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ORDINANCE NO. 431 - AN ORDINANCE AMENDING WALLA WALLA COUNTY CODE CHAPTER 8.32, REVISING THE HEALTH DEPARTMENT ENVIRONMENTAL HEALTH FEE SCHEDULE.

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**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 431

**AN ORDINANCE AMENDING WALLA WALLA COUNTY CODE CHAPTER 8.32,
REVISING THE HEALTH DEPARTMENT ENVIRONMENTAL HEALTH FEE
SCHEDULE.**

Whereas, the Walla Walla County Department of Community Health has reviewed its food service sanitation regulations, and determined that the regulations need to be updated; and

Whereas, the Walla Walla County Department of Community Health has reviewed its fee schedules; and

Whereas, the Walla Walla County Department of Community Health has studied the cost of processing such applications and providing related services; and

Whereas, it is the desire of Walla Walla County to charge fees to partially offset the actual cost to the County of processing such applications and providing related services;

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that:

Section I. The Board of County Commissioners Makes the Following Findings of Fact:

1. The revised Health Department fee schedule, at Walla Walla County Code (WWCC) Chapter 8.32, is based on the costs of processing various permits, reviews, inspections and other Department of Community Health activities.
2. Notices of a Public Hearing were published in the Waitsburg Times on April 16, 2015.
3. The Board of County Commissioners held a public hearing on April 27, 2015 for the purpose of receiving testimony on the proposed revisions.

Section II. The Board of County Commissioners Makes the Following Conclusions of Law:

1. The County has reviewed and evaluated comments received from the public.



2. The fees established by the revised Health Department Fee Schedule, at WWCC Chapter 8.32, are fair and commensurate with the services provided.

Section III. Amendments to Walla Walla County Code Chapter 8.32. The amendments to Walla Walla County Code Chapter 8.32, are **adopted** as presented to the Board of County Commissioners on this date as attached in Exhibit A.

Section IV. Effective Date and Savings. This ordinance is effective as of the date of signing.

Section V. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section VI. This ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 27th day of April, 2015.

Attest:

Connie R. Vinti

Connie R. Vinti, Clerk of the Board

Perry L. Dozier

Perry L. Dozier, Chairman, District 2

(absent)

James K. Johnson, Commissioner, District 1

James L. Duncan

James L. Duncan, Commissioner, District 3

Constituting the Board of County Commissioners
of Walla Walla County, Washington



Approved as to form

Jesse B. Nolte

Jesse B. Nolte, Deputy Prosecuting Attorney



Exhibit A

CHAPTER 8.32 - HEALTH DEPARTMENT FEE SCHEDULE

- 8.32.010 - Establishment of schedule.
- 8.32.020 - Sewage program fees.
- 8.32.040 - Food program fees.
- 8.32.050 - Solid waste program fees.
- 8.32.070 - Plat review fees.
- 8.32.080 - Primary and secondary school inspection and plan review fees.
- 8.32.090 - Public swimming pool and spa inspections.

8.32.010 - Establishment of schedule.

The Walla Walla board of county commissioners acting as the Walla Walla County board of health ordains that the fee schedule set out in this chapter be established for the environmental health services of the Walla Walla County Department of Community hHealth department.

8.32.015 – General Conditions.

A. Any permitted establishment that has an outstanding balance with the Department of Community Health Health Department must pay all fees before a renewal permit can be issued. Example: A food establishment is assessed a fee for a follow-up inspection but fails to pay that fee and renewals are sent out for the next year. That establishment will not receive a renewal permit until all fees are paid.


B. Miscellaneous Program Fee:

A charge of \$100.00 per hour after the first hour with a minimum charge of \$100.00 will be assessed to any Environmental Health Program that does not have a per hour rate already assigned to it or if work in a program goes beyond what the normal fee covers. For Example: A customer is proposing a new composting facility and review of the application takes five hours instead of three hours. The customer would then be charged for an additional two hours of review time because the permit review fee for a new composting facility gives a three hour allowance for review of the application.

8.32.020 - Sewage program fees.

