense and pPermit

rReplacement.

Where, from such evidence as ~~he~~ the County Health Officer sees fit to require, the ~~e~~ County hHealth eOfficer finds that a pPublic hHealth lLicense or pPermit (whether in the form of a tag, plate, paper or card, sticker, or otherwise) has been lost, ~~he~~ the County Health Officer shall issue a duplicate license or permit to the owner thereof upon payment of \$20.00.

SECTION 187. Section 8.04.817 is hereby amended to read as follows:

8.04.817 Public hHealth lLicense and pPermit—Reporting

rRequirements.

Every person having a pPublic hHealth lLicense or pPermit under the provisions of this ~~e~~ Chapter shall report to the Department of Public Health the following changes of status to the business within fifteen (15) days of the change:

- A. Change of mailing address;
- B. Sale and/or transfer of ownership;
- C. Permanent closure or cessation of business.

SECTION 188. Section 8.04.820 is hereby amended to read as follows:

8.04.820 Procedures for issuing pPublic hHealth lLicenses and pPermits for temporary activities.

A. Notwithstanding Section 8.04.640, if the applicant for a pPublic hHealth lLicense or pPermit under this ~~e~~ Chapter shows to the satisfaction of the ~~e~~ County hHealth eOfficer that because a business or occupation or other activity is of a seasonal

nature, or because of statutory or ordinance regulations or restrictions, or because of acquisition by the public of the premises on which the occupation or business or other activity is situated, or because of similar reasons, such business, occupation or activity can only be carried on for a limited period of time, not more than three-quarters (3/4) of a year, a license or permit may be issued for such period of time and the license or permit fee shall be the following fraction of the annual fee:

1. One-quarter of a year or less, one-fourth (1/4);
2. More than one-quarter but not more than one-half (1/2) of a year, one-half (1/2);
3. More than one-half (1/2) but not more than three-quarters (3/4) of a year, three-fourths (3/4).

B. Such license or permit may be issued for the limited period without regard to fiscal years.

C. Notwithstanding any other provision of this ~~s~~Section, a swimming pool shall not be considered a seasonal activity.

SECTION 189. Section 8.04.830 is hereby amended to read as follows:

8.04.830 Public ~~h~~Health ~~l~~icense and ~~p~~ermit—Delinquency ~~d~~ate.

- A. "Delinquency ~~d~~ate" means:
1. In the case of a license or permit renewal, the 32nd day of the applicable license or permit year;

2. In the case of a newly established business or activity for which a license or permit is required, the 61st day after the commencement of the business or activity;

3. In the case of an additional reinspection fee for a food-related business, the 32nd day after notice of additional reinspection fee is mailed or personally delivered to the person engaged in the food-related business.

B. In the case of those businesses or activities which are the subject of a direct assessment pursuant to Part 3 of this Chapter, delinquency date for County taxes collected on the secured roll.

SECTION 190. Section 8.04.840 is hereby amended to read as follows:

8.04.840 Public hHealth License and pPermit—Penalty for Late fee payment.

If any fee required by Division 1 of this title is not paid prior to the delinquency date, in addition to such fee, the licensee or permittee shall pay a penalty equal to twenty-five (25) percent of the fee or \$50.00, whichever is greater, plus an additional amount equal to one and one-half (1-1/2) percent of the license or permit fee owed for each month the fee plus penalties remain delinquent, commencing the first day of the first calendar month that begins at least sixty (60) days after the delinquency date.

SECTION 191. Section 8.04.841 is hereby amended to read as follows:

8.04.841 Late fee payment—Community event/sSeasonal permit.

A community event erganizer application or a temporary food facility application shall be considered late if submitted less than fourteen (14) calendar days

prior to the start of the event for which the application is submitted. Any application considered late shall be subjected to a penalty fee equal to twenty-five (25) percent of the permit fee or ~~fifty (\$50.00) dollars~~, whichever is greater.

SECTION 192. Section 8.04.842 is hereby amended to read as follows:

8.04.842 **Late fFee pPayment—Lien aAgainst lLicensee or pPermittee aAuthorized wWhen.**

If the fee and penalty as described in Section 8.04.840 of this ~~e~~Chapter is not paid within ninety (90) days after the ~~d~~Delinquency ~~d~~Date, a certificate of lien may be recorded against the licensee or permittee as authorized by ~~Section 101345 of the~~ California Health and Safety Code section 101345.

