

- B. Dogs
  - Altered . . . . . \$ 5.00
  - Unaltered . . . . . 15.00
- C. Late fee for renewal of a cat or dog license more than thirty days after its expiration . . . . . 10.00
- D. Guide dog . . . . . no fee
- E. Dog or cat owned by a member of the diplomatic or consular corps of a country having a treaty with the United States granting immunity from local law, upon submission of proof of such status . . no fee
- F. Dog or cat of owner of a "senior citizen's identification card" or "handi-capped person's identification card" issued by the City of Seattle Human Resources Department . . . . .  
 . . . . . Fifty percent of fee otherwise payable
- G. Lost cat or dog identification tag, upon submission of affidavit attesting to loss . . . . . 2.00  
 (Ord. 110258 § 1 (part), 1981.)

**9.26.030 Pet kennel license.**

The fee for each pet kennel license shall be Twenty-Five Dollars (\$25.00).  
 (Ord. 110258 § 1 (part), 1981.)

**9.26.040 Guard dog license.**

The fee for each guard dog license shall be Fifty Dollars (\$50.00).  
 (Ord. 110258 § 1 (part), 1981.)

**9.26.050 Other animal control fees and charges.**

- Other animal control fees shall be:
  - A. Administrative fee for each detained animal . . . . . \$20.00
  - B. For each twenty-four hour period or part thereof for kenneling . . . . . 5.00
  - C. For each animal adopted . . . . . 5.00
  - D. For each trapping permit . . . . . 5.00
  - E. For each dangerous animal . . . . . 25.00
  - F. For collecting and disposing of an owner's animal, whether the animal is dead or alive . . . . . 5.00
  - G. For the handling of animals, other than dogs and cats, charges may be assessed to recover the cost of special equipment.  
 (Ord. 110258 § 1 (part), 1981.)

**9.26.060 Spaying and neutering fees.**

The fees for spaying and neutering at the Municipal Spay and Neuter Clinic<sup>1</sup> shall be:

- A. Cats
    - Spaying . . . . . \$20.00
    - Neutering . . . . . 15.00
  - B. Dogs
    - Spaying . . . . . 25.00
    - Neutering . . . . . 20.00
- (Ord. 110258 § 1 (part), 1981.)

1. Editor's Note: The Municipal Spay and Neuter Clinic is the Pet Sterilization Clinic mentioned in Section 9.24.045.

**Title 10**

**HEALTH AND SAFETY**

**Chapter 10.01**

**GENERAL PROVISIONS—  
ADMINISTRATION AND ENFORCEMENT**

**Sections:**

- 10.01.010 Purpose and policy declared.
- 10.01.020 Applicability.
- 10.01.030 Definitions.
- 10.01.040 Enforcement.
- 10.01.050 Permits not transferable or assignable—Exceptions.
- 10.01.060 Display and removal of permit.
- 10.01.070 Permits the property of the city.
- 10.01.080 Separate permit for each location.
- 10.01.090 Application.
- 10.01.100 Duplicate permits.
- 10.01.110 Permit expiration.
- 10.01.120 Effect of payment by bad check.
- 10.01.130 Computation of time.
- 10.01.140 Investigation of applicant.
- 10.01.150 Complete application.
- 10.01.160 Permit issuance.
- 10.01.170 Proration of annual permit fee.
- 10.01.180 Refund of permit fee.
- 10.01.190 Grounds for permit denial, suspension or revocation.
- 10.01.200 Summary suspension or revocation.
- 10.01.210 Order of permit suspension, revocation or denial.
- 10.01.220 Appeal of permit denial, suspension or revocation.
- 10.01.230 Effect of complaint or request for hearing on conduct of business activity.
- 10.01.240 Order of the Hearing Examiner.
- 10.01.250 Finality of the decision of the Hearing Examiner.

- 10.01.260 Permits—Reinstatement after suspension.
- 10.01.270 Consent agreement.
- 10.01.280 Inspections—Frequency.
- 10.01.290 Inspections—Access.
- 10.01.300 Inspections—Report.
- 10.01.310 Inspections—Time allowed for correction of violations.
- 10.01.320 Administrative proceedings—Service of notices.
- 10.01.330 Violations.
- 10.01.340 Liability insurance.
- 10.01.350 Penalties.
- 10.01.360 Construction.
- 10.01.370 Severability.

**10.01.010 Purpose and policy declared.**

A. Title 10 of the Seattle Municipal Code is enacted as an exercise of the police power of Seattle to protect and preserve the public peace, health, safety, and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.

B. It is expressly the purpose of Title 10 to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of Title 10.

C. It is the specific intent of Title 10 to place the obligation of complying with its requirements upon the owner or operator of each premises within its scope, and no provision of nor term used in Title 10 is intended to impose any duty whatsoever upon the city or any of its officers or employees, for whom the implementation or enforcement of Title 10 shall be discretionary and not mandatory.

D. Nothing contained in Title 10 is intended to be nor shall be construed to create or form the basis for any liability on the part of the city or its officers, employees or agents, for any injury or damage resulting from the failure of the owner or operator of a premises to comply with the provisions of Title 10, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of Title 10 on the part of the city by its officers, employees or agents.

(Ord. 109949 § 1 (part), 1981.)

**10.01.020 Applicability.**

The provisions included in this chapter are generally applicable to activities regulated by Title 10 and to the administration and enforcement of all permits required by Title 10 of the Seattle Municipal Code. If provisions regulating a specific type of establishment are inconsistent with this chapter, the provision of the specific regulations shall control.

(Ord. 109949 § 1(part), 1981.)

**10.01.030 Definitions.**

A. Except as otherwise specified in Title 10, the following definitions apply:

1. "Administrative code" means the Administrative Code of the city (Chapter 3.02 of the Seattle Municipal Code) as now or hereafter amended.

2. "City" means the city of Seattle.

3. "Department" means the Seattle-King County Department of Public Health.

4. "Director" means the Director of the Seattle-King County Department of Public Health or his/her designated representative.

5. "Hearing Examiner" means the hearing Examiner of the city or his/her designated representative.

6. "Permit" means a valid legal authorization required by Title 10 in order to engage in a business or occupational activity in the city.

7. "Person" means any individual, partnership, corporation, trust, unincorporated or incorporated association, marital community, joint venture, governmental entity, or other entity or group of persons however organized.

8. "Person in charge" means the individual present in an establishment who is the supervisor of the regulated activity or of the establishment requiring a permit at the time of inspection. If no individual is the supervisor, then any person working therein may be deemed to be the person in charge.

9. "Title 10" means Title 10 of the Seattle Municipal Code.

B. Unless the context clearly indicates otherwise, the singular includes the plural, and the plural includes the singular.

(Ord. 109949 § 1(part), 1981.)

**10.01.040 Enforcement.**

This chapter shall be enforced and administered by the Director. The Director is authorized pursuant to the Administrative Code of the city to make rules and regulations not

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inconsistent with the provisions of Title 10 for the purpose of enforcing and carrying out its provisions.

(Ord. 109949 § 1(part), 1981.)

**10.01.050 Permits not transferable or assignable—Exceptions.**

A permit is not transferable; provided, that the Director may authorize transfer where no previously unpermitted person acquires a permit thereby, and if, in the judgment of the Director, transferral is consistent with the purposes of this Code.

(Ord. 109949 § 1(part), 1981.)

**10.01.060 Display and removal of permit.**

A. Each permit issued pursuant to this chapter shall be displayed conspicuously in the establishment for which issued.

B. The permittee shall remove from the premises or other area where it is placed as required by this chapter, every permit upon expiration, suspension or revocation. Whenever a permit is suspended or revoked, the permittee shall return the permit to the Director. If a suspended or revoked permit is not returned, it may be removed by the Director.

(Ord. 109949 § 1(part), 1981.)

**10.01.070 Permits the property of the city.**

All permits issued pursuant to this chapter remain the property of the city.

(Ord. 109949 § 1(part), 1981.)

**10.01.080 Separate permit for each location.**

A separate permit shall be obtained for each location at which an activity subject to a permit is conducted. Each permit shall be valid only at the location stated on the permit.

(Ord. 109949 § 1(part), 1981.)

**10.01.090 Application.**

Application for any permit shall be in writing on a form provided by the Director. The application shall include:

A. Applicant's full name, post office address, and the signature of an authorized representative of the applicant;

B. Whether such applicant is an individual, firm, or corporation, and, if a partnership, the names and addresses of the partners;

C. The location and type of the proposed establishment;

D. Remittance of any fees required by Chapter 10.03; and

E. If the application is for a seasonal or temporary permit, it shall also include the inclusive dates of the proposed operation;

F. Such other information as may reasonably be required by the Director in determining whether or not to issue a permit.

(Ord. 109949 § 1(part), 1981.)

**10.01.100 Duplicate permits.**

Where, from such evidence as he/she may require, the Director finds that a permit has been lost, he/she may issue a duplicate to the permittee upon payment of the required fee.

(Ord. 109949 § 1(part), 1981.)

**10.01.110 Permit expiration.**

All permits issued pursuant to this chapter shall expire one year following the date of issuance. All temporary and seasonal permits issued pursuant to this chapter shall expire on the date set forth on the face of such permit.

(Ord. 109949 § 1(part), 1981.)

**10.01.120 Effect of payment by bad check.**

Whenever payment of any fee imposed by Title 10 is made by a check that is not honored by the drawee bank, any permit issued pursuant to payment by that check is void from the date of permit issuance. The permit may be reissued upon payment by certified check, money order, or cash of the original amount, plus an administrative charge.

(Ord. 109949 § 1(part), 1981.)

**10.01.130 Computation of time.**

In computing any period of days prescribed by Title 10, the day of the act or event from which the designated period of time runs shall not be included. The last day of the period shall be included unless it is Saturday, Sunday, or a city legal holiday, in which event the last day of such period shall be the next succeeding day which is not a Saturday, Sunday, or city legal holiday.

(Ord. 109949 § 1(part), 1981.)

**10.01.140 Investigation of applicant.**

The Director may investigate the applicant for any permit to be issued pursuant to Title 10. The Director shall request record checks, site inspections or confirmation of zoning compliance to be performed by appropriate city agencies when they are required by Title 10. The city administrator to which such request has

been directed shall ascertain whether the applicant, activity, and/or premises comply with the requirements of laws, ordinances, rules and regulations to be enforced by the agency. The agencies shall notify the Director, in writing, whether any violation is found, specifying any noncompliance. In the event a written reply is not received by the Director within thirty days from the date of the original request for the check or inspection, the Director may issue the permit if the applicant is deemed qualified to hold the license in all other respects.

(Ord. 109949 § 1 (part), 1981.)

**10.01.150 Complete application.**

An application is complete when:

A. All information required by the application and by the provisions of Title 10 have been received by the Director; and

B. All permit and other required fees have been paid.

(Ord. 109949 § 1(part), 1981.)

