

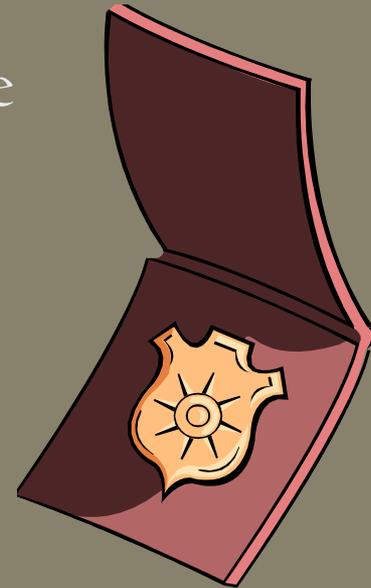
Environmental Health



LEGAL ASPECTS

POLICY 02- General Enforcement

- Compliance through education
 - Written orders
 - Administrative Hearings
 - Citation, impound, voluntary closure
- Imminent Danger
 - Extreme measures
 - Immediate Closure



POLICY 03- Public Records and Subpoenas

- ◆ Department Director is “Primary Custodian”- Division Directors are “Deputy Custodians” of records.
- ◆ Public must submit “Request for Records” form
- ◆ Supervisors approve Request for Records form within 10 working days.

POLICY 05-Board of Supervisor Inquiries



- ◆ Respond within 2 days
- ◆ Formal response to Board of Supervisors made by District Supervisor within 5 days

POLICY 14-News Media Relations



- ◆ Refer ALL media requests to your Supervisor
- ◆ All statements must have approval by Director prior to release

POLICY 31- Notice of Pendency

- ◆ Applicable to sewage, trash, vector, and land use violations
- ◆ Lien on property Deed as a result of unabated violations
- ◆ Department is reimbursed upon transfer of ownership

POLICY 100- Response Priorities

- ◆ Immediate: Referrals from Agency Director, Department Director, Division Director
- ◆ Within 24 Hours: Imminent danger to public health
- ◆ Within 2 Days: Referrals from Board of Supervisors
- ◆ Within 5 Days: Citizen complaints

POLICY 104- Permits, Billing, and Inventory

- ◆ Permits are not transferable
- ◆ 20% penalty added after thirty days
- ◆ 100% penalty after ninety days
- ◆ “Change of Status” forms



POLICY 105- Destruction of Division Records

- ◆ Division records are maintained as a reference, evidence, etc.
- ◆ Sewage/wastewater complaints are forwarded to Environmental Resources Management Division
- ◆ “If in doubt, *don’t* throw it out!”

POLICY 106- Complaint Procedures



- ◆ City contracts vs. County enforcement
- ◆ “Complaint Report” is evidence
- ◆ Letters vs. field investigations

POLICY III-“Notice of Violation”

- ◆ NOV is not a citation
- ◆ Used when an official inspection report cannot be issued
- ◆ Serves as legal notice to correct violation

POLICY III- “Hearing Notice”

- ◆ Hearing Notice is necessary when NOV fails
- ◆ Used to request an office hearing
- ◆ Hand delivered

POLICY 113- Chronology of Events

- ◆ Must be concise, clear, and complete - from start to finish
- ◆ Outlines code violations for prosecutor or Hearing Officer



POLICY 114- Administrative Hearings

- ◆ A.k.a. “office hearings”
- ◆ Allows violator opportunity to show cause why prosecution should be initiated
- ◆ Hearing officer is impartial

