



KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

February 20, 2009

R&R

Proposed No. BOH09-01.2

1 A RULE AND REGULATION relating to fees and charges
2 for environmental health services; amending R&R 7,
3 Chapter 6, as amended, and BOH 2.06.030, R&R 91,
4 Section 1 (part), as amended, and BOH 2.10.020, R&R 05-
5 05, Sections 15, 21, 35, 36, 37, 38, 39 and 40, and BOH
6 2.10.040, R&R 05-05, Section 22, and BOH 2.10.050,
7 R&R 05-05, Sections 15, 23, 41, 42, 43, 44, 45 and 46, and
8 BOH 2.10.060, R&R 91, Section 1 (part), as amended, and
9 BOH 2.10.100, R&R 03-06, Section 2 (part), as amended,
10 and BOH 2.14.020, R&R 05-05, Sections 59, 60, 76, 77,
11 78, 79, 80 and 81, and BOH 2.14.030, R&R 03-06, Section
12 2 (part), as amended, and BOH 2.14.040, R&R 99-01,
13 Section 2 (part), as amended, and BOH 2.18.020, R&R 05-
14 05, Sections 104 and 105, and BOH 2.20.010, R&R 58,
15 Section 1 (part), as amended, and BOH 2.20.020, R&R 20,
16 Section 1(1), as amended, and BOH 2.22.020, and R&R 20,
17 Section 1(2), as amended, and BOH 2.22.030, adding a new

18 section to BOH chapter 2.06, and adding a new chapter to
19 BOH Title 2; enacted pursuant to RCW 43.20.050 and
20 70.05.060, including the latest amendments or revisions
21 thereto.

22
23 BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

24 NEW SECTION. SECTION 1. There is hereby added a new section to BOH
25 chapter 2.06 to read as follows:

26 **Annual review and fee adjustment for reduced cost of services.** The board
27 directs that the fees established in BOH Title 2 for issuing or renewing licenses or
28 permits or for such other services shall be reviewed by the director of the Seattle-King
29 County Department of Public Health annually and reduced by the director where the cost
30 of providing services will increase by less than five percent of the cost of providing
31 services during the previous year, based on and consistent with the annual budget adopted
32 by the King County Council; provided that the fees for services shall not exceed the
33 actual cost of providing any such services. This authority does not include the authority
34 to adjust penalties established by the board.

35 SECTION 2. R&R 7, Chapter 6, as amended, and BOH 2.06.030 are each hereby
36 amended to read as follows:

37 **Late fee.** The penalty for late permit fee payment, delinquent by ~~((more than))~~
38 ten to thirty days, is ~~((one-fourth))~~ ten percent of the applicable permit fee. The penalty
39 for permit fee payment, delinquent by ~~((more than))~~ thirty-one to sixty days, is ~~((one-~~
40 half)) twenty percent of the applicable permit fee. The penalty for late permit fee

41 payment, delinquent by more than sixty days, is thirty percent of the applicable permit
42 fee. The penalty for late payment of any seasonal permit fee is twenty-five dollars.

43 SECTION 3. R&R 91, Section 1 (part), as amended, and BOH 2.10.020 are each
44 hereby amended to read as follows:

45 **Permit fee schedule.**

46 **Part 1 — Permit Fee Schedule.**

47 **Effective Through December 31, ~~((2005))~~ 2009.**

48 The owner or operator of a food establishment subject to the permit requirement
49 of WAC 246-215-200 or Food Code Paragraph 8-301.11 shall pay to the health officer a
50 food establishment permit fee as set forth in Table 1, based on the establishment type and
51 the risk category for the establishment. Where more than one type of food establishment
52 exists within or as part of another food establishment (for example, a bakery within a
53 grocery store~~((;))~~ or a deli within a meat market), the owner or operator shall pay the
54 permit fee for each applicable food establishment type; except that the owner or operator
55 of a grocery store with no more than two checkout stands, ~~((or))~~ a general food
56 establishment with no more than two checkout stands and no more than twelve seats for
57 customers for on-site consumption of food~~((;))~~ or a meat/fish market with no more than
58 two checkout stands shall pay only the highest applicable risk category permit fee
59 without being required to obtain a separate permit for each type of food handling activity
60 at the establishment. For purposes of this section, "highest applicable risk category permit
61 fee" means the fee corresponding to the highest risk category of food handling activity at
62 the establishment.