**10.01.160 Permit issuance.**

The Director shall issue the permit upon finding that the application is complete, that all the requirements and conditions of this Code and rules and regulations prescribed hereunder have been satisfied, and that the applicant is qualified to hold the permit.

(Ord. 109949 § 1(part), 1981.)

**10.01.170 Proration of annual permit fee.**

A. If an application is made for a permit to be effective during the last six months of an annual permit period, the fee shall be one-half of the annual fee.

B. There shall be no proration of a permit fee when the permit is temporary or seasonal.

(Ord. 109949 § 1(part), 1981.)

**10.01.180 Refund of permit fee.**

A permit fee is refundable only if a permit is denied, or if a fee has been paid where none is imposed, or if the permit is issued where none is required, or the permittee never engages in permitted activity due to the refusal of any governmental agency to issue a necessary license, or if the applicant for a permit withdraws his/her application before the permit is issued.

(Ord. 109949 § 1(part), 1981.)

**10.01.190 Grounds for permit denial, suspension or revocation.**

A. Permits may be denied, suspended or revoked by the Director for violation of any provision of Title 10 or of any ordinance or law which regulates any activity requiring a permit in order to further the public interest in public health, safety, and welfare. A permit may also be denied, suspended, or revoked upon a finding that any applicant or permittee, or any owner, officer, or agent thereof:

1. Has been subject to any adverse finding in any judgment or order in any judicial or administrative proceeding in which fraud, deceit, coercion, breach of trust, unfair method of competition, unfair or deceptive trade act or practice, or assertion of unconscionable contractual provisions, or other similar act, practice, or conduct, on the part of the permittee or applicant is proven, and the time elapsed since the judgment or order is less than ten years; or

2. Has violated or failed to comply with any applicable provision of any city ordinance relating to public health or safety or rule or regulation prescribed thereunder; provided, that failure to obtain a permit shall not be grounds for permit denial; or

3. Has been subject to an adverse finding in any judgment or order, in any judicial or administrative proceeding for violation of any provision of a city ordinance or rule or regulation prescribed thereunder pertaining to fire, building, sanitation, zoning, weights and measures, license, consumer protection, or environmental protection matters, or any activity regulated by Title 10; or

4. Has violated or failed to comply with any final order of the Director or Hearing Examiner; or

5. Has failed to complete the application for a permit as required by this chapter; or

6. Has failed to obtain a license or permit required by state or other law necessary to engage in activity regulated by this Code; or

7. Has failed to comply with RCW Chapters 49.12 and 28A.28, and rules and regulations promulgated pursuant thereto, regarding employment of minors.

B. Nothing shall prohibit revoking or suspending a permit that was erroneously issued by the Department.

(Ord. 109949 § 1(part), 1981.)

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**10.01.200 Summary suspension or revocation.**

Notwithstanding any other provision of Title 10, a permit may be suspended or revoked by order of the Director, or any act or practice may be ordered to be ceased by the Director, without a hearing upon finding that:

A. There is reasonable cause to believe that the act or practice is regulated by Title 10 or that grounds for permit suspension or revocation exist, and that continuation of the act or practice will cause a clear, substantial and imminent hazard to health, safety, or property; or

B. Any public liability insurance policy required by Title 10 to be filed with the Director is impaired or is cancelled.

(Ord. 109949 § 1(part), 1981.)

**10.01.210 Order of permit suspension, revocation or denial.**

Permit suspension, revocation or denial shall be in writing in the form of an order and shall include a recital of the authority for the action, a brief and concise statement of facts which constitute the grounds for denial, suspension or revocation, and the Director's signature. A copy of the order, including notice of the right to a hearing shall be served on the applicant or permittee.

(Ord. 109949 §1(part), 1981.)

**10.01.220 Appeal of permit denial, suspension or revocation.**

A. If the Director has ordered a permit denied, suspended or revoked, the applicant may contest the denial by filing a notice of appeal and request for hearing with the Hearing Examiner within ten days after service or mailing of the order.

B. If a timely request for hearing is filed by the applicant or permittee, a hearing before the Hearing Examiner shall be scheduled and shall be conducted by the Hearing Examiner according to his/her rules for contested cases.

C. If a timely appeal is not filed by the applicant or permittee, the order of the Director denying, suspending or revoking the permit shall be final; provided, that the Director may waive the ten-day appeal requirement upon satisfaction that failure to receive notice of the order was beyond the control of the person requesting the hearing.

(Ord. 109949 § 1(part), 1981.)

**10.01.230 Effect of complaint or request for hearing on conduct of business activity.**

Except in the case of summary suspension or revocation, whenever a timely request for hearing on a complaint is filed, a permittee may engage in the activity for which the permit is required, pending decision by the Hearing Examiner.

(Ord. 109949 § 1(part), 1981.)

**10.01.240 Order of the Hearing Examiner.**

The Hearing Examiner may affirm or deny decisions of the Director to issue, deny, suspend, or revoke a permit.

(Ord. 109949 § 1(part), 1981.)

**10.01.250 Finality of the decision of the Hearing Examiner.**

The decision of the Hearing Examiner shall be final upon service upon each party.

(Ord. 109949 § 1(part), 1981.)

**10.01.260 Permits—Reinstatement after suspension.**

Any person whose permit has been suspended may, at any time, submit to the Department a written application for an inspection for the purpose of reinstatement of a suspended permit, which application shall include a statement signed by the applicant that, in his opinion, the conditions causing suspension of the permit have been corrected. Within the ten days following the Department's receipt of such an application, the Director shall inspect the premises or facilities for which inspection has been requested. In the event the applicant and such premises or facilities are in compliance with the requirements of the applicable ordinances, the permit shall be reinstated.

(Ord. 109949 § 1(part), 1981.)

**10.01.270 Consent agreement.**

The Director may enter into a consent agreement with the applicant or permittee for settlement of a contested case at any time prior to issuance of a decision by the Hearing Examiner. The consent agreement shall be in writing and signed by the applicant or permittee. The agreement shall be final when signed by the Director.

(Ord. 109949 § 1(part), 1981.)

**10.01.280 Inspections—Frequency.**

An inspection of an establishment, facilities, substances or activities regulated by this Code may be performed by the Director as often as the Director deems necessary. The Director shall inspect every establishment prior to issuing a permit therefor whenever the permittee is delinquent in the payment of any applicable permit fee.

(Ord. 109949 § 1(part), 1981.)

**10.01.290 Inspections—Access.**

Every person operating an establishment shall permit the Director, after proper identification, to enter the establishment during its normal business hours for the purpose of making inspections to determine compliance with applicable ordinances; and shall permit the Director to examine the records of the establishment to obtain information pertaining to food substances and/or supplies regulated by this Code that have been purchased, received, used, sold or otherwise distributed or stored by the establishment.

(Ord. 109949 § 1(part), 1981.)

**10.01.300 Inspections—Report.**

A. Whenever an inspection of a permitted establishment is made, the findings shall be recorded on the inspection report form prepared by the Director.

B. The inspection report form shall summarize the requirements of the applicable Seattle Municipal Code chapters. Inspection remarks shall be written to reference, by section number, the section of the Seattle Municipal Code violated, and shall state the date of the inspection, the correction to be made, and the period of time allowed for the correction of the violations found. The inspection report shall also state that failure to comply with any specified time limits for corrections may result in a Department directive to cease permitted operations and that an opportunity for hearing on the inspection findings will be provided if a written request for a hearing is filed with the Director within ten days following the date of the inspection report.

C. A copy of the completed inspection report form shall be furnished to the person in charge of the establishment at the conclusion of the inspection. The completed inspection report form is a public document that shall be made

available for public disclosure to any person who requests it according to law.

(Ord. 109949 § 1(part), 1981.)

**10.01.310 Inspection—Time allowed for correction of violations.**

Correction of the violations identified in any inspection report shall be accomplished within the period specified therein.

(Ord. 109949 § 1(part), 1981.)

**10.01.320 Administrative proceedings—Service of notices.**

A notice or order provided for in this chapter is properly served when it is delivered in person to the applicant, permittee or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the applicant or permittee. A copy of the notice shall be filed in the records of the Department.

(Ord. 109949 § 1(part), 1981.)

**10.01.330 Violations.**

A. It is a violation for any person to engage in any activity for which a permit is required without first obtaining a permit in accordance with the provisions of this Code;

B. It is a violation for any person to employ an individual in the capacity of an agent if that agent has failed to obtain any permit required by this Code;

C. It is a violation for any permittee or agent thereof to authorize any unpermitted person to engage in activity for which a permit is required, under color of a permit issued to the permittee;

D. It is a violation for any person to make or manufacture any permit required by this Code except upon order of the Director;

E. It is a violation for any person other than the Director, a permittee, or agent thereof to possess any permit issued pursuant to this Code.

(Ord. 109949 § 1(part), 1981.)

**10.01.340 Liability insurance.**

A. In those instances where Title 10 requires that the applicant for a permit shall provide insurance as a condition of receiving the permit, the purpose of the requirement is to ensure that members of the public and the city will be compensated for losses caused by personal injury or property damage resulting from the tortious acts of the permittee and its agents, employees, and officers.



B. Whenever the issuance of a permit is conditioned upon any applicant's obtaining liability insurance, each insurance policy shall:

1. Be issued by a company authorized to do business as an insurer in Washington State pursuant to the provisions of RCW Title 48 as now or hereafter amended;

2. Insure the permittee, and by endorsement or otherwise, name the city as additional insured protected against liability for, any damages sustained by any person on account of the negligence or the failure of permittee or any person in his/her employ, to comply with all laws and the ordinances of the city relating to the activity for which the permit is issued; and promise to defend from and pay any such damages;

C. Contain by endorsement or otherwise, the following recital:

"This policy is issued pursuant to Title 10 of the Seattle Municipal Code and is intended to comply with all the conditions and requirements thereof; any exception or limitation herein in conflict with any such condition or requirement is void.";

D. Be approved by the Director as to sufficiency and, upon request by the Director, as to form by the City Attorney; and

E. Be terminable only on at least thirty days' written notice to the Director. (Ord. 109949 § 1 (part), 1981.)

10.01.350 Penalties.

A. Any person violating or failing to comply with any of the provisions of Title 10 or any rule or regulation promulgated thereto, or any Order of the Hearing Examiner, is guilty of a violation subject to the provisions of Title 12A of the Seattle Municipal Code unless such violation or failure is specifically designated elsewhere in this Code as a crime.

B. Each day of continued violation or non-compliance constitutes a separate offense. (Ord. 109949 § 1 (part), 1981.)

10.01.360 Construction.

The provisions of this chapter do not apply to or govern the construction of and punishment of any offense committed prior to the effective date of this chapter or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing at the time of the commission

thereof in the same manner as if this chapter had not been enacted.

(Ord. 109949 § 1 (part), 1981.)

10.01.370 Severability.

The provisions of Title 10 are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of Title 10 or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of Title 10 or the validity of its application to other persons or circumstances.