SECTION 193. Section 8.04.844 is hereby amended to read as follows:

8.04.844 **Late fFee pPayment—Additional pPenalty fFollowing lLien.**

Upon recordation of a certificate of lien described in Section 8.04.842, an additional penalty fee of \$15.00 shall be paid by the licensee or permittee.

SECTION 194. Section 8.04.850 is hereby amended to read as follows:

8.04.850 **Public hHealth lLicense—Penalty for lLate ~~d~~Direct aAssessment fFees.**

Notwithstanding the provisions of Section 8.04.840, any fee required by this ~~e~~Chapter which is not paid prior to the ~~d~~Delinquency ~~d~~Date and is included as a direct assessment pursuant to Part 3 of this ~~e~~Chapter, shall bear the same penalty as delinquent taxes on the secured tax roll.

SECTION 195. Section 8.04.860 is hereby amended to read as follows:

8.04.860 County Health Officer—Fee Collection and Other Duties.

The County Health Officer shall collect the license and permit fees and penalties under this Chapter when the County Health Officer receives the application for a license or permit, and perform such other duties as are prescribed by this Chapter.

SECTION 196. Section 8.04.870 is hereby amended to read as follows:

8.04.870 County Health Officer—Public Health License and Permit Issuance and Accounting Duties.

The County Health Officer shall maintain an accounting of all issued health licenses and permits for both tracking and audit purposes. The County Health Officer shall number and sign all licenses and permits.

SECTION 197. Section 8.04.880 is hereby amended to read as follows:

8.04.880 County Health Officer—Deposit of Funds.

The County Health Officer shall deposit in the Environmental Health trust fund in the County treasury all license and permit fees and penalties collected.

SECTION 198. Section 8.04.900 is hereby amended to read as follows:

8.04.900 Minor Errors in Payments.

In the event a discrepancy exists between the amount of the fee paid and the amount of the fee due, resulting in an underpayment or an overpayment of the fee in the amount of \$10.00, or less, the County Health Officer may accept and record such

underpayment or overpayment without other notification to the licensee or permittee or the license or permit applicant.

SECTION 199. Section 8.04.910 is hereby amended to read as follows:

8.04.910 Refunds.

A. The County Health Officer may refund to the licensee or permittee all moneys collected because of excess, erroneous, or double payment, if the licensee or permittee files a proper claim.

B. Whenever Public Health License or Permit fees are reduced during the calendar year and made retroactive because the Board of Supervisors finds that the higher fee was not legally justified, and whenever the applicant has paid a higher fee than that required because ~~he~~ the applicant has paid prior to the beginning of the license or permit period and subsequent to such payment the fee has been reduced, the County Health Officer shall upon the presentation of a refund claim, make refunds as follows:

1. Apply the payment to the newly established fee; and
2. Remit the remainder to the licensee or permittee.

SECTION 200. Section 8.04.920 is hereby amended to read as follows:

8.04.920 Actions for recovery of delinquent License or permit fees.

The ~~treasurer~~ Tax Collector may, in the name of the County of Los Angeles, as plaintiff, bring suit for the recovery of any delinquent license or permit fee imposed against any person required by this Chapter to procure a license or permit to engage in

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any business as defined in this eChapter, who carries on or attempts to carry on such business without such license or permit.

SECTION 201. Section 8.04.930 is hereby amended to read as follows:

8.04.930 Violation—Penalty.

A. _____ Violation of this eChapter is punishable by a fine of not more than \$500.00 or by imprisonment in the eCounty jail for not more than six (6) months, or by both such fine and imprisonment. Each day during any portion of which any violation of any provision of this eChapter is committed, continued or permitted, makes such violation a separate offense.

~~B. _____ Any operator of a Compact Mobile Food Operation who violates any provision of Division 104, Part 7, Chapter 11.7. Compact Mobile Food Operation of the California Health and Safety Code or Title 8 of this Code is subject to an administrative fine as indicated in California Health and Safety Code section 114368.8. Any violation of Title 8 or of Division 104, Part 7, Chapter 11.7, by an operator or employee of a Compact Mobile Food Operation shall be subject to the administrative fines as indicated in California Health and Safety Code section 114368.8.~~

SECTION 202. Section 8.04.932 is hereby amended to read as follows:

8.04.932 Business wWithout a pPublic hHealth lLicense or pPermit pProhibited.

No person shall engage in, conduct, manage or carry on any business or other activity for which a license or permit is required by this eChapter if:

A. The person~~He or she~~ does so without having, pursuant to the provisions of this eChapter, procured a license or permit to do so and paid the fee required; or

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B. If such license or permit has expired, been suspended, revoked, or denied.