63 **TABLE 1**

Food Establishment Categories and Permit Fees

Type of Food Establishment			Applicable Fee¹
General Food Service²			
Seating Capacity	0 – 12	Risk 1	\$((261.00)) <u>302.00</u>
Seating Capacity	0 – 12	Risk 2	\$((435.00)) <u>503.00</u>
Seating Capacity	0 – 12	Risk 3	\$((602.00)) <u>697.00</u>
Seating Capacity	13 – 50	Risk 1	\$((264.00)) <u>306.00</u>
Seating Capacity	13 – 50	Risk 2	\$((441.00)) <u>510.00</u>
Seating Capacity	13 – 50	Risk 3	\$((636.00)) <u>736.00</u>
Seating Capacity	51 – 150	Risk 1	\$((270.00)) <u>312.00</u>
Seating Capacity	51 – 150	Risk 2	\$((463.00)) <u>536.00</u>
Seating Capacity	51 – 150	Risk 3	\$((679.00)) <u>785.00</u>
Seating Capacity	151 – 250	Risk 1	\$((280.00)) <u>324.00</u>
Seating Capacity	151 – 250	Risk 2	\$((474.00)) <u>548.00</u>
Seating Capacity	151 – 250	Risk 3	\$((720.00)) <u>833.00</u>
Seating Capacity	over 250	Risk 1	\$((291.00)) <u>337.00</u>
Seating Capacity	over 250	Risk 2	\$((477.00)) <u>552.00</u>
Seating Capacity	over 250	Risk 3	\$((751.00)) <u>870.00</u>
Limited Food Service			\$((261.00)) <u>302.00</u>
Bakery – No customer seating³			
Risk 1			\$((261.00)) <u>302.00</u>
Risk 2			\$((435.00)) <u>503.00</u>
Risk 3			\$((602.00)) <u>697.00</u>

Bed and Breakfast Operation	\$((261.00)) <u>302.00</u>
Grocery Store – No customer seating³	
Risk 1	\$((261.00)) <u>302.00</u>
Risk 2	\$((435.00)) <u>503.00</u>
Risk 3	\$((602.00)) <u>697.00</u>
Catering operation	
Risk 1	\$((261.00)) <u>302.00</u>
Risk 2	\$((435.00)) <u>503.00</u>
Risk 3	\$((602.00)) <u>697.00</u>
Meat/Fish Market	\$((490.00)) <u>567.00</u>
Vending Machine	\$((261.00)) <u>302.00</u>
Mobile Food Service	
Risk 1	\$((261.00)) <u>302.00</u>
Risk 2	\$((435.00)) <u>503.00</u>
Risk 3	\$((602.00)) <u>697.00</u>
Nonprofit Institution⁷	
Risk 1	\$((130.00)) <u>302.00</u>
Risk 2	\$((217.00)) <u>504.00</u>
Risk 3	\$((301.00)) <u>696.00</u>
School Kitchen^{4,7}	
Risk 2	(\$217.00) <u>504.00</u>
Risk 3	(\$301.00) <u>696.00</u>
Seasonal Food Establishment⁶	One-half the applicable annual

permit fee

Temporary Food Establishment⁵

Low Risk ((~~\$167.00~~) 193.00)

High Risk ((~~\$174.00~~) 201.00)

65 Footnotes to Table 1:

66 1. All food establishment permit fees set forth in this table are annual fees, except those
67 for temporary food establishments (including temporary nonprofit institution food
68 establishments) and seasonal food establishments.

69 2. General food service includes a grocery store or bakery offering seating for on-site
70 consumption of food.

71 3. A bakery or grocery store offering seating for on-site consumption of food shall be
72 classified as a general food service establishment.

73 4. A school kitchen is designated as either Risk 2 or Risk 3, not Risk 1.

74 5. A temporary food establishment is designated as either Low Risk or High Risk.

75 ((B-)) 6. The applicant for a seasonal food establishment permit, or a food establishment
76 that is to be operated no longer than any period of six consecutive months, shall pay one-half the
77 applicable annual permit fee specified in Table 1(~~(, above)~~).

78 7. The owners or operators of school kitchens and nonprofit institutions shall in 2009 be
79 charged fifty percent of the fee established to be paid by them as set forth in Table 1.