(Ord. 109949 § 1 (part), 1981.)

Chapter 10.03

HEALTH CODE FEES

Sections:

10.03.010 Administrative fees and charges.

10.03.020 Fumigator and exterminator permit and examination fees.

10.03.040 Laboratory fees.

10.03.050 Fees for geriatric services.

10.03.056 Fees implementing Chapter 10.56 -Swimming and spa pools.

10.03.110 Food-service establishment permit fees.

10.03.120 School inspection, review, and investigation fees.

10.03.130 Fees for personal health services.

10.03.010 Administrative fees and charges.

The Director shall charge and collect the following administrative fees and charges under the circumstances indicated below:

A. For replacement of lost or destroyed permit. . . . . \$ 2.00

B. For transferring a permit pursuant to SMC Section 10.01.050. . . . . 2.00

C. For reissuing, pursuant to SMC Section 10.01.120, any permit previously voided for payment of permit fee with dishonored check. . . . . 10.00

D. For processing the. . . . . One-quarter of late payment of any the applicable annual permit fee if per unit fee delinquent by no more than ten days

- E. For processing the late payment of any temporary or seasonal permit fee if delinquent by no more than five days
- F. Inspections requested by permittee or person in charge of regulated activity, if outside regular Department working hours
- G. Furnishing special services or materials, requested by the public, if not ordinarily provided by the Department

One-quarter of the applicable permit fee  
 Cost to the Department of providing the hours  
 Cost to the Department of performing the service or furnishing the materials

(Ord. 110268 § 1, 1981; Ord. 109951 § 1(part), 1981.)

**10.03.020 Fumigator and exterminator permit and examination fees.**

Fees for permits, examinations and inspections under this chapter shall be paid prior to permit issuance, examination or inspection as follows:

- A. Master fumigator . . . . . \$100.00
- B. Master exterminator . . . . . \$100.00
- C. Master fumigator and master exterminator permit (if held by the same individual)
- D. Fumigator . . . . . \$ 10.00
- E. Exterminator . . . . . \$ 10.00
- F. Fumigator and exterminator permit (if held by the same individual)
- G. Apprentice . . . . . \$ 10.00
- H. Master fumigator exam— (each time administered)
- I. Master exterminator exam— (each time administered)
- J. Master fumigator and master exterminator exam (if administered concurrently)
- K. Fumigator exam . . . . . \$ 25.00
- L. Exterminator exam . . . . . \$ 25.00
- M. Fumigation inspection fee, per fumigation

(Ord. 109951 § 1(part), 1981.)

**10.03.040 Laboratory fees.**

A. The Director of Public Health is authorized and directed to charge and collect fees in the amount indicated for the following labora-

tory services provided for private physicians, private physician clinics, group practices, private laboratories, hospitals and community clinics:

- 1. Examination for feces for ova and parasites . . . . . \$34.00
- 2. Serological testing for syphilis . . . . . 3.00
- 3. Culturing of throat specimens for Group A streptococcus . . . . . 10.00
- 4. Culturing of feces for Salmonella, Shigella, and Campylobacter . . . . . 15.00
- 5. Serological testing for mycoplasma antibodies . . . . . 8.00
- 6. Serological testing for other respiratory viruses per antigen . . . . . 4.00
- 7. Serological testing for Mumps and Herpes viruses . . . . . 8.00
- 8. Testing for bacterial antibodies per antigen . . . . . 4.00
- 9. Serological testing for toxoplasma . . . . . 4.00
- 10. Testing for acid-fast bacilli (smear and culture) . . . . . 34.00
- 11. Serological testing for rubella (HAI Test) . . . . . 8.00
- 12. Serological testing for rubella (PHA Test) . . . . . 4.50

B. The Director of Public Health is authorized and directed to charge and collect fees in the amount indicated for the following laboratory services provided for private physicians, private physician clinics, group practices, private laboratories and hospitals:

- Screening for gonorrhea (Transgrow culture) . . . . . \$4.00

C. The Director is authorized and directed to charge and collect fees in the amount indicated for the following laboratory service provided for public and private family planning programs and community clinics:

- Screening for gonorrhea . . . . . \$2.55

(Ord. 110271 § 1, 1981.)

**10.03.050 Fees for geriatric services.**

Fees for the indicated geriatric services shall be charged and collected by the Director of Public Health, as follows:

- Blood-pressure exam . . . . . \$2.00 per exam;
  - Foot-care visit . . . . . 5.00 per visit;
- provided, that such fees may be waived for care provided to any recipient who demonstrates, or on whose behalf a demonstration is given, to



the reasonable satisfaction of the Director of Public Health, that such recipient is unable to pay such fees.  
(Ord. 110269 § 1, 1981.)

**10.03.056 Fees implementing Chapter 10.56  
—Swimming and spa pools.**

- A. Permit Fees.
  - 1. Annual permit for one pool. . \$165.00
  - 2. Annual permits for the second through the fifth pool on same premises as first pool. . . . . 82.50 each
  - 3. Administrative surcharge for delinquent payment of permit fees . . . . . 25.00 per permit
- B. Plan Review Fees.
  - 1. New pool. . . . . 100.00
  - 2. Renovation (including extensive changes in equipment, piping or pool structure, costing in excess of \$3,000.00. . . . . 50.00
  - 3. Alteration (including change of filtration equipment, pumps or other mechanical equipment. . . . . 15.00

(Ord. 110180 § 2, 1981.)

**10.03.110 Food-service establishment permit fees.**

A. The permit fees for the food-service establishments subject to regulation by Chapter 10.11 SMC shall be the annual fees set forth below and, with respect to temporary food-service establishments, the periodic fee set forth below:

Class Code	Type of Food-service establishment	Fee
1. a. Restaurants.		
	(1) Seating capacity 1–10 . . . . .	\$35.00
	(2) Seating capacity 11–25 . . . . .	45.00
	(3) Seating capacity 26–55 . . . . .	75.00
	(4) Seating capacity 56–90 . . . . .	130.00
	(5) Seating capacity 91–130 . . . . .	170.00
	(6) Seating capacity 131–175 . . . . .	205.00
	(7) Seating capacity 176–225 . . . . .	245.00
	(8) Seating capacity 226–275 . . . . .	285.00
	(9) Seating capacity over 275 . . . . .	325.00
b. Caterers.		
	(1) If part of another food-service establishment . . . . .	50.00
	(2) If not part of another food-service establishment . . . . .	155.00

- c. Food-Processing Establishments . . 145.00
- d. Snack Bars.
  - (1) No food preparation . . . . . 100.00
  - (2) Food Preparation . . . . . 145.00
- e. Mobile Food-Service Units.
  - (1) Mobile Food Cart - Each . . . . . 45.00  
Location
  - (2) Mobile Caterer - First . . . . . 145.00  
Vehicle  
Each Additional Vehicle. . . . . 50.00
  - (3) Restricted Mobile Food . . . . . 95.00  
Vehicle - Each Location
  - (4) Unrestricted Mobile Food. . . . . 165.00  
Vehicle - Each Location
- f. Temporary Food Service. . . . . 50.00  
Establishment
- g. Food Demonstrator. . . . . 145.00
- h. Taverns (no food preparation). . . . . 100.00
- 2. a. Grocery Stores.
  - (1) 1–3 checkout devices. . . . . 45.00
  - (2) 4–8 checkout devices. . . . . 85.00
  - (3) Over 8 checkout devices. . . . . 125.00
- b. Limited Grocery Stores. . . . . 50.00
- c. Produce Stand. . . . . 95.00
- 3. Retail bakery. . . . . 145.00

provided, that if the application pertains to a seasonal food-service establishment or a food-service establishment that is to be operated only after October 1st, in any year, the applicable permit fee shall be one-half the annual fee specified above.

B. The fee for any permit to be issued under Chapter 10.11 SMC shall be due and payable on or before the commencement date of the operation subject to such permit.

C. For the purpose of calculating seating capacity to determine the applicable permit fee, the following methodology shall be used:

1. Only the number of seats used for serving customers shall be counted; seating used solely for customer waiting shall not be counted.

2. Any restaurant comprised of more than one type of operation, such as a coffee shop and cocktail lounge, may, at the option of the permittee, have its seating capacity computed as if the restaurant were only a single operation.

3. Seating count for “take-out” and “drive-in” type food-service establishments shall either include the total number of inside and outside seats or two seats for each defined parking stall provided by the food-service establishment, whichever is greater.

D. Notwithstanding any other provision herein, the following shall be exempt from the fees established by this section:

1. Every person who operates a public, private, or parochial school lunchroom;

2. Every religious, charitable, community-service or educational organization or institution operating a food-service establishment unless such food-service establishment, more than five times per year, provides food to nonmembers of such organization or institution for a charge;

3. Any blind person who operates a vending facility under the supervision of the Washington State Commission for the Blind. The term "vending facility" as used in this subsection means any vending stand, facility, cafeteria, or snack bar at which food, tobacco or sundries are offered for sale. The term "blind person" as used in this subsection shall have the meaning set forth in RCW 74.17.010.

(Ord. 110268 § 2, 1981.)

10.03.120 School inspection, review, and investigation fees.

A. The Director is authorized and directed to charge and collect from the appropriate board of education or school, the indicated fee for the services described below:

- 1. For reviewing plans . . . \$40.00 base fees and specifications, plus \$20.00 per hour for actual time spent performing such review work of SMC 10.58.010A
- 2. For any pre-occupancy . . . . . 40.00 inspection conducted subsequent to the initial inspection conducted pursuant to WAC 248-64-250 (2) (a) and SMC 10.58.010B.
- 3. For any certification . . . . . 40.00 inspection conducted pursuant to SMC 10.58.010C
- 4. For any exemption investi- . . . . 40.00 gation conducted pursuant to SMC 10.58.010D.

B. Fees due under SMC 10.03.120A shall be payable by the affected school or board of education prior to the Director of Public Health's final approval of any plans and specifications submitted for review. All other fees shall be due and payable by the affected school or board of education upon submission to the Director of Public Health of the application or

request to perform the chargeable activity. (Ord. 110265 § 2, 1981.)