Sewage program fees shall be as follows:

- A. Septic tank permit—New system~~\$700.00~~ \$875.00
- B. Septic tank permit—Major replacement (total system or drainfield)~~325.00~~ \$500.00
- C. Septic tank permit—Replacement of septic tank only \$100.00
- D. Greywater subsurface irrigation installation permit:
 - 1. Tier 1~~215.00~~ \$400.00
 - 2. Tier 2~~215.00~~ \$400.00

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04/30/2015 02:04:15 PM Page 4 of 10 Fees: 81.00
Karen Martin County Auditor, Walla Walla County WA


3. Tier 3~~215.00~~ \$400.00
- E. Shop septic system up to 100 lineal feet of drainfield~~100.00~~ \$250.00.
- F. Bedroom addition to an existing septic system up to 100 lineal feet of drainfield~~100.00.~~ \$250.00
- FG. Septic tank permit ~~H~~holding tank or pit privy~~215.00~~ \$300.00
- GH. Septic tank permit fees will be doubled for any person who fails to obtain a septic permit when required.
- HI. Sewage system cleaner's license—Initial160.00
- IJ. Sewage system cleaner's license—Annual renewal110.00
- JK. Sewage system installer's license—Initial215.00
- KL. Sewage system installer's license Annual renewal110.00
- LM. Miscellaneous sewage program work, including test holes not included in a current permit application process and more than one follow-up compliance inspection, shall be charged at the rate of \$100 per hour with a minimum charge of \$100.00 per follow-up. Charges after the first hour will be calculated in ¼-hour increments.
- MN. For properties that are applying for a medical/personal hardship for temporary placement of a mobile/manufactured home, as determined by the Walla Walla County Joint Community Development Department Agency, the on-site sewage permit shall be \$215.00.

8.32.035 – Food service risk factors and categories

A. Risk factors are the following:

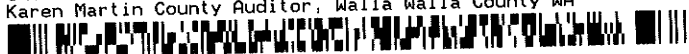
1. *Bare Hand Contact*: Potential for bare hand contact with ready-to-eat foods.
2. *Cold Holding*: Cold holding of potentially hazardous foods.
3. *Hot Holding*: Hot holding of potentially hazardous foods.
4. *Cooking*: Cooking of potentially hazardous foods (does not include heating commercially, pre-cooked foods).
5. *Cooling*: Cooling of potentially hazardous foods.
6. *Reheating*: Reheating of potentially hazardous foods for the purpose of hot holding.
7. *Produce Washing-Preparation*: Washing and/or cutting produce to serve as a ready to eat food.
8. *Highly Susceptible Population*: Establishment primarily serves a population at a higher risk of foodborne illness (pre-school age children, senior citizens).
9. *Consumer Advisory*: Has or needs a consumer advisory for undercooked potentially hazardous foods.
10. *Time as a Control*: When a food establishment replaces hot or cold holding with time as a control for a food item.

One point will be awarded for each risk factor associated with the menu of foods served. The total number of points awarded will determine the classification of the food establishment.

Food service categories are based on the nine risk factors:

1-3 points – Category 1

4-6 points – Category 2



7 or more points – Category 3

8.32.040 - Food program fees.

Food service fees are on a per year basis unless otherwise noted. Food program fees shall be as follows:

A. Restaurants:

- Category 1\$500.00
- Category 2575.00
- Category 3750.00

B. Grocery Stores:

- Category 1275.00
- Category 2500.00
- Category 31150.00

C. Mobile and vending food units:

- Category 1185.00
- Category 2300.00
- Category 3500.00
- Seasonal (6 months or less) Mobile Category 1100.00
- Seasonal (6 months or less) Mobile Category 2150.00
- Seasonal (6 months or less) Mobile Category 3250.00

D. Bars, taverns, wineries:

- Category 1185.00
- Category 2350.00
- Category 3560.00

E. Bed & breakfast kitchen185.00

F. Concession Stand/Snack Bars:

1. Commercial270.00
2. Seasonal commercial (6 months or less)135.00
3. Concession fees for non-profit organizations shall be one-half the commercial rate.

G. Food handler's cards:

1. Food worker cards (fee mandated by WAC 246-217-025)10.00
2. Reprint of lost food worker card5.00

H. Temporary Food Establishments (operating 21 days or less):

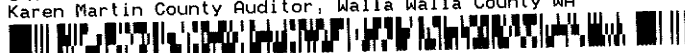
1. ~~Commercial temporary food service selling potentially hazardous food (certain potentially hazardous foods may be exempted from this category by the health officer)~~60.00 Category 1 temporary food service permit \$35.00 + 10.00 per day



