

ORDINANCE NO. 2016-08

ENVIRONMENTAL HEALTH PLACARD PROGRAM

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance adds Article 413-3.18 to the County Ordinance Code to establish a color-coded placard program for food facilities.

SECTION II. Article 413-3.18 is added to the County Ordinance Code, to read:

**Article 413-3.18
Placard Program**

413-3.1802 Placard Program Established. This article establishes a placard program for food facilities, as authorized by California Health and Safety Code section 113709. The program consists of color-coded placards issued by the health officer and official inspection reports issued by the health officer. (Ord. 2016-08 § 2.)

413-3.1804 Applicability.

- (a) The requirements of this article apply to all food facilities for which an environmental health permit is required under this chapter, unless a facility or operation is exempt under this section.
- (b) The following are exempt from the requirements of this article: temporary food facilities, certified farmers' markets, cottage food operations, mobile food facilities selling only whole uncut produce, mobile food facilities selling only prepackaged non-potentially hazardous foods, mobile food facilities selling only prepackaged ice cream, mobile support units, and vending machines. A facility or operation that is exempt from the placard requirements of this article must comply with all other applicable laws and permitting requirements, including but not limited to all applicable requirements of this chapter and the California Retail Food Code, Health and Safety Code section 113700 et seq. (Ord. 2016-08 § 2.)

413-3.1806 Issuance of Placards and Official Inspection Reports. A color-coded placard issued by the health officer indicates that a food facility has been inspected by the health officer to determine whether the food facility is in compliance with all applicable federal, state, and local laws pertaining to the protection of public health. After completing an inspection of a food facility, the health officer will issue the appropriate color-coded placard to the food facility. The appropriate color of the placard is determined by the health officer based upon inspection results.

- (a) The color green is the color used for a placard indicating that a food facility has passed an inspection. A food facility receives a green placard if no more than one violation is noted during an inspection.

- (b) The color yellow is the color used for a placard indicating that a food facility has conditionally passed an inspection. A food facility receives a yellow placard if two or more violations are noted during an inspection. A yellow placard signifies that conditions must be met for a food facility to receive a green placard. A yellow placard may be issued if a food facility does not meet one or more conditions imposed under a previous yellow placard, even if a green placard is subsequently issued.
- (c) The color red is the color used for a placard indicating that a food facility has not passed an inspection and its environmental health permit is suspended under section 413-3.1408. Upon the issuance of a red placard and the suspension of a permit under section 413-3.1408, the red placard shall be posted until the permit is reinstated. A red placard is a notice of closure of a food facility.
- (d) The color white is the color used for a placard indicating that the issuance of a green, yellow, or red placard is pending. A white placard may be issued after the initial opening of a new food facility, after a change in ownership of a food facility, or after the reinstatement of a suspended environmental health permit. (Ord. 2016-08 § 2.)

413-3.1808 Issuance of Official Inspection Reports. An official inspection report issued by the health officer is a written notice, prepared and issued after the health officer inspects a food facility, that documents whether the food facility complies with all applicable federal, state, and local laws pertaining to the protection of public health. An official inspection report describes all actions necessary to correct all violations noted in the report. (Ord. 2016-08 § 2.)

413-3.1810 Posting of Placards.

- (a) After a food facility is inspected and issued a placard, it is unlawful to operate a food facility unless the placard is posted in accordance with this section.
- (b) A placard shall be posted so as to be clearly visible to the general public and to patrons entering the food facility. "Clearly visible to the general public and to patrons" means:
 - (1) Posted in the front window of a fixed food facility within five feet of the front door; or
 - (2) Posted in a display case mounted on the outside front wall of a fixed food facility within five feet of the front door; or
 - (3) Posted in the service window of a mobile food facility; or
 - (4) Posted in a location approved by the health officer to ensure proper notice to the general public and to patrons of the food facility.
- (c) No more than one placard shall be posted. Only the most recently issued placard shall be posted.

- (d) If a placard is damaged or altered, the permittee shall immediately contact the health officer for a replacement.
- (e) A placard is valid from the time of issuance until a new inspection or a change in ownership.
- (f) In addition to the placard, a copy of the official inspection report shall be maintained at the food facility and shall be available to the public for review upon request. The official inspection report shall be kept at the food facility until the health officer issues a new placard and official inspection report. (Ord. 2016-08 § 2.)

413-3.1812 Placard Tampering, Removal, and Violations.

- (a) A placard shall not be defaced, marred, camouflaged, hidden, or removed.
- (b) Removal of a placard, including the removal and replacement of a placard with a document not issued by the health officer, is a violation of this chapter and is punishable as specified in this chapter. In addition, if a placard is removed from a food facility, the food facility is subject to one or more reinspections until the correct placard is properly displayed and all associated fees are paid. (Ord. 2016-08 § 2.)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED on March 15 2016, by the following vote:

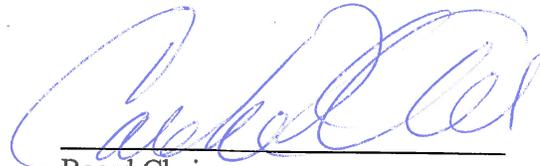
AYES: Gioia, Andersen, Piepho, Mitchoff, Glover

NOES: None

ABSENT: None

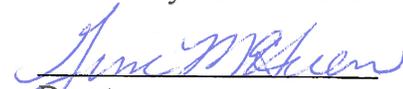
ABSTAIN: None

ATTEST: DAVID J. TWA,
Clerk of the Board of Supervisors
and County Administrator



Board Chair

By:



Deputy

[SEAL]

TLG:

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