10.03.130 Fees for personal health services.

A. The Director of Public Health is authorized to charge and collect fees for the personal health care services authorized to be performed under SMC 10.60.010, according to the schedule, as modified by the provision of subsection C through E, thereof;

1981 updates to the Seattle Municipal Code As adopted in 1980 For current SMC, contact the Office of the City Clerk

Gross In-Care  
Equal to  
101% to Poverty  
201% to CSA Pov  
Over 250 Poverty  
B. TH used in "poverty State of Federal February together filed with which gu reference  
C. TH ized to v A, herec who den stration of the D pay such  
D. No tion A, l Public H health ca examina or chan charges from rec transmit  
E. WI service c for whor is availa from pri Medicaid party pay (Ord. 110



Gross Income Level of Health Care Services Recipient	Fee Category	Fee (Expressed as a percentage of Departmental costs as established SMC 10.60.020)
Equal to or less than 100%	A	No charge
101% to 200% CSA Poverty Guidelines	B	33% PLUS full departmental cost of pharmaceutical supplies
201% to 250% CSA Poverty Guidelines	C	66% PLUS full departmental cost of pharmaceutical supplies
Over 250% CSA Poverty Guidelines	D	100% PLUS full departmental cost of pharmaceutical supplies

B. The term "CSA Poverty Guidelines," as used in subsection A, hereof, means the "poverty income guidelines" applicable to the State of Washington, as published in 45 Code of Federal Regulations (CFR) Part 1060, effective February 23, 1981, three copies of which, together with related information have been filed with the City Clerk as C.F. 291173, and which guidelines are hereby adopted and, by this reference, made a part hereof.

C. The Director of Public Health is authorized to waive the fees established by subsection A, hereof, for care provided to any recipient who demonstrates, or on whose behalf a demonstration is given, to the reasonable satisfaction of the Director, that such recipient is unable to pay such fees.

D. Notwithstanding any provision in subsection A, hereof, to the contrary, the Director of Public Health shall not charge or collect a fee for health care services provided for the diagnosis, examination or treatment of syphilis, gonorrhea or chancroid, and no supplies and materials charges or fees shall be charged or collected from recipients of treatment for other sexually transmitted disease.

E. Whenever a chargeable personal health care service or treatment is provided to a recipient for whom third-party payor financial assistance is available, including but not limited to that from private insurance carriers, Medicare, and Medicaid, the Department may charge the third-party payor the Fee Category D fee. (Ord. 110272 § 3, 1981.)

**Chapter 10.08**

**ALARM SYSTEMS**

**Sections:**

**Subchapter III Burglary Alarm Systems  
10.08.170 False alarms.**

**Subchapter III Burglary Alarm Systems**

**10.08.170 False alarms.**

A. For the purposes of this section, the term "false alarm" shall mean the activation of a burglary and/or robbery alarm by other than a forced entry or attempted forced entry to the premises and at a time when no burglary or robbery is being committed or attempted on the premises.

B. For a police response to any false alarm the Chief of Police shall charge and collect from the person having or maintaining such burglary and/or robbery alarm on premises owned or occupied by him, fees as follows:

1. For a response to premises at which no other false alarm has occurred within the preceding six-months' period, hereinafter referred to as a "first response," no fee shall be charged, but the person having or maintaining such burglary and/or robbery alarm shall, within three working days after notice to do so, make a written report to the Chief of Police on forms prescribed by him setting forth the cause of such false alarm, the corrective action taken, whether such alarm has been inspected by an authorized serviceman, and such other information as the Chief of Police may reasonably require to determine the cause of such false alarm and corrective action necessary.

2. For a second response to premises within six months after a first response, no fee shall be charged, but a written report shall be

required as for a first response and the Chief of Police shall be authorized to inspect or cause to be inspected the alarm system at such premises, prescribed necessary corrective action, and shall give notice to the person having or maintaining such alarm system of the conditions and requirements of this section.

3. For a third response to premises within six months after such a second response, and for all succeeding responses within six months of the last response, a fee of Fifty Dollars (\$50.00) shall be charged, and if such third false alarm or any such succeeding false alarm is as a result of failure to take necessary corrective action prescribed by the Chief of Police, said Chief of Police may order the disconnection of such alarm system and it shall be unlawful to reconnect such alarm system until such corrective action is taken; provided, that no disconnection shall be ordered as to any premises required by law to have an alarm system in operation.  
(Ord. 110181 § 1, 1981; Ord. 101476 § 3, 1972.)

Chapter 10.10

FOOD SERVICE ESTABLISHMENTS

Repealed by Ordinance 109910.

Chapter 10.11

FOOD CODE

Sections:

Subchapter I Title

10.11.001 Citation.

Subchapter II Purpose and Policy Declared

10.11.002 Purpose and policy declared.

Subchapter III Definitions

- 10.11.010 Definitions "A" through "D."
- 10.11.020 Definitions "E" through "F."
- 10.11.030 Definitions "G" through "L."
- 10.11.040 Definitions "M" through "Q."
- 10.11.050 Definitions "R" through "S."
- 10.11.060 Definitions "T" through "Z."

Subchapters IV - X  
(Reserved)

Subchapter XI Food Supplies

- 10.11.111 (F.S.S.M. § 2-101) Food supplies -General.
- 10.11.112 (F.S.S.M. § 2-102) Food supplies -Special requirements.

Subchapter XII Food Protection

- 10.11.121 (F.S.S.M. § 2-201) Food protection-General.
- 10.11.122 (F.S.S.M. § 2-202) Food protection-Emergency occurrences.

Subchapter XIII Food Storage

- 10.11.131 (F.S.S.M. § 2-301) Food storage -General.
- 10.11.132 (F.S.S.M. § 2-302) Food storage -Refrigerated.
- 10.11.133 (F.S.S.M. § 2-303) Food storage -Heated.

Subchapter XIV Food Preparation

- 10.11.141 (F.S.S.M. § 2-401) Food preparation-General.
- 10.11.142 (F.S.S.M. § 2-402) Food preparation-Raw fruits and raw vegetables.
- 10.11.143 (F.S.S.M. § 2-403) Food preparation-Cooking potentially hazardous foods.
- 10.11.144 (F.S.S.M. § 2-404) Food preparation-Dry milk and dry milk products.
- 10.11.145 (F.S.S.M. § 2-405) Food preparation-Liquid, frozen, dry eggs and egg products.
- 10.11.146 (F.S.S.M. § 2-406) Food preparation-Reheating.
- 10.11.147 (F.S.S.M. § 2-407) Food preparation-Nondairy products.
- 10.11.148 (F.S.S.M. § 2-408) Food preparation-Use of product thermometers.
- 10.11.149 (F.S.S.M. § 2-409) Food preparation-Thawing potentially hazardous foods.

Subchapter XV Food Display and Service

- 10.11.150 (F.S.S.M. § 2-501) Food display and service-Potentially hazardous food.
- 10.11.151 (F.S.S.M. § 2-502) Food display and service-Milk and cream dispensing.



- 10.11.152 (F.S.S.M. § 2-503) Food display and service—Nondairy product dispensing.
- 10.11.153 (F.S.S.M. § 2-504) Food display and service—Condiment dispensing.
- 10.11.154 (F.S.S.M. § 2-505) Food display and service—Ice dispensing.
- 10.11.155 (F.S.S.M. § 2-506) Food display and service—Dispensing utensils.
- 10.11.156 (F.S.S.M. § 2-507) Food display and service—Re-service.
- 10.11.157 (F.S.S.M. § 2-508) Food display and service—Display equipment.
- 10.11.158 (F.S.S.M. § 2-509) Food display and service—Re-use of tableware.

Subchapter XVI Food Transportation

- 10.11.161 (F.S.S.M. § 2-601) Food transportation—General.

Subchapters XVII – XX  
(Reserved)

Subchapter XXI Personnel

- 10.11.211 (F.S.S.M. § 3-101) Personnel—General health.
- 10.11.212 Personnel—Food and beverage service workers permits.
- 10.11.213 (F.S.S.M. § 3-201) Personnel—personal cleanliness.
- 10.11.214 (F.S.S.M. § 3-301) Personnel—Clothing.
- 10.11.215 (F.S.S.M. § 3-401) Personnel—Practices.

Subchapters XXII – XXX  
(Reserved)

Subchapter XXXI Permissible  
Equipment and Materials

- 10.11.311 (F.S.S.M. § 4-102) Equipment and materials—Solder.
- 10.11.312 (F.S.S.M. § 4-103) Equipment and materials—Wood.
- 10.11.313 (F.S.S.M. § 4-104) Equipment and materials—Rubber and plastic.
- 10.11.314 (F.S.S.M. § 4-105) Equipment and materials—Mollusk and crustacea shells.
- 10.11.315 (F.S.S.M. § 4-106) Equipment and materials—Single service.

Subchapter XXXII Equipment and  
Materials Design and Fabrication

- 10.11.321 (F.S.S.M. §§ 4-101 and 4-201) Design and fabrication—General.
- 10.11.322 (F.S.S.M. § 4-202) Design and fabrication—Food-contact surface accessibility.
- 10.11.323 (F.S.S.M. § 4-203) Design and fabrication—In-place cleaning.
- 10.11.324 (F.S.S.M. § 4-204) Design and fabrication—Pressure-spray cleaning.
- 10.11.325 (F.S.S.M. § 4-204) Design and fabrication—Thermometers.
- 10.11.326 (F.S.S.M. § 4-206) Design and fabrication—Non-food-contact surfaces.
- 10.11.327 (F.S.S.M. § 4-207) Design and fabrication—Ventilation hoods.
- 10.11.328 (F.S.S.M. § 4-208) Design and fabrication—Existing equipment.

Subchapter XXXIII Equipment  
Installation and Location

- 10.11.331 (F.S.S.M. § 4-301) Equipment installation and location—General.
- 10.11.332 (F.S.S.M. § 4-302) Equipment installation and location—Table-mounted equipment.
- 10.11.333 (F.S.S.M. § 4-303) Equipment installation and location—Floor-mounted equipment.
- 10.11.334 (F.S.S.M. § 4-304) Equipment installation and location—Aisles and working spaces.

Subchapters XXXIV – XL  
(Reserved)

Subchapter XLI Equipment and  
Utensil Cleaning

- 10.11.411 (F.S.S.M. § 5-101) Equipment and utensil cleaning—Frequency.
- 10.11.412 (F.S.S.M. § 5-102) Equipment and utensil cleaning—Wiping cloths.
- 10.11.413 (F.S.S.M. § 5-103) Equipment and utensil cleaning—Manual cleaning and sanitizing.
- 10.11.414 (F.S.S.M. § 5-104) Equipment and utensil cleaning—Mechanical cleaning and sanitizing.
- 10.11.415 (F.S.S.M. § 5-105) Equipment and utensil cleaning—Drying.

HEALTH AND SAFETY

Subchapter XLII Equipment and Utensil Handling

- 10.11.421 (F.S.S.M. § 5-201) Equipment and utensil handling—General.
- 10.11.422 (F.S.S.M. § 5-202) Equipment and utensil handling—Storage.
- 10.11.423 (F.S.S.M. § 5-203) Equipment and utensil handling—Single-service article storage.
- 10.11.424 (F.S.S.M. § 5-204) Equipment and utensil handling—Prohibited storage area.

Subchapter LI Water Supply

- 10.11.511 (F.S.S.M. § 6-101) Water supply—General.
- 10.11.512 (F.S.S.M. § 6-102) Water supply—Transportation.
- 10.11.513 (F.S.S.M. § 6-103) Water supply—Bottled water.
- 10.11.514 (F.S.S.M. § 6-104) Water supply—Water under pressure.
- 10.11.515 (F.S.S.M. § 6-105) Water supply—Steam.