2. Commercial ~~temporary~~ food ~~service~~ ~~selling~~ ~~non-potentially~~ ~~hazardous~~ food... ~~25.00~~ Category 2 temporary food service permit \$75.00 + 10.00 per day
 3. Temporary food service fees for non-profit organizations shall be one-half of the commercial rates.
 4. Temporary food service multi-event fee multiple permits applied for and paid 14 days or more before first event shall be 85 percent of regular total fee.
 5. Food establishments that have a current food service permit as specified in subsections A—D of this section shall receive a 75 percent fee discount for single event that they are participating in. This fee reduction shall not apply to those applying for the Farmers Market, Temporary Events that recur for more than 21 days or any other discount.
 6. Temporary and re-occurring temporary food vendors operating without a valid food service permit will be closed until all fees are paid and be charged an operating without a permit fee.
 7. Temporary establishments which operate without a valid permit shall be charged a 50-percent service fee in addition to the normal permit fee. Permit discounts will not apply.
- I. Temporary food establishments (recurring more than 21 days, for Farmers Market or other occasions where a temporary food vendor is at the same event that recurs for 21 days or more).
1. Category 1 permit...~~80.00~~ \$100.00
 2. Category 2 permit...~~135.00~~ \$150.00

J. Special Considerations:

1. For permanent non-seasonal establishments, new food permits issued after March 31st shall be charged 75 seventy-five of the normal permit fees listed above, after June 30th shall be charged 50 percent of the normal permit fees listed above, and after September 30th shall be charged 25 percent of the normal permit fees listed above. New food permits issued after November 30th shall be charged 100 percent of the next year's fee and will be effective from the opening date through the next calendar year. Discounts do not apply to permanent non-seasonal establishments operating without a valid food service permit.
2. Permanent non-seasonal food establishments can request to obtain a nine-month permit. The nine-month permit shall be 75 percent the original food service permit fee and can only be granted as long as the business does not have any past due fees for their annual food service permit. The food establishment must make arrangements with the regulatory authority two weeks before the current year's permit expires.
3. A permanent non-seasonal food service establishment can apply for a split in its food service fee. The split fee allows a food establishment to pay 50 percent of its food service permit before December 31st, and the remainder of its permit fee by July 1st, with an additional \$50.00 processing fee. The processing fee will be waived if the food establishment voluntarily pays the remainder of its food service fee before the reminder notice is sent on June 1st. The food service establishment must apply for the special condition by December 15th. If the first fee is not paid by February 1st of the renewal year then the operating permit will be suspended and the establishment will be closed until the permit is renewed and the late fee is paid. If the second payment is not received by July 31st of the renewal year then the operating permit will be suspended and the establishment will be closed until the permit is renewed and the late fee is paid.



4. Food establishment owners that close their food establishment may receive a refund if requested by the owner: 50 percent for January - March 31st, 25 percent for April—June 30th. No refunds will be issued after June 30th.
5. Charitable non-profit organizations serving food to the needy are exempt from paying food service fees.
6. Food service fees for non-profit 501(c) (3), 501(c) (8), 501(c) (10), and 501(c) (19) organizations shall be one-half of the commercial rates. Discount does not apply to permanent non-seasonal non-profit establishments operating without a valid food service permit.
7. Food service plan reviews and miscellaneous food program work shall be billed at the rate of ~~\$60.00~~ \$70.00 per hour, with a minimum charge of ~~\$60.00~~ \$70.00. Charges after the first hour will be calculated in one-quarter-hour increments.
8. Establishments that require more than one follow-up compliance inspection shall be charged at the rate of \$60.00 per hour, with a minimum charge of \$60.00 per follow-up. Charges after the first hour will be will be calculated in one-quarter-hour increments.
9. Additional permit fees shall be charged for the following:
 - a. Existing permanent non-seasonal food service establishments that have not renewed their annual permit by January 1st of the renewal year shall be charged a 25-percent service fee, in addition to the normal permit fee. Existing permanent non-seasonal food service establishments not renewing their annual permit by February 1 of the renewal year shall have their operating permit suspended, and the establishment will be closed until the permit is renewed and the late fee is paid.
 - b. New establishments that begin operation without a valid permit shall be charged an additional 50 percent service fee in addition to the normal permit fee. Permit discounts will not apply.
 - c. ~~Temporary or~~ Seasonal establishments which operate without a valid permit shall be charged a 50-percent service fee in addition to the normal permit fee. Permit discounts will not apply.
 - d. If more than one Health Officer Order instructing the establishment to pay for their current year permit fees is sent to the establishment, that establishment must pay two and one-half (2.5) times the normal permit fee. Permit discounts do not apply.
10. Permanent non-seasonal food service establishments (subsections A through F) can receive a 25-percent discount on annual permit renewal if:
 - a. The food establishment has no critical items on ~~the past three~~ out of the past four consecutive food service inspection reports for inspections after June of 2012 and has an internal audit program.
 - b. The internal audit program must consist of the following but is not limited to just these items:
 - Compliance with required and approved processes; such as a HACCP plan.
 - Paying your annual food service permit renewal on time
 - Having instituted a self-auditing program specific to your establishment.
 This includes but is not limited to:



- Daily temperature monitoring of hot and cold potentially hazardous food items.
 - Employee health monitoring.
 - Proper cooling and reheating verification.
- c. The Health Officer may add additional items if determined necessary if the food establishment added a process or food item that requires additional tracking not mentioned above.
- d. If the results of a November or December inspection make a food establishment eligible for a discount, the discount will not apply until the next following year's renewal cycle. For example, if an establishment receives, for a third consecutive time, no critical items on an inspection occurring in November or December of 2013, the discount may be received for the 2015 renewal, so long as the establishment receives no critical items on interim inspections before the 2015 renewal.
- e. New establishments must have three routine inspections completed before any discount can be received.
11. Institutional kitchen evaluations (school and jail kitchens) shall be billed at \$100.00 per hour with a \$100.00 minimum fee.
12. Daycare/childcare facilities shall be billed at \$60.00 per hour with a \$60.00 minimum fee.

8.32.050 - Solid waste program fees.

Solid waste program fees shall be as follows:

- A. Sanitary landfill New permit\$2,000.00
- B. Sanitary landfill Renewal~~500.00~~ \$750.00
- C. Composting site New permit \$300
- D. Composting sites Renewal200.00
- E. Other solid waste facilities/sites New permit500.00
- F. Other solid waste facilities/sites Renewal200.00

(Ord. No. 410, § III(Exh. C), 4-30-2012)

8.32.070 - Plat review fees.

Plat review fees shall be as follows:

- A. Short plat review~~\$160.00~~ \$200.00
- B. Long plat review~~\$325.00~~ \$400.00
- C. Boundary Line Adjustment~~60.00~~ \$100.00

8.32.080 - Primary and secondary school inspection and plan review fees.

Inspection and plan review fees for primary and secondary schools shall be as follows:

- A. Plan review and inspections shall be billed at the rate of 100.00 per hour with a minimum charge of \$100.00 Charges after the first hour will be calculated in one-quarter-hour increments.



8.32.090 - Public swimming pool and spa inspections.

Public swimming pool and spa inspection fees shall be as follows:

A. Operating permit fees:

1. General use swimming pool permit fee \$235/year
2. General use swimming pool permit fee—Seasonal175/year
3. Limited use swimming pool permit fee125.00/year
4. Limited use swimming pool permit fee—Seasonal85.00/year
5. General use spa permit fee125.00/year
6. General use spa permit fee—Seasonal85.00/year
7. Limited use spa permit fee85.00/year
8. Limited use spa permit fee—Seasonal60.00/year
9. Pool or spa facilities that require more than one follow-up inspection shall be charged at the rate of \$60.00 per hour, with a minimum charge of \$60.00 per follow-up. Charges after the first hour will be calculated in one-quarter-hour increments.
10. Additional permit fees shall be charged for the following:

Pool and spa permits shall be issued from May 1—April 30. Existing pools or spas that have not renewed their annual permit by May 1st of the renewal year shall be charged a 25 percent service fee in addition to the normal permit fee. Existing pools or spas that have not renewed their annual permit by June 1st of the renewal year shall have their operating permit suspended, and the pool or spa will be closed until the permit is renewed and the late fee is paid.

8.32.100 – Drinking Water Group B Water Systems

Group B Water System approvals and sanitary surveys fees shall be as follows:

1. Approval of a simple group B water system as defined in WAC 246-291-120(4)(a-e): \$400.00. An additional \$100 per hour will be charged for each additional hour in excess of four hours.
2. Group B water system requesting a variance: an additional \$150.00 will be added to the approval fee. An additional \$100 per hour will be charged for each additional hour in excess of one hour.
3. Group B water system requiring a Sanitary Survey due to bad test result: will be billed at a rate of \$100.00 per hour with a minimum charge of \$100.00