SECTION 203. Section 8.04.934 is hereby amended to read as follows:

8.04.934 Operating wWithout a pPublic hHealth lLicense or pPermit—Deemed mMisdemeanor—Penalty.

A. A violation of Section 8.04.932 is a misdemeanor punishable by fine, or imprisonment in the cCounty jail for a period not exceeding six (6) months, or both. Such fine shall not be more than \$500.00, and shall:

A-1. For the first violation, not be less than \$100.00;

B-2. For the second and any subsequent violation, be \$500.00.

B. This Section shall not apply to a Compact Mobile Food Operation as defined in California Health and Safety Code section 114368. Any violation of this Chapter by a Compact Mobile Food Operator or employee is subject to penalties pursuant to California Health and Safety Code section 114368.8.

SECTION 204. Section 8.04.936 is hereby amended to read as follows:

8.04.936 Operating wWithout a pPublic hHealth lLicense or pPermit—Injunctive rRelief.

Any person violating Section 8.04.932 may be enjoined from such violation by any court of competent jurisdiction. The remedy provided by this sSection is cumulative to any other remedy provided by law.

SECTION 205. Section 8.04.938 is hereby amended to read as follows:

8.04.938 Violation of ~~i~~njunction—Civil ~~p~~Penalty.

Any person who intentionally violates any injunction issued pursuant to Section 8.04.936 shall be liable for a civil penalty collected by the ~~e~~County ~~h~~Health ~~e~~Officer not to exceed \$500.00 for each violation.

SECTION 206. Section 8.04.942 is hereby amended to read as follows:

8.04.942 Operating w~~o~~Without a ~~p~~Public ~~h~~Health ~~l~~icense or ~~p~~Permit—Civil ~~p~~Penalty.

A. Any person who violates Section 8.04.932 shall be liable for a civil penalty recoverable in a civil action by the ~~e~~County ~~h~~Health ~~e~~Officer:

1. In an amount not less than \$100.00 for the first violation; and
2. In an amount not less than \$500.00 for the second and any

subsequent violation.

B. The remedies provided in Section 8.04.934 and by this ~~s~~Section are mutually exclusive.

SECTION 207. Section 8.04.943 is hereby amended to read as follows:

8.04.943 Public ~~h~~Health ~~p~~Permit ~~s~~Suspension or ~~r~~Revocation—~~f~~Notice of ~~e~~Closure.

A. Upon issuance of a written notice of suspension or revocation of the ~~p~~Public ~~h~~Health ~~p~~Permit by the ~~e~~County ~~h~~Health ~~e~~Officer, the ~~C~~ounty ~~h~~Health ~~e~~Officer shall post a ~~n~~Notice of ~~e~~Closure at the ~~f~~Food ~~f~~Facility so as to be clearly visible to the general public and to patrons.

B. Upon issuance of the written notice of suspension or revocation of the Public Health Permit by the County Health Officer, the Food Facility shall immediately close to the general public and to patrons and shall discontinue all operations until the Public Health Permit has been reissued or reinstated by order of the County Health Officer or until the facility no longer operates as a Food Facility.

C. The Notice of Closure shall remain posted until removed by the County Health Officer. Removal of the Notice of Closure by any person other than the County Health Officer or the refusal of a Food Facility to close upon issuance of the written notice of suspension of the Public Health Permit is a violation of this Chapter and may result in the suspension or revocation of the Food Facility's Public Health Permit and shall be punishable as specified in Section 8.04.930.

SECTION 208. Section 8.04.944 is hereby amended to read as follows:

8.04.944 Continuing Violations.

Where the conduct consisting of a violation of Section 8.04.932 or 8.04.938 is of a continuing nature, each day of such conduct is a separate and distinct violation.

SECTION 209. Section 8.04.945 is hereby amended to read as follows:

8.04.945 Public Health Permit—Suspension or Revocation.

Any Public Health Permit issued pursuant to this Chapter may be suspended or revoked in accordance with the procedures set forth in California Health and Safety Code Section 113950 et seq.

SECTION 210. Section 8.04.946 is hereby amended to read as follows:

8.04.946 Public Health License—Suspension or Revocation.

A. Any Public Health License issued pursuant to this Chapter may be suspended or revoked by the County Health Officer for a violation of ~~the~~this ~~Los Angeles County Code~~ or the California Health and Safety Code, or both. Any business or occupation for which the Public Health License has been suspended or revoked shall close and remain closed until the license has been reinstated or reissued.