Subchapter LII Sewage

- 10.11.521 (F.S.S.M. § 6-201) Sewage.

Subchapter LIII Plumbing

- 10.11.531 (F.S.S.M. § 6-301) Plumbing—General.
- 10.11.532 (F.S.S.M. § 6-302) Plumbing—Nonpotable water system.
- 10.11.533 (F.S.S.M. § 6-303) Plumbing—Backflow.
- 10.11.534 (F.S.S.M. § 6-304) Plumbing—Grease traps.
- 10.11.535 (F.S.S.M. § 6-305) Plumbing—Garbage grinders.
- 10.11.536 (F.S.S.M. § 6-306) Plumbing—Drains.

Subchapter LIV Toilet Facilities

- 10.11.541 (F.S.S.M. § 6-401) Toilet facilities—Installation.
- 10.11.542 (F.S.S.M. § 6-402) Toilet facilities—Design.
- 10.11.543 (F.S.S.M. § 6-403) Toilet facilities—Rooms.
- 10.11.544 (F.S.S.M. § 6-404) Toilet facilities—Fixtures.

Subchapter LV Lavatory Facilities

- 10.11.551 (F.S.S.M. § 6-501) Lavatory facilities—Installation.

- 10.11.552 (F.S.S.M. § 6-502) Lavatory facilities—Water temperature and faucets.
- 10.11.553 (F.S.S.M. § 6-503) Lavatory facilities—Supplies.
- 10.11.554 (F.S.S.M. § 6-504) Lavatory facilities—Maintenance.
- 10.11.555 Lavatory facilities—Prohibited use.

Subchapter LVI Garbage and Refuse

- 10.11.561 (F.S.S.M. § 6-601) Garbage and refuse—Containers.
- 10.11.562 (F.S.S.M. § 6-602) Garbage and refuse—Storage.
- 10.11.563 (F.S.S.M. § 6-603) Garbage and refuse—Disposal.

Subchapter LVII Insect, Spider, and Rodent Control

- 10.11.571 (F.S.S.M. § 6-701) Insect, spider, and rodent control—General.
- 10.11.572 (F.S.S.M. § 6-702) Insect, spider, and rodent control—Openings.

Subchapters LVIII – LX (Reserved)

Subchapter LXI Floors

- 10.11.611 (F.S.S.M. § 7-101) Floors—Construction.
- 10.11.612 (F.S.S.M. § 7-102) Floors—Carpeting.
- 10.11.613 (F.S.S.M. § 7-103) Floors—Prohibited coverings.
- 10.11.614 (F.S.S.M. § 7-104) Floors—Drains.
- 10.11.615 (F.S.S.M. § 7-105) Floors—Mats and duckboards.
- 10.11.616 (F.S.S.M. § 7-106) Floors—Junctures.
- 10.11.617 (F.S.S.M. § 7-107) Floors—Utility line installation.

Subchapter LXII Walls and Ceilings

- 10.11.621 (F.S.S.M. § 7-201) Walls and ceilings—Maintenance.
- 10.11.622 (F.S.S.M. § 7-202) Walls and ceilings—Construction.
- 10.11.623 (F.S.S.M. § 7-203) Walls and ceilings—Exposed construction.
- 10.11.624 (F.S.S.M. § 7-204) Walls and ceilings—Utility line installation.
- 10.11.625 (F.S.S.M. § 7-205) Walls and ceilings—Attachments.



10.11.626 (F.S.S.M. § 7-206) Walls and ceilings—Covering material installation.

Subchapter LXIII Premises Cleaning

- 10.11.631 (F.S.S.M. § 7-301) Cleaning and operations—General.
- 10.11.632 (F.S.S.M. § 7-302) Cleaning operations—Utility sinks.
- 10.11.633 (F.S.S.M. § 7-805) Cleaning operations—Cleaning equipment storage.

Subchapter LXIV Lighting

- 10.11.641 (F.S.S.M. § 7-401) Lighting—General.
- 10.11.642 (F.S.S.M. § 7-402) Lighting—Protective shielding.

Subchapter LXV Ventilation

- 10.11.651 (F.S.S.M. § 7-501) Ventilation—General.
- 10.11.652 (F.S.S.M. § 7-502) Ventilation—Special.

Subchapter LXVI Dressing Rooms and Areas

- 10.11.661 (F.S.S.M. § 7-601) Dressing rooms and areas—General.
- 10.11.662 (F.S.S.M. § 7-602) Dressing rooms and areas—Lockers.

Subchapter LXVII Poisonous Materials

- 10.11.671 (F.S.S.M. § 7-701) Poisonous material—Permitted.
- 10.11.672 (F.S.S.M. § 7-702) Poisonous material—Container labeling.
- 10.11.673 (F.S.S.M. § 7-703) Poisonous material—Storage.
- 10.11.674 (F.S.S.M. § 7-704) Poisonous material—Use.

Subchapter LXVIII Personal Health Aids

- 10.11.681 (F.S.S.M. §§ 7-705 and 7-706) Personal medications and first-aid supplies.

Subchapter LXIX General Premises

- 10.11.691 (F.S.S.M. § 7-801) Premises—General.
- 10.11.692 (F.S.S.M. § 7-802) Premises—Living areas.
- 10.11.693 (F.S.S.M. § 7-803) Premises—Laundry facilities.
- 10.11.694 (F.S.S.M. § 7-804) Premises—Linens and clothes storage.

10.11.695 (F.S.S.M. § 7-806) Premises—Animals.

Subchapter LXX  
(Reserved)

Subchapter LXXI Mobile Food Service

- 10.11.711 (F.S.S.M. § 8-801) Mobile food service—General.
- 10.11.712 (F.S.S.M. § 8-102) Restricted—Mobile food vehicles exemption from requirements.
- 10.11.713 (F.S.S.M. § 8-103) Mobile food service—Single-service articles.
- 10.11.714 (F.S.S.M. § 8-104) Mobile food service—Water system.
- 10.11.715 (F.S.S.M. § 8-105) Mobile food service—Waste retention.
- 10.11.716 (F.S.S.M. § 8-201) Mobile food service—Base of operations.
- 10.11.717 (F.S.S.M. § 8-301) Mobile food service—Servicing area.
- 10.11.718 (F.S.S.M. § 8-302) Mobile food service—Servicing operations.

Subchapters LXXII – LXXX  
(Reserved)

Subchapter LXXXI Temporary Food-service Establishments

- 10.11.811 (F.S.S.M. § 9-101) Temporary food-service establishments—General.
- 10.11.812 (F.S.S.M. § 9-102) Temporary food-service establishments—Restricted operations.
- 10.11.813 (F.S.S.M. § 9-103) Temporary food-service establishments—Ice.
- 10.11.814 (F.S.S.M. § 9-104) Temporary food-service establishments—Equipment.
- 10.11.815 (F.S.S.M. § 9-105) Temporary food-service establishments—Single-service articles.
- 10.11.816 (F.S.S.M. § 9-106) Temporary food-service establishments—Water.
- 10.11.817 (F.S.S.M. § 9-107) Temporary food-service establishments—Wet storage.
- 10.11.818 (F.S.S.M. § 9-108) Temporary food-service establishments—Handwashing.

10.11.001 HEALTH AND SAFETY

10.11.819 (F.S.S.M. § 9-110) Temporary food-service establishments—Floors.

10.11.820 (F.S.S.M. § 9-111) Temporary food-service establishments—Walls and ceilings of food-preparation areas.

Subchapters LXXXII – LXXXIX  
(Reserved)

Subchapter XC Waiver

10.11.901 Waiver.

10.11.902 Exemptions.

Subchapter XCI Permits

10.11.911 (F.S.S.M. §§ 10-101 and 10-102) Permits—Application for, issuance, display, and effective periods.

10.11.912 Repealed.

10.11.913 Repealed.

10.11.914 (F.S.S.M. § 10-103) Permits—Suspension.

10.11.915 (F.S.S.M. § 10-104) Permits—Revocation.

10.11.916 Permits—Reinstatement after suspension.

10.11.917 (F.S.S.M. § 10-107) Permits—Application after revocation.

Subchapter XCII Inspections

10.11.921 (F.S.S.M. § 10-201) Inspections—Frequency.

10.11.922 (F.S.S.M. § 10-202) Inspections—Access.

10.11.923 (F.S.S.M. § 10-203) Inspections—Report.

10.11.924 (F.S.S.M. § 10-204) Inspections—Time allowed for correction of violations.

Subchapter XCIII Examination and  
Condemnation of Food

10.11.931 Examination and condemnation of food.

Subchapter XCIV Review of Food-service  
Establishment Plans

10.11.941 (F.S.S.M. § 10-401) Review of food-service establishment plans; review fee.

10.11.942 (F.S.S.M. § 10-402) Pre-operational inspection.

Subchapter XCV Authority of Health  
Officer Suspecting Infection

10.11.951 (F.S.S.M. § 10-501) Procedure when infection is suspected.

Subchapter XCVI Administrative Proceedings

10.11.961 (F.S.S.M. § 10-105) Administrative proceedings—Service of notices.

10.11.962 Administrative proceedings—Request for hearing.

10.11.963 Administrative proceedings—Hearings.

Subchapter XCVII Penalties

10.11.971 (F.S.S.M. § 10-601) Penalties.

Subchapter XCVIII Appendices

10.11.981 Adoption and incorporation of appendices.

Subchapter XCIX General Provisions

10.11.991 Enforcement.

10.11.992 Construction.

10.11.993 Severability. The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances. (Ord. 109910 § 1(part), 1981.)

Subchapter I Title

10.11.001 Citation.

This chapter may be cited and referred to and shall be known as the "Seattle Food Code." (Ord. 109910 § 1(part), 1981.)

Subchapter II Purpose and Policy Declared

10.11.002 Purpose and policy declared.

A. This chapter is enacted as an exercise of the police power of the city to protect and preserve the public peace, health, safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.

B. It is expressly the purpose of this chapter to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.



C. It is the specific intent of this chapter to place the obligation of complying with its requirements upon the owner or operator of each food-service establishment within its scope, and no provision of this chapter is intended to impose any duty whatsoever upon the city or any of its officers or employees, for whom the implementation or enforcement of this chapter shall be discretionary and not mandatory.

D. Nothing contained in this chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the city, its officers, employees or agents, for any injury or damage resulting from the failure of the owner or operator of a food-service establishment to comply with the provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the city by its officers, employees or agents.

(Ord. 109910 § 1(part), 1981.)

### Subchapter III Definitions

#### 10.11.010 Definitions "A" through "D."

As used in this chapter, unless the context clearly requires another meaning:

A. "Adulterated" means the condition of a food: (1) if it bears or contains poisonous or deleterious substance in a quantity that may render it injurious to health; (2) if it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established; (3) if it consists in whole or in part of any decomposed substance, or if it is otherwise unfit for human consumption; (4) if it has been processed, prepared, packed or held under an unsanitary condition, or in which it may have been rendered injurious to health; (5) if it is in whole or in part the product of a diseased animal, or an animal that has died otherwise than by slaughter; or (6) if its container is composed in whole or in part of any poisonous or deleterious substance that may render the contents injurious to health.