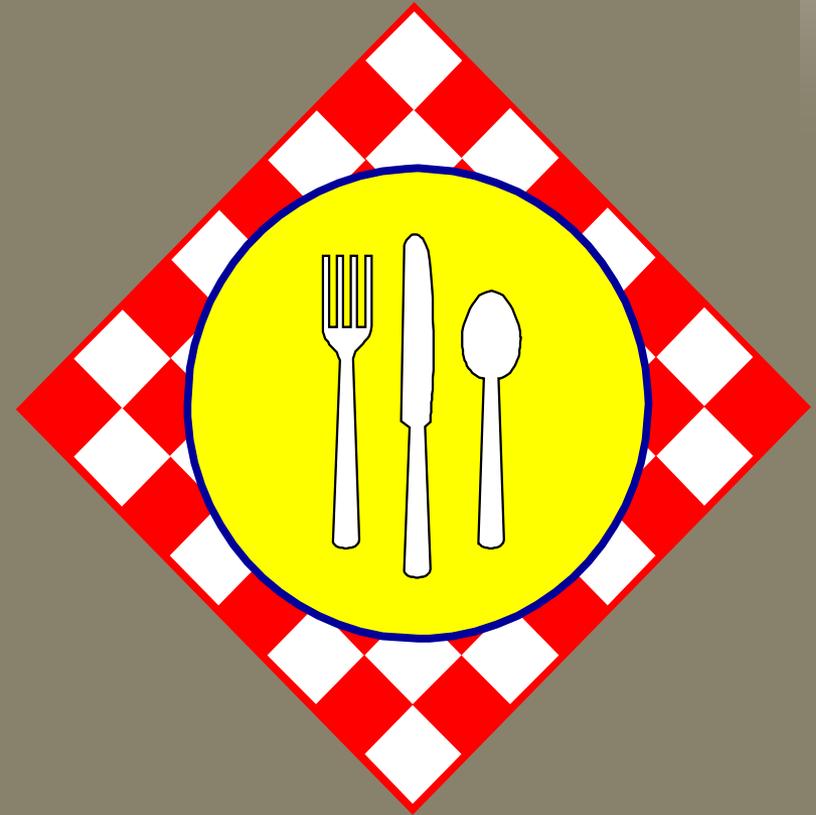
POLICY 116- Sewage/Wastewater Complaints



- ◆ Always get consent
- ◆ One whiff is not enough
- ◆ Legal steps-Due Process

POLICY 508- Impound & Sampling Food

- ◆ Applies to food product, utensils, and equipment
- ◆ Exercise *GOOD JUDGEMENT*
- ◆ Attach impound tag



POLICY 518- Permit Suspension or Revocation



- ◆ May be the last chance for an operator
- ◆ Permits are *generally* suspended (Ord. 640)
- ◆ Strict procedure is a must

POLICY 518- Permit Suspension or Revocation

◆ Paper Trail

- ◆ Notice to Show Just Cause Why Permit Should Not Be Suspended or Revoked
- ◆ Request for Hearing
- ◆ Hearing Notice
- ◆ Permittee's Rights
- ◆ Notice of Decision



POLICY F-1: Collection of Fees

- ◆ Issue Official County Receipt
- ◆ Acceptable payment – *No credit here!*
- ◆ Responsibility

WHEN DO I...

◆ Re-inspect Food Facilities

- ◆ Refrigeration poor
- ◆ Significant food handling issues
- ◆ Downgrade/ closure
- ◆ Other severe hazards
- ◆ Major insect/ rodent problem

WHEN DO I...

◆ CLOSE Food Facilities

◆ Supervisor must approve action

- ◆ Sewage inside/ outside
- ◆ No potable water
- ◆ No hot water (unless prepackaged)
- ◆ No electricity
- ◆ Severe rodent/ insect infestation
- ◆ Actual or potential threat (temperatures, sanitation)

WHEN DO I...

◆ Re-inspect Pools or Spas

- ◆ Chemical imbalance (free chlorine residual)
- ◆ Fencing problems
- ◆ No automatic chlorinators
- ◆ No rescue equipment
- ◆ Closed pool or spa

WHEN DO I...

◆ Close Pools or Spas

- ◆ Excessive chlorine >10ppm
- ◆ No chlorine
- ◆ Poor water clarity
- ◆ Heavy algae growth
- ◆ Loose/ missing light
- ◆ Re-circulation equipment not functioning