

FOOD SERVICE FACILITIES

63.110 AUTHORITY.

The Order of the State Health Division relating to the "Delegation of Authority, Responsibilities and Functions of the Administrator of the Health Division pursuant to ORS 446.425, 448.108 and 654.510 as amended by Chapter 790, Oregon Laws 1975," and Title III of the Oregon Administrative Rules of Procedure are adopted subject to the following qualifications in sections 63.115 to 63.205. [Ord. 144]

63.115 DEFINITIONS.

The definitions contained in ORS 624.010 are hereby specifically adopted. [Ord. 144, sec. 1]

63.120 FEES.

Fees for licenses and inspections shall be set by resolution of the Board of Commissioners. [Ord. 144, sec. 2; amended by Ord. 287, sec. 1]

63.125 APPLICATIONS.

Applications for permits, licenses, or certification of new facilities shall be available within the County from the Environmental Health Department on forms supplied by the Oregon State Health Division. [Ord. 144, sec. 3]

63.130 RECORDS.

Records of administrative hearings may be made by either a complete electro-mechanical recording or stenographic record. [Ord. 144, sec. 4]

63.135 LEGAL REPRESENTATION.

The office of the Polk County Legal Counsel shall represent the County in any contested matter of enforcement of these rules and applicable statutory standards. [Ord. 144, sec. 5]

63.140 REINSPECTION.

After any deficiency or violation of these rules or the applicable statutory standards has been determined, the County Environmental Health Department shall make a reinspection of the deficiency or violation within 30 days and shall submit a copy of the reinspection report to the Oregon State Health Division. [Ord. 144, sec. 6]

63.145 PUBLIC INFORMATION.

The County Environmental Health Department shall conduct public information programs and shall be available as a consultant to all persons holding permits, licenses, and certificates required under these rules. [Ord. 144, sec. 7]

63.150 REPORT OF CHANGE.

The County Environmental Health Department shall report to the Oregon State Health Division Administrator any change of license, management, operation, or capacity which is required by other provisions to be reported, or any change known or discovered. [Ord. 144, sec. 8]

63.155 CONSULTATION, INSPECTION, AND REPORTS.

The County Environmental Health Department shall be available as a consultant to food service operations within public school districts within the County and may provide not less than one inspection per year, and may provide to the governing board of the school district a written report. [Ord. 144, sec. 9]

63.160 CONSTRUCTION OF FACILITIES.

(1) In any construction, reconstruction, or remodeling of any facility, licensed or inspected under Sections 63.110 to 63.205, whether within an incorporated or unincorporated area of Polk County, which requires a building permit, the applicant shall be provided by the Building Department of the jurisdiction within which the construction, reconstruction, or remodeling is commenced, the applicable Health Department rules and statutory requirements. The County Environmental Health Department shall provide to the various Building Departments current copies of the applicable rules, regulations, statutory requirements, and applications.

(2) The County Environmental Health Department shall make at least one inspection during construction to determine compliance. [Ord. 144, sec. 10]

63.165 INSPECTION AND LICENSING OF MOBILE FOOD UNITS AND VENDING MACHINES.

The County Environmental Health Department shall inspect and license mobile food service units and food service vending machines, other than those exempted by ORS 624.330. Licenses shall be for the calendar year and shall expire on December 31 of each year. The County Environmental Health Department shall affix to each vending machine licensed and inspected under these provisions a publicly visible identification stamp showing the licensee's license number and date of inspection. [Ord. 144, sec. 11]

63.170 INSPECTION ON OLCC REQUEST.

The County Environmental Health Department shall inspect or reinspect any food service facility licensed under those provisions within seven days upon request by the Oregon Liquor Control Commission. [Ord. 144, sec. 12]

63.175 ADMINISTRATIVE AND INSPECTION STANDARDS.

The County Environmental Health Department shall maintain administrative and inspection standards acceptable to the Oregon State Division of Public Health. [Ord. 144, sec. 13]

63.180 DOCUMENTATION OF ADMINISTRATIVE OR LEGAL ACTION.

The County Environmental Health Department shall document in writing all corrective administrative or legal action taken or anticipated. [Ord. 144, sec. 14]

63.185 CONFORMANCE TO STANDARDS REQUIRED.

The County Environmental Health Department shall require conformance to these standards by operators of travelers accommodations, recreation parks, and organizational parks by the date of the reinspection required in Section 14.140, unless an extension has been granted. [Ord. 144, sec. 15]

63.190 REPORT OF ILLNESS.

The County Environmental Health Department shall report to the administrator of the Oregon State Health Division within seven days any confirmed illness connected with any facility licensed or inspected under Sections 63.110 to 63.205. [Ord. 144, sec. 16]

63.200 APPEALS TO HEARINGS OFFICER.

Appeals under the provisions of Title III of the Oregon Administrative Rules will be heard by a Hearings Officer designated by the Board of Commissioners. [Ord. 144, sec. 17]

63.205 APPEALS TO BOARD OF COMMISSIONERS.

Appeals from the determination of the Hearings Officer may be taken to the Polk County Board of Commissioners. [Ord. 144, sec. 18]