B. "Approved" means acceptable to the Health Officer based on his/her determination as to conformance with appropriate health standards and good public health practice.

C. "Caterer" means any person operating a

food-service establishment that, pursuant to a prior order or agreement, prepares food, provides transportation for such food to other premises for consumption, and serves food or sets up a buffet for self-service, either as the primary function of the establishment or as an activity additional to another requiring a permit issued pursuant to this chapter.

D. "Closed" means fitted together snugly leaving no openings large enough to permit entrance of insects, spiders, and rodents.

E. "Commercial cannery" means an approved commercial establishment where food for human consumption is packaged in hermetically sealed containers.

F. "Commissary" means a food-service establishment or any other place in which food, containers, or supplies are kept, handled, prepared, packaged or stored for use in a mobile or temporary food establishment.

G. "Corrosion-resistant materials" means those materials that maintain their original surface characteristics under prolonged influence of the food with which it comes in contact, the normal use of cleaning compounds and bactericidal solutions, and the general conditions-of-use environment.

H. "Department" means the Public Health Department of the city of Seattle.  
(Ord. 109910 § 1(part), 1981.)

#### 10.11.020 Definitions "E" through "F."

As used in this chapter, unless the context clearly requires a different meaning:

A. "Easily cleanable" means readily accessible, of such material and finish, and so fabricated that residue may be effectively removed by normal cleaning methods.

B. "Equipment" means all stoves, ovens, ranges, hoods, slicers, mixers, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steamtables, and similar items, other than utensils, used in the operation of a food-service establishment.

C. "Extensively remodeled" means having undergone a change in condition from that existing prior to the commencement of the remodeling work, that results in one or more of the following circumstances: (1) the square footage of the food-preparation area or the area where food is served to the public is increased by more than twenty percent; (2) food-service capacity is increased by more than twenty percent by the installation of equipment or fixtures;



or (3) the food-service establishment provides, for the first time, seating or drive-in parking spaces for its patrons.

D. "Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale, in whole or in part, for human consumption.

E. "Food-contact surface" means every surface of equipment and utensils with which food normally comes in contact, and every surface from which food may drain, drip, or splash back onto a surface normally in contact with food.

F. "Food demonstration" means the serving, without charge, of any sample or small portion of food, drink, or food product, for the purpose of publicizing, advertising, or promoting the sale of food, food products, or food-preparation equipment.

G. "Food demonstrator" means any person who engages in the business or practice of conducting food demonstrations.

H. "Food preparation" means the putting together, cutting, slicing, dividing, mixing, apportioning, or packaging of perishable or potentially hazardous food for a consumer, except that trimming or cleaning of whole vegetables or fruits for display and sale shall not be considered food preparation.

I. "Food-processing establishment" means any commercial establishment other than a restaurant, snack bar, mobile restaurant, retail bakery, or caterer, in which food is processed or otherwise prepared or packaged or where any potentially hazardous food is placed, packaged, or repackaged into another container for consumption or for resale.

J. "Food-service establishment" means any restaurant; snack bar; tavern; bar; night club; produce stand; industrial feeding establishment; grocery store; limited grocery store; mobile food-service unit; retail bakery; private, public, or nonprofit organization or institution routinely serving food; catering kitchen; food-processing establishment; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other establishment or operation where food is served or provided for the public with or without charge; provided, that any establishment subject to licensure under Ordinance 94465, as amended (relating to meat), or licensure or the issuance of a certificate of registration under Ordinance 80028, as amended (relating to poultry, rabbits, fish and shellfish), or the issu-

ance of a permit under Ordinance 63773 (relating to shellfish)<sup>1</sup>, or any successor ordinance relating to any such matters, shall not thereby avoid being considered to be a food-service establishment.

(Ord. 109910 § 1(part), 1981.)

1. Editor's Note: Ord. 94465 is codified in Chapter 10.12 of this Code; Ord. 80028 is codified in Chapter 10.14; and Ord. 63773 is not included in this codification.

**10.11.030 Definitions "G" through "L."**

As used in this chapter, unless the context clearly requires a different meaning:

A. "Grocery store" means any food-service establishment other than an establishment defined in subsections 10.11.010 C; 10.11.020 G and I; 10.11.030 F; 10.11.040 B and I; 10.11.050 B, C, and I; and 10.11.060 B and C of this chapter, that sells or offers for sale any food requiring temperature control.

B. "Health Officer" means the Director of Public Health of the city and any of his/her designated representatives.

C. "Hermetically sealed container" means a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its content after processing.

D. "Kitchenware" means all multi-use utensils other than tableware used in the storage, preparation, transportation, or serving of food.

E. "Law" includes federal, state, and local statutes, ordinances, and rules and regulations.

F. "Limited grocery store" means any food-service establishment not defined in subsections 10.11.010 C; 10.11.020 G and I; 10.11.030 A; 10.11.040 B and I; 10.11.050 B, C, and I; and 10.11.060 B and C of this chapter, that sells or offers for sale or generally makes available to the consumer only food not requiring temperature control.

(Ord. 109910 § 1(part), 1981.)

**10.11.040 Definitions "M" through "Q."**

As used in this chapter, unless the context clearly requires a different meaning:

A. "Misbranded" means the presence of any written, printed, or graphic matter upon or accompanying food or a container of food, that is false or misleading or that violates any applicable federal, state or city labeling requirement.

B. "Mobile food-service unit" means an approved movable vehicle that is operated from

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either a fixed location or on an established daily route; is supplied from, and cleaned and maintained at, a commissary or other approved fixed food-establishment; and from which food is prepared, served, or provided for the public with or without charge. Such units shall be classified according to the following categories:

1. "Mobile food cart" means a vehicle limited to serving non-potentially hazardous foods or frankfurters.

2. "Restricted mobile food vehicle" means a vehicle limited to serving only prepackaged potentially hazardous food prepared at an approved food-service establishment.

3. "Unrestricted mobile food vehicle" means a vehicle preparing or serving potentially hazardous food that is not prepackaged.

4. "Mobile caterer" means a person engaged in the business of transporting, in motor vehicles, food and beverages to business and industrial establishments pursuant to prearranged schedules, and dispensing from said vehicles said items, at retail, for convenience of the personnel of such establishments.

C. "Packaged" means bottled, canned, cartoned, or securely wrapped.

D. "Perishable food" means any food of such type or in such condition as may spoil.

E. "Person" means any individual, or a firm, partnership, company, corporation, trustee, association, or any public or private entity.

F. "Person in charge" means the individual present in a food-service establishment who is the supervisor of the food-service establishment at the time of inspection. If no individual is the supervisor, then any person working therein may be deemed to be the person in charge.

G. "Poisonous material" means and includes insecticides and rodenticides; detergents, sanitizers, and related cleaning or drying agents; caustics, acids, polishes, and other toxic chemicals.

H. "Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include clean, whole, uncracked, odor-free shell eggs or foods which have a pH level of 4.6 or below or a water activity (a) value of 0.85 or less.

I. "Produce stand" means a roadside stand

or similar structure that operates as a food-service establishment at a fixed location and offers for sale only fresh whole fruits and/or vegetables, pursuant to special rules promulgated by the Health Officer pursuant to this chapter. (Ord. 109910 § 1(part), 1981.)

#### 10.11.050 Definitions "R" through "S."

As used in this chapter, unless the context clearly requires a different meaning:

A. "Reconstituted" means dehydrated food products recombined with water or other liquids.

B. "Restaurant" means any stationary food-service establishment providing seating or seating equivalents, including but not limited to a cafeteria, coffee shop, luncheonette, grill, tea room, sandwich shop, short-order cafe, cocktail lounge, dinner theater, and soda fountain, that gives, sells, or offers for sale food to the public, guests, patrons, or its personnel, as well as commercial kitchens in which food is prepared and is either served on the premises or is transported off-premises but is not served or set up as a buffet by restaurant personnel.

C. "Retail bakery" means any food-service establishment in which food and food products are mixed and baked to final form and offered to the ultimate consumer and intended for off-premises consumption.

D. "Safe materials" means articles manufactured from or composed of materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any food. If materials used are food additives or color additives as defined in Section 201(s) or (t) of the Federal Food, Drug, and Cosmetic Act, they are "safe" only if they are used in conformity with regulations established pursuant to Section 409 or Section 706 of that Act. Other materials are "safe" only if, as used, they are not food additives or color additives as defined in Section 201(s) or (t) of the Act and are used in conformity with all applicable regulations of the United States of America, Department of Health and Human Services, Food and Drug Administration.

E. "Safe temperature," as applied to potentially hazardous food, means temperatures of forty-five degrees Fahrenheit (seven degrees Celsius) or below, and one hundred forty degrees Fahrenheit (fifty-seven degrees Celsius) or above.



F. "Sanitize" means to treat by a process providing accumulative heat or a concentration of chemicals for a period of time sufficient to reduce the bacterial count, including pathogens, to a safe level on utensils and equipment.

G. "Sealed" means free of cracks or other openings that permit the entry or passage of moisture.

H. "Single-service articles" means and includes cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, placemats, napkins, doilies, wrapping material, and all similar articles that are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, or other readily destructible material, and that are intended by the manufacturers thereof, or are generally recognized by the public as being for one-time, one-person use prior to disposal.

I. "Snack bar" means any stationary food-service establishment from which food is served or provided to the public and that provides no inside or outside seating or defined parking space for its patrons or customers. (Ord. 109910 § 1(part), 1981.)

**10.11.060 Definitions "T" through "Z."**

As used in this chapter, unless the context requires a different meaning:

A. "Tableware" means all multi-use eating and drinking utensils, including flatware (knives, forks, and spoons).

B. "Tavern" means any food-service establishment issued a Type B, C, E or F license by the Washington State Liquor Control Board, or having an application for such type of license pending before such Board, and that offers for consumption or sale no food other than pre-packaged food not requiring food preparation or handling.

C. "Temporary food-service establishment" means a food-service establishment that operates at a fixed location for a period of time of not more than fourteen consecutive days in conjunction with a single event or celebration, such as a fair, carnival, circus, or public exhibition.

D. "Utensil" means any implement used in the storage, preparation, transportation, or service of food.

E. "Wholesome" means in sound condition, clean, free from adulteration, and otherwise suitable for use as human food. (Ord. 109910 § 1(part), 1981.)

**Subchapters IV – X  
(Reserved)**

**Subchapter XI Food Supplies<sup>1</sup>**

1. Editor's Note: "F.S.S.M." refers to the Food Service Sanitation Manual portion of which is described in Section 10.11.981 of this chapter.

**10.11.111 (F.S.S.M. § 2-101) Food supplies  
–General.**

All food in food-service establishments shall be from sources not disapproved by the Health Officer, and shall be wholesome and not misbranded. The use of food in hermetically sealed containers not filled and sealed in a commercial cannery is prohibited. (Ord. 109910 § 1(part), 1981.)

**10.11.112 (F.S.S.M. § 2-102) Food supplies  
–Special requirements.**

A. Fluid milk and fluid milk products used or served shall be pasteurized and shall meet the Grade A quality standards established by law. Dry milk and dry milk products shall be made from pasteurized milk and milk products.

B. Shucked shellfish, whether fresh or frozen, shall be packed and stored in nonreturnable packages identified with the name and address of the original shucker-packer, or repacker, and the official governmental certification number issued according to law. Each container of unshucked shellfish shall be identified by an attached tag that states the name and address of the original shell stock processor, the kind and quantity of shell stock, and an official governmental certification number issued by the shellfish control agency. Shellfish, whether shucked or unshucked, shall be kept in the container in which they were received until they are used.

C. Only clean whole eggs, with shell intact and without cracks or checks, or pasteurized liquid, frozen, or dry eggs or pasteurized dry-egg products shall be used, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used. (Ord. 109910 § 1(part), 1981.)

**Subchapter XII Food Protection**

**10.11.121 (F.S.S.M. § 2-201) Food  
protection–General.**

Food shall be protected at all times from



potential contamination from, among other things, dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage, and overhead leakage or overhead drippage from condensation. Potentially hazardous food shall be kept at a safe temperature at all times, except as otherwise provided in this chapter. (Ord. 109910 § 1(part), 1981.)

**10.11.122 (F.S.S.M. § 2-202) Food protection—Emergency occurrences.**

In the event of a fire, flood, power outage, or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at a safe temperature, the person in charge shall immediately contact the Health Officer. Upon receiving notice of this occurrence, the Health Officer shall take whatever action that he/she deems necessary to protect the public health. (Ord. 109910 § 1(part), 1981.)

**Subchapter XIII Food Storage**

**10.11.131 (F.S.S.M. § 2-301) Food storage—General.**

A. Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean, covered container except during necessary periods of preparation or service. Container covers shall be impervious and nonabsorbent, except that linens or napkins may be used for lining or covering bread or roll containers. Solid cuts of meat shall be protected by being covered in storage, except that quarters or sides of meat may be hung uncovered on clean sanitized hooks if no food product is stored beneath the meat.

B. Containers of food shall be stored a minimum of six inches above the floor in a manner that protects the food from splash and other contamination, and that permits easy cleaning of the storage area, except that containers may be stored on easily movable dollies, racks, or pallets.

C. Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines except for automatic fire protection sprinkler heads required by law. The storage of food in toilet rooms or vestibules is prohibited.

D. Food not subject to further washing or

cooking before serving shall be stored in a way that protects it against cross-contamination from food requiring washing or cooking.

E. Packaged food shall not be stored in contact with water or undrained ice. Wrapped sandwiches shall not be stored in direct contact with ice.

F. Bulk food such as cooking oil, syrup, salt, sugar or flour not stored in the product container or package in which it was obtained, shall be stored in a container identifying the food by common name.

(Ord. 109910 § 1(part), 1981.)

**10.11.132 (F.S.S.M. § 2-302) Food storage—Refrigerated.**

A. Enough conveniently located refrigeration facilities or effectively insulated facilities shall be provided to ensure the storage of potentially hazardous food at a safe temperature. Each mechanically refrigerated facility storing potentially hazardous food shall be provided with an easily readable, numerically scaled indicating or recording thermometer, accurate to plus or minus three degrees Fahrenheit, located to measure the air temperature in the warmest part of the facility.

B. Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to forty-five degrees Fahrenheit (seven degrees Celsius) or below. Potentially hazardous foods of large volume or prepared in large quantities shall be rapidly cooled, utilizing such methods as:

1. Quick chilling with running cold-water bath or an ice-bath cooled with agitation;
2. Storage of foods in small containers in freezer units coupled with agitation;
3. Shallow pans — food depth of four inches or less; or
4. Other approved methods.

In all cases potentially hazardous foods shall be cooled to seventy degrees Fahrenheit (twenty-one degrees Celsius) or below within two hours and to forty-five degrees Fahrenheit (seven degrees Celsius) or below within four hours after removal from a hot-holding device or the end of the cooking process.

C. Frozen food shall be kept frozen and should be stored at a temperature of zero degrees Fahrenheit (minus eighteen degrees Celsius) or below.

D. Ice intended for human consumption shall not be used as a medium for cooling stored

food, food containers or utensils, except that such ice may be used for cooling tubes conveying beverages or beverage ingredients to a dispenser head. Ice used for cooling stored food and food containers shall not be used for human consumption.

(Ord. 109910 § 1(part), 1981.)

**10.11.133 (F.S.S.M. § 2-303) Food storage  
-Heated.**

A. Enough conveniently located hot-food storage facilities shall be provided to assure the storage of potentially hazardous food at a safe temperature. Each hot-food facility storing potentially hazardous food shall be provided with an easily readable, numerically scaled indicating or recording thermometer, accurate to plus or minus three degrees Fahrenheit, located to measure the air temperature in the coolest part of the facility. Where it is impractical to install thermometers on equipment such as bainmaries, steam tables, steam kettles, heat lamps, cal-rod units, or insulated food-transport carriers, a product thermometer must be available and used to check internal food temperature.

B. The internal temperature of potentially hazardous foods requiring hot storage shall be one hundred forty degrees Fahrenheit (fifty-six degrees Celsius) or above, except during necessary periods of preparation. Potentially hazardous food to be transported shall be held at a temperature of one hundred forty degrees Fahrenheit (fifty-six degrees Celsius) or above, unless maintained in accordance with Section 10.11.132 B of this chapter.

(Ord. 109910 § 1(part), 1981.)

**Subchapter XIV Food Preparation**

**10.11.141 (F.S.S.M. § 2-401) Food  
preparation-General.**

A. Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross-contamination.

B. Preparation of potentially hazardous salads (such as potato or macaroni types) shall be completed using prechilled ingredients to assure minimum temperature rise during preparation.

(Ord. 109910 § 1(part), 1981.)

**10.11.142 (F.S.S.M. § 2-402) Food  
preparation-Raw fruits and raw  
vegetables.**

Raw fruits and raw vegetables shall be thoroughly washed with potable water before being cooked or served.

(Ord. 109910 § 1(part), 1981.)

**10.11.143 (F.S.S.M. § 2-403) Food  
preparation-Cooking potentially  
hazardous foods.**

Potentially hazardous foods requiring cooking shall be cooked to heat all parts of the food to a temperature of at least one hundred forty degrees Fahrenheit (fifty-six degrees Celsius), except that:

A. Poultry, poultry stuffings, stuffed meats and stuffings containing meat shall be cooked to heat all parts of the food to at least one hundred sixty-five degrees Fahrenheit (seventy-four degrees Celsius) with no interruption of the cooking process.

B. Pork and any food containing pork shall be cooked to heat all parts of the food to at least one hundred fifty degrees Fahrenheit (sixty-six degrees Celsius).

C. Unless otherwise ordered by the immediate consumer, rare roast beef shall be cooked to an internal temperature of at least one hundred thirty degrees Fahrenheit (fifty-four degrees Celsius), and rare beefsteak shall be cooked to a temperature of one hundred thirty degrees Fahrenheit (fifty-four degrees Celsius).

(Ord. 109910 § 1(part), 1981.)

**10.11.144 (F.S.S.M. § 2-404) Food  
preparation-Dry milk and dry  
milk products.**

Reconstituted dry milk and dry milk products may be used only for cooking and baking purposes.

(Ord. 109910 § 1(part), 1981.)

**10.11.145 (F.S.S.M. § 2-405) Food  
preparation-Liquid, frozen, dry  
eggs and egg products.**

Liquid, frozen, dry eggs and egg products shall be used only for cooking and baking purposes.

(Ord. 109910 § 1(part), 1981.)

**10.11.146 (F.S.S.M. § 2-406) Food  
preparation-Reheating.**

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cooked and then refrigerated, shall be reheated rapidly to one hundred sixty-five degrees Fahrenheit (seventy-four degrees Celsius) or higher throughout before being served or before being placed in a hot-food storage facility. Steamtables, bainmaries, warmers, and similar hot-food holding facilities are prohibited for the rapid reheating of potentially hazardous foods. (Ord. 109910 § 1(part), 1981.)

**10.11.147 (F.S.S.M. § 2-407) Food preparation—Nondairy products.**

Nondairy creaming, whitening, or whipping agents may be reconstituted on the premises only when they will be stored in sanitized, covered containers not exceeding one gallon in capacity and cooled to forty-five degrees Fahrenheit (seven degrees Celsius) or below within four hours after preparation. (Ord. 109910 § 1(part), 1981.)

**10.11.148 (F.S.S.M. § 2-408) Food preparation—Use of product thermometers.**

Indicating thermometers, as described in Section 10.11.325 of this chapter, shall be used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods. (Ord. 109910 § 1(part), 1981.)

**10.11.149 (F.S.S.M. § 2-409) Food preparation—Thawing potentially hazardous foods.**

Potentially hazardous foods shall be thawed:

A. In refrigerated units at a temperature not to exceed forty-five degrees Fahrenheit (seven degrees Celsius); or

B. Under potable running water of a temperature of seventy degrees Fahrenheit (twenty-one degrees Celsius) or below, with sufficient water velocity to agitate and float off loose food particles into the overflow; or

C. In a microwave oven only when the food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven; or

D. As part of a conventional cooking process, such as, but not limited to, boiling, baking, broiling and frying.

(Ord. 109910 § 1(part), 1981.)

**Subchapter XV Food Display and Service**

**10.11.150 (F.S.S.M. § 2-501) Food display and service—Potentially hazardous food.**

Potentially hazardous food shall be kept at an internal safe temperature during display and service.

(Ord. 109910 § 1(part), 1981.)

**10.11.151 (F.S.S.M. § 2-502) Food display and service—Milk and cream dispensing.**

A. Milk and milk products for drinking purposes shall be provided to the consumer from an unopened, commercially filled package not exceeding one pint in capacity, or drawn from a commercially filled container stored in a mechanically refrigerated bulk milk dispenser. Where a bulk dispenser for milk and milk products is not available and portions of less than one-half pint are required for mixed drinks, cereal, or dessert service, milk and milk products may be poured from a commercially filled container of not more than one-half gallon capacity.

B. Cream or half-and-half shall be provided in an individual service container, protected pour-type pitcher, or drawn from a refrigerated dispenser designed for such service.

(Ord. 109910 § 1(part), 1981.)