80 **Part 2 — Permit Fee Schedule.**

81 **Effective January 1, ((2006)) 2010, Through December 31, ((2006)) 2010.**

82 The owner or operator of a food establishment subject to the permit requirement
83 of WAC 246-215-200 or Food Code Paragraph 8-301.11 shall pay to the health officer a
84 food establishment permit fee as set forth in Table 1, based on the establishment type and
85 the risk category for the establishment. Where more than one type of food establishment

86 exists within or as part of another food establishment (for example, a bakery within a
 87 grocery store(,) or a deli within a meat market), the owner or operator shall pay the
 88 permit fee for each applicable food establishment type; except that the owner or operator
 89 of a grocery store with no more than two checkout stands, ((€)) a general food
 90 establishment with no more than two checkout stands and no more than twelve seats for
 91 customers for on-site consumption of food(,) or a meat/fish market with no more than
 92 two checkout stands, shall pay only the highest applicable risk category permit fee
 93 without being required to obtain a separate permit for each type of food handling activity
 94 at the establishment. For purposes of this section, "highest applicable risk category permit
 95 fee" means the fee corresponding to the highest risk category of food handling activity at
 96 the establishment.

97 **TABLE 1**

98 **Food Establishment Categories and Permit Fees**

Type of Food Establishment			Applicable Fee ¹
General Food Service²			
Seating Capacity	0 – 12	Risk 1	\$((274.00)) <u>317.00</u>
Seating Capacity	0 – 12	Risk 2	\$((456.00)) <u>528.00</u>
Seating Capacity	0 – 12	Risk 3	\$((632.00)) <u>732.00</u>
Seating Capacity	13 – 50	Risk 1	\$((277.00)) <u>320.00</u>
Seating Capacity	13 – 50	Risk 2	\$((463.00)) <u>535.00</u>
Seating Capacity	13 – 50	Risk 3	\$((667.00)) <u>772.00</u>
Seating Capacity	51 – 150	Risk 1	\$((283.00)) <u>328.00</u>
Seating Capacity	51 – 150	Risk 2	\$((487.00)) <u>562.00</u>

Seating Capacity	51 – 150	Risk 3	\$((712.00)) <u>824.00</u>
Seating Capacity	151 – 250	Risk 1	\$((294.00)) <u>340.00</u>
Seating Capacity	151 – 250	Risk 2	\$((497.00)) <u>575.00</u>
Seating Capacity	151 – 250	Risk 3	\$((756.00)) <u>874.00</u>
Seating Capacity	over 250	Risk 1	\$((306.00)) <u>353.00</u>
Seating Capacity	over 250	Risk 2	\$((500.00)) <u>579.00</u>
Seating Capacity	over 250	Risk 3	\$((789.00)) <u>914.00</u>
Limited Food Service			\$((274.00)) <u>317.00</u>
Bakery – No customer seating³			
Risk 1			\$((274.00)) <u>317.00</u>
Risk 2			\$((456.00)) <u>528.00</u>
Risk 3			\$((632.00)) <u>732.00</u>
Bed and Breakfast Operation			\$((274.00)) <u>317.00</u>
Grocery Store – No customer seating³			
Risk 1			\$((274.00)) <u>317.00</u>
Risk 2			\$((456.00)) <u>528.00</u>
(Risk 3			\$632.00))
Catering operation			
Risk 1			\$((274.00)) <u>317.00</u>
Risk 2			\$((456.00)) <u>528.00</u>
Risk 3			\$((632.00)) <u>732.00</u>
Meat/Fish Market			\$((514.00)) <u>595.00</u>
Vending Machine			\$((274.00)) <u>317.00</u>

Mobile Food Service

Risk 1	\$((274.00)) <u>317.00</u>
Risk 2	\$((456.00)) <u>528.00</u>
Risk 3	\$((632.00)) <u>732.00</u>

Nonprofit Institution

Risk 1	(((\$137.00)) <u>To be determined by future rule of the board of health.</u>
Risk 2	(((\$228.00)) <u>To be determined by future rule of the board of health.</u>
Risk 3	(((\$316.00)) <u>To be determined by future rule of the board of health.</u>

School Kitchen⁴

Risk 2	(((\$228.00)) <u>To be determined by future rule of the board of health.</u>
Risk 3	(((\$316.00)) <u>To be determined by future rule of the board of health.</u>

Seasonal Food Establishment⁶

One-half the applicable annual permit fee

Temporary Food Establishment⁵

Low Risk	\$((175.00)) <u>203.00</u>
High Risk	\$((183.00)) <u>211.00</u>

99 Footnotes to Table 1:

100 1. All food establishment permit fees set forth in this table are annual fees, except those
101 for temporary food establishments (including temporary nonprofit institution food
102 establishments) and seasonal food establishments.

103 2. General food service includes a grocery store or bakery offering seating for on-site
104 consumption of food.

105 3. A bakery or grocery store offering seating for on-site consumption of food shall be
106 classified as a general food service establishment.