B. Whenever the County Health Officer finds that a business or occupation is not in compliance with the requirements of ~~the~~this ~~Los Angeles County Code~~, or the California Health and Safety Code, or both, a written notice to comply shall be issued to the licensee. If the licensee fails to comply, the County Health Officer shall issue to the licensee a notice setting forth the acts or omissions with which the licensee is charged and informing the licensee of a right to a hearing, if requested, to show cause why the licensee's Public Health License should not be suspended or revoked. A written request for a hearing shall be made by the licensee within fifteen (15) calendar days after service of the notice. A failure to request said hearing within fifteen (15) calendar days after service of the notice shall be deemed a waiver of the right to a hearing. When circumstances warrant, the hearing officer may order a hearing at a reasonable time within this 15-day period to expedite the Public Health License suspension or revocation process. The hearing shall be held within fifteen (15) calendar days of the receipt of a written request for a hearing. Upon written request of the licensee, the hearing officer may postpone any hearing date, if circumstances warrant such action.

C. The hearing officer shall issue a written notice of decision to the licensee within five working days following the hearing. In the event of suspension or revocation, the notice shall specify the acts or omissions with which the licensee is charged and shall state the items and extent of the suspension or shall state that the licensee's Public Health License has been revoked.

D. Notwithstanding any other provision of this Chapter, if any immediate danger to the public health or safety is found or is reasonably suspected, unless the danger is immediately corrected, the County Health Officer may immediately suspend the licensee's Public Health License and order the business or occupation immediately closed, pending a determination of any request for hearing made by the licensee pursuant to Subsection D.2, below. Immediate danger to the public health or safety shall include any condition, based upon inspection findings or other evidence, that can cause, or is reasonably suspected of causing, infection or disease transmission, or any known or reasonably suspected hazardous condition.

1. Whenever a Public Health License is suspended as the result of an immediate danger to the public health or safety, the County Health Officer shall issue to the licensee a notice setting forth the acts or omissions with which the licensee is charged, specifying the sections of ~~this Los Angeles County Code~~ or California Health and Safety Code, or both, allegedly violated, and informing the licensee of the right to a hearing.

2. At any time within fifteen (15) calendar days of service of a notice pursuant to Subsection D, the licensee may request, in writing, a hearing before a hearing officer to show cause why the Public Health License suspension is not

warranted. The hearing shall be held within fifteen (15) calendar days of the receipt of a request for a hearing. A failure to request a hearing within fifteen (15) calendar days shall be deemed a waiver of the right to such hearing.

E. The eCounty hHealth eOfficer may, after providing opportunity for a hearing, modify, suspend, or revoke a pPublic hHealth license for serious or repeated violations of ~~the thiss Los Angeles County Code~~ or the California Health and Safety Code, or both, or for interference in the performance of the duty of the eCounty hHealth eOfficer.

F. A pPublic hHealth license may be reinstated, or a new pPublic hHealth license issued, if the eCounty hHealth eOfficer determines that conditions which prompted the suspension or revocation no longer exist.

SECTION 211. Section 8.04.947 is hereby amended to read as follows:

**8.04.947 Noncompliance ~~w~~With the County hHealth eOfficer—
Deemed m~~M~~isdemeanor—Penalty.**

All persons shall obey all rules, regulations, orders or directives of the County hHealth eOfficer. Any person who, after notice, violates, or who, upon demand of the County hHealth eOfficer, refuses or neglects to conform to any rule, regulation, order or directive prescribed by the County hHealth eOfficer, is guilty of a misdemeanor, punishable by fine, or imprisonment in the eCounty jail for a period not exceeding six months, or both. Such fine shall not be more than \$500.00, and shall:

- A. For the first violation, not be less than \$100.00;
- B. For the second and any subsequent violation, be \$500.00.

SECTION 212. Section 8.04.948 is hereby amended to read as follows:

**8.04.948 Noncompliance ~~w~~With the County hHealth eOfficer—
Injunctive ~~r~~Relief.**

Any person who, after notice, violates, or who, upon demand of the County hHealth eOfficer, refuses or neglects to conform to any rule, regulation, order or directive prescribed by the County hHealth eOfficer, may be enjoined from such violation by any court of competent jurisdiction. The remedy provided by this ~~s~~Section is cumulative to any other remedy provided by law. A civil action to enforce the provision of this ~~s~~Section may be brought by the ~~e~~County eCounsel, the ~~d~~District aAttorney, or any person directly affected by the failure to comply with the rule, regulation, order, or directive of the County hHealth eOfficer.

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