**10.11.152 (F.S.S.M. § 2-503) Food display and service—Nondairy product dispensing.**

Nondairy creaming or whitening agents shall be provided in an individual service container, protected pour-type pitcher, or drawn from a refrigerated dispenser designed for such service. (Ord. 109910 § 1(part), 1981.)

**10.11.153 (F.S.S.M. § 2-504) Food display and service—Condiment dispensing.**

A. Condiments, seasonings and dressings for self-service use shall be provided in individual packages, from dispensers, or from containers protected in accordance with Section 10.11.157 of this chapter.

B. Condiments provided for table or counter service shall be individually portioned, except that catsup and other sauces may be served in the original container or pour-type dispenser. Sugar for consumer use shall be provided in individual packages or in pour-type dispensers. (Ord. 109910 § 1(part), 1981.)

**10.11.154 (F.S.S.M. § 2-505) Food display and service—Ice dispensing.**

Ice for consumer use shall be dispensed only by personnel with scoops, tongs, or other ice-dispensing utensils or through automatic self-service, ice-dispensing equipment. Ice-dispensing utensils shall be stored on a clean surface or in the ice with the dispensing utensil's handle extended out of the ice. Between uses, ice transfer receptacles shall be stored in a way that protects them from contamination. Ice storage bins shall be drained through an air gap. (Ord. 109910 § 1(part), 1981.)

**10.11.155 (F.S.S.M. § 2-506) Food display and service—Dispensing utensils.**

To avoid unnecessary manual contact with food, suitable dispensing utensils shall be used by personnel or provided to consumers who serve themselves. Between uses during service, dispensing utensils shall be:

- A. Stored in the food with the dispensing utensil handle extended out of the food; or
- B. Stored clean and dry; or
- C. Stored in running water; or
- D. Stored either in a running water dipperwell, or clean and dry in the case of dispensing utensils and malt collars used in preparing frozen desserts.

(Ord. 109910 § 1(part), 1981.)

**10.11.156 (F.S.S.M. § 2-507) Food display and service—Re-service.**

Once served to a consumer, portions of leftover food shall not be served again except that packaged food, other than potentially hazardous food, that is still packaged and is still in sound condition, may be re-served.

(Ord. 109910 § 1(part), 1981.)

**10.11.157 (F.S.S.M. § 2-508) Food display and service—Display equipment.**

Food on display shall be protected from consumer contamination by the use of packaging or by the use of easily cleanable counter, serving line or salad bar protector devices, display cases or by other effective means. Enough hot or cold food facilities shall be available to maintain potentially hazardous food at a safe temperature while on display.

(Ord. 109910 § 1(part), 1981.)

**10.11.158 (F.S.S.M. § 2-509) Food display and service—Re-use of tableware.**

Re-use of soiled tableware by self-service consumers returning to the service area for additional food is prohibited. Beverage cups and glasses are exempt from this requirement. (Ord. 109910 § 1(part), 1981.)

**Subchapter XVI Food Transportation**

**10.11.161 (F.S.S.M. § 2-601) Food transportation—General.**

During transportation, food and utensils shall be kept in covered containers or completely wrapped or packaged so as to be protected from contamination. Foods in original individual packages do not need to be overwrapped or covered if the original package has not been torn or broken. During transportation, including transportation to another location for service or catering operations, food shall meet the requirements of this chapter relating to food protection and food storage.

(Ord. 109910 § 1(part), 1981.)

**Subchapters XVII – XX (Reserved)**

**Subchapter XXI Personnel**

**10.11.211 (F.S.S.M. § 3-101) Personnel—General health.**

No person who is infected with a disease in a communicable form that can be transmitted by foods; who is a carrier of organisms that cause such a disease; or who is afflicted with a boil, an infected wound, or an acute respiratory infection, shall work in a food-service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to another person.

(Ord. 109910 § 1(part), 1981.)

**10.11.212 Personnel—Food and beverage service workers permits.**

Every person whose duties, for more than thirty days, include the handling of unwrapped or unpackaged food shall obtain and file with his/her employer, or where self-employed shall obtain a valid Food and Beverage Worker's Permit issued under RCW Chapter 69.06. No person shall employ for more than thirty days any person whose duties include the handling

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of unwrapped or unpackaged food and who has has not filed such permit with his/her employer. (Ord. 109910 § 1(part), 1981.)

**10.11.213 (F.S.S.M. § 3-201) Personnel—  
Personal cleanliness.**

Food-service establishment personnel whose duties include food handling shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, and after smoking, eating, drinking, handling raw meat, or poultry, or using the toilet. Such personnel shall keep their fingernails clean and trimmed.

(Ord. 109910 § 1(part), 1981.)

**10.11.214 (F.S.S.M. § 3-301) Personnel—  
Clothing.**

A. Food-service establishment personnel whose duties include food handling shall put on clean outer clothing at the commencement of their work.

B. Food-service establishment personnel whose duties include food handling shall use effective hair restraints to prevent the contamination of food or food contact surfaces while they are on duty.

(Ord. 109910 § 1(part), 1981.)

**10.11.215 (F.S.S.M. § 3-401) Personnel—  
Practices.**

A. Food-service establishment personnel shall consume food only in designated dining areas; no area shall be so designated if consuming food there may result in contamination of other food, equipment, utensils, or other items needing protection.

B. Food-service establishment personnel shall not use tobacco in any form while engaged in food preparation or service, nor while in areas used for equipment or utensil washing or for food preparation. Such personnel shall use tobacco only in designated areas; no area shall be so designated if the use of tobacco there may result in contamination of food, equipment, utensils, or other items needing protection.

C. Food-service establishment personnel shall handle soiled tableware in a way that minimizes contamination of their hands.

D. Food-service establishment personnel shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods in the food-service establishment.

(Ord. 109910 § 1(part), 1981.)

**Subchapters XXII – XXX  
(Reserved)**

**Subchapter XXXI Permissible  
Equipment and Materials**

**10.11.311 (F.S.S.M. § 4-102) Equipment  
and materials—Solder.**

If solder is used, it shall be composed of safe materials and be corrosion resistant. (Ord. 109910 § 1(part), 1981.)

**10.11.312 (F.S.S.M. § 4-103) Equipment  
and materials—Wood.**

Hard maple or equivalently nonabsorbent material that meets the general requirements set forth in Section 10.11.321 A and B of this chapter may be used for cutting blocks, cutting boards, salad bowls, and baker's tables. Wood may be used for single-service articles, such as chopsticks, stirrers, or ice cream spoons. The use of wood as a food-contact surface under other circumstances is prohibited.

(Ord. 109910 § 1(part), 1981.)

**10.11.313 (F.S.S.M. § 4-104) Equipment  
and materials—Rubber and plastic.**

Safe plastic, rubber, or rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition; that are of sufficient weight and thickness to permit cleaning and sanitizing by normal dishwashing methods; and that meet the requirements set forth in Section 10.11.321 A and B of this chapter, are permitted for repeated use.

(Ord. 109910 § 1(part), 1981.)

**10.11.314 (F.S.S.M. § 4-105) Equipment  
and materials—Mollusk and  
crustacea shells.**

Mollusk and crustacea shells may be used only once as a food serving container.

(Ord. 109910 § 1(part), 1981.)

**10.11.315 (F.S.S.M. § 4-106) Equipment  
and materials—Single service.**

Re-use of single-service articles is prohibited. (Ord. 109910 § 1(part), 1981.)

**Subchapter XXXII Equipment and  
Materials Design and Fabrication**

**10.11.321 (F.S.S.M. §§ 4-101 and 4-201)  
Design and fabrication—General.**

A. All equipment and utensils, including plastic-ware and single-service articles, shall be

durable under conditions of normal use; resistant to denting, buckling, pitting, chipping, and crazing; and shall not impart odors, color or taste, nor contribute to the contamination of food.

B. Food-contact surfaces shall be non-absorbent; easily cleanable; smooth; corrosion resistant; free of breaks, open seams, cracks, chips, pits, and similar imperfections, and difficult-to-clean internal corners and crevices. Cast iron may be used as a food-contact surface only if the surface is heated, such as in grills, griddle tops, and skillets. Threaded surfaces shall be designed to facilitate cleaning; ordinary "V"-type threads are prohibited in food-contact surfaces except in equipment such as ice maker or hot oil cooking equipment and hot oil filtering systems, in which such threads shall be minimized.

C. Equipment containing bearings and gears requiring unsafe lubricants shall be designed and constructed so that the lubricant cannot leak, drip, or be forced into food or onto food-contact surfaces. Only safe lubricating materials shall be used on equipment designed to receive lubrication of bearings and gears on or within food-contact surfaces.

D. Tubing conveying beverages or beverage ingredients to dispensing heads shall be fabricated only from safe materials, shall be grommeted at entry and exit points to preclude moisture (condensation) from entering the ice machine or the ice storage bin, and shall be kept clean. Drainage or drainage tubes from dispensing units shall not pass through any ice machine or any ice storage bin.

E. Sinks and drainboards shall be self-draining.  
(Ord. 109910 § 1(part), 1981.)

**10.11.322 (F.S.S.M. § 4-202) Design and fabrication—Food-contact surface accessibility.**

Unless designed for in-place cleaning, food-contact surfaces shall be accessible for cleaning and inspection:

- A. Without being disassembled; or
- B. By disassembling without the use of tools; or
- C. By easy disassembling with the use of only simple tools such as a mallet, a screwdriver, or an open-end wrench kept available near the equipment.  
(Ord. 109910 § 1(part), 1981.)

**10.11.323 (F.S.S.M. § 4-203) Design and fabrication—In-place cleaning.**

Equipment intended for in-place cleaning shall be so designed and fabricated that:

- A. Cleaning and sanitizing solutions can be circulated throughout a fixed system using an effective cleaning and sanitizing regimen; and
- B. Cleaning and sanitizing solutions will contact all interior food-contact surfaces; and
- C. The system is self-draining or capable of being completely evacuated.  
(Ord. 109910 § 1(part), 1981.)

**10.11.324 (F.S.S.M. § 4-204) Design and fabrication—Pressure-spray cleaning.**

Fixed equipment designed and fabricated to be cleaned and sanitized by pressure-spray methods shall have sealed electrical wiring, switches, and connections.  
(Ord. 109910 § 1(part), 1981.)

**10.11.325 (F.S.S.M. § 4-205) Design and fabrication—Thermometers.**

Indicating thermometers required for immersion into food or cooking media shall be of metal-stem type construction, numerically scaled, and accurate to plus or minus two degrees Fahrenheit.  
(Ord. 109910 § 1(part), 1981.)

**10.11.326 (F.S.S.M. § 4-206) Design and fabrication—Non-food-contact surfaces.**

Surfaces of equipment not intended for contact with food, but which are exposed to splash or food debris or which otherwise require frequent cleaning shall be designed and fabricated to be smooth, washable, free of unnecessary ledges, projections, or crevices, and readily accessible for cleaning, and shall be of such material and in such repair as to be easily maintained in a clean and sanitary condition.  
(Ord. 