107 4. A school kitchen is designated as either Risk 2 or Risk 3, not Risk 1.

108 5. A temporary food establishment is designated as either Low Risk or High Risk.

109 ~~(B-)~~ 6. The applicant for a seasonal food establishment permit, or a food establishment
110 that is to be operated no longer than any period of six consecutive months, shall pay one-half the
111 applicable annual permit fee specified in Table 1(~~(, above)~~).

112 **Part 3 — Permit Fee Schedule.**

113 **Effective January 1, ~~((2007)) 2011~~, Through December 31, ~~((2007)) 2011~~.**

114 The owner or operator of a food establishment subject to the permit requirement
115 of WAC 246-215-200 or Food Code Paragraph 8-301.11 shall pay to the health officer a
116 food establishment permit fee as set forth in Table 1, based on the establishment type and
117 the risk category for the establishment. Where more than one type of food establishment
118 exists within or as part of another food establishment (for example, a bakery within a
119 grocery store(~~(,)~~) or a deli within a meat market), the owner or operator shall pay the
120 permit fee for each applicable food establishment type; except that the owner or operator
121 of a grocery store with no more than two checkout stands, ~~((or))~~ a general food
122 establishment with no more than two checkout stands and no more than twelve seats for
123 customers for on-site consumption of food(~~(,)~~) or a meat/fish market with no more than

124 two checkout stands shall pay only the highest applicable risk category permit fee
 125 without being required to obtain a separate permit for each type of food handling activity
 126 at the establishment. For purposes of this section, "highest applicable risk category
 127 permit fee" means the fee corresponding to the highest risk category of food handling
 128 activity at the establishment.

TABLE 1

Food Establishment Categories and Permit Fees

Type of Food Establishment			Applicable Fee ¹
General Food Service²			
Seating Capacity	0 – 12	Risk 1	\$((288.00)) <u>332.00</u>
Seating Capacity	0 – 12	Risk 2	\$((479.00)) <u>554.00</u>
Seating Capacity	0 – 12	Risk 3	\$((663.00)) <u>768.00</u>
Seating Capacity	13 – 50	Risk 1	\$((291.00)) <u>336.00</u>
Seating Capacity	13 – 50	Risk 2	\$((486.00)) <u>562.00</u>
Seating Capacity	13 – 50	Risk 3	\$((701.00)) <u>810.00</u>
Seating Capacity	51 – 150	Risk 1	\$((298.00)) <u>344.00</u>
Seating Capacity	51 – 150	Risk 2	\$((511.00)) <u>590.00</u>
Seating Capacity	51 – 150	Risk 3	\$((748.00)) <u>865.00</u>
Seating Capacity	151 – 250	Risk 1	\$((309.00)) <u>357.00</u>
Seating Capacity	151 – 250	Risk 2	\$((522.00)) <u>604.00</u>
Seating Capacity	151 – 250	Risk 3	\$((793.00)) <u>917.00</u>
Seating Capacity	over 250	Risk 1	\$((321.00)) <u>371.00</u>
Seating Capacity	over 250	Risk 2	\$((525.00)) <u>607.00</u>

Seating Capacity	over 250	Risk 3	\$((828.00)) <u>959.00</u>
Limited Food Service			\$((288.00)) <u>332.00</u>
Bakery – No customer seating³			
Risk 1			\$((288.00)) <u>332.00</u>
Risk 2			\$((479.00)) <u>554.00</u>
Risk 3			\$((663.00)) <u>768.00</u>
Bed and Breakfast Operation			\$((288.00)) <u>332.00</u>
Grocery Store – No customer seating³			
Risk 1			\$((288.00)) <u>332.00</u>
Risk 2			\$((479.00)) <u>554.00</u>
((Risk 3			\$663.00))
Catering operation			
Risk 1			\$((288.00)) <u>332.00</u>
Risk 2			\$((470.00)) <u>554.00</u>
Risk 3			\$((663.00)) <u>768.00</u>
Meat/Fish Market			\$((540.00)) <u>625.00</u>
Vending Machine			\$((288.00)) <u>332.00</u>
Mobile Food Service			
Risk 1			\$((288.00)) <u>332.00</u>
Risk 2			\$((479.00)) <u>554.00</u>
Risk 3			\$((663.00)) <u>768.00</u>
Nonprofit Institution			
Risk 1			(\$144.00)) <u>To be determined by</u>

	<u>future rule of the board of health.</u>
Risk 2	((240.00)) <u>To be determined by</u> <u>future rule of the board of health.</u>
Risk 3	((332.00)) <u>To be determined by</u> <u>future rule of the board of health.</u>
School Kitchen⁴	
Risk 2	((240.00)) <u>To be determined by</u> <u>future rule of the board of health.</u>
Risk 3	((332.00)) <u>To be determined by</u> <u>future rule of the board of health.</u>
Seasonal Food Establishment⁶	
	One-half the applicable annual permit fee
Temporary Food Establishment⁵	
Low Risk	((175.00)) <u>213.00</u>
High Risk	((183.00)) <u>221.00</u>

131 Footnotes to Table 1:

132 1. All food establishment permit fees set forth in this table are annual fees, except those
133 for temporary food establishments (including temporary nonprofit institution food
134 establishments) and seasonal food establishments.

135 2. General food service includes a grocery store or bakery offering seating for on-site
136 consumption of food.

137 3. A bakery or grocery store offering seating for on-site consumption of food shall be
138 classified as a general food service establishment.

139 4. A school kitchen is designated as either Risk 2 or Risk 3, not Risk 1.

140 5. A temporary food establishment is designated as either Low Risk or High Risk.

141 ~~((B-))~~ 6. The applicant for a seasonal food establishment permit, or a food establishment
142 that is to be operated no longer than any period of six consecutive months, shall pay one-half the
143 applicable annual permit fee specified in Table 1~~((, above))~~.

144 **Part 4 — Permit Fee Schedule.**

145 **Effective January 1, ~~((2008))~~ 2012, and Thereafter.**

146 The owner or operator of a food establishment subject to the permit requirement
147 of WAC 246-215-200 or Food Code Paragraph 8-301.11 shall pay to the health officer a
148 food establishment permit fee as set forth in Table 1, based on the establishment type and
149 the risk category for the establishment. Where more than one type of food establishment
150 exists within or as part of another food establishment (for example, a bakery within a
151 grocery store~~((,))~~ or a deli within a meat market), the owner or operator shall pay the
152 permit fee for each applicable food establishment type; except that the owner or operator
153 of a grocery store with no more than two checkout stands, ~~((or))~~ a general food
154 establishment with no more than two checkout stands and no more than twelve seats for
155 customers for on-site consumption of food~~((,))~~ or a meat/fish market with no more than
156 two checkout stands shall pay only the highest applicable risk category permit fee
157 without being required to obtain a separate permit for each type of food handling activity
158 at the establishment. For purposes of this section, "highest applicable risk category
159 permit fee" means the fee corresponding to the highest risk category of food handling
160 activity at the establishment.

161 **TABLE 1**

162 **Food Establishment Categories and Permit Fees**

Type of Food Establishment			Applicable Fee¹
General Food Service²			
Seating Capacity	0 – 12	Risk 1	\$((302.00)) <u>350.00</u>
Seating Capacity	0 – 12	Risk 2	\$((503.00)) <u>583.00</u>
Seating Capacity	0 – 12	Risk 3	\$((697.00)) <u>808.00</u>
Seating Capacity	13 – 50	Risk 1	\$((306.00)) <u>354.00</u>
Seating Capacity	13 – 50	Risk 2	\$((510.00)) <u>591.00</u>
Seating Capacity	13 – 50	Risk 3	\$((736.00)) <u>852.00</u>
Seating Capacity	51 – 150	Risk 1	\$((312.00)) <u>362.00</u>
Seating Capacity	51 – 150	Risk 2	\$((536.00)) <u>621.00</u>
Seating Capacity	51 – 150	Risk 3	\$((785.00)) <u>911.00</u>
Seating Capacity	151 – 250	Risk 1	\$((324.00)) <u>376.00</u>
Seating Capacity	151 – 250	Risk 2	\$((548.00)) <u>635.00</u>
Seating Capacity	151 – 250	Risk 3	\$((833.00)) <u>965.00</u>
Seating Capacity	over 250	Risk 1	\$((337.00)) <u>390.00</u>
Seating Capacity	over 250	Risk 2	\$((552.00)) <u>639.00</u>
Seating Capacity	over 250	Risk 3	\$((870.00)) <u>1,009.00</u>
Limited Food Service			\$((302.00)) <u>350.00</u>
Bakery – No customer seating³			
Risk 1			\$((302.00)) <u>350.00</u>
Risk 2			\$((503.00)) <u>583.00</u>
Risk 3			\$((697.00)) <u>808.00</u>
Bed and Breakfast Operation			\$((302.00)) <u>350.00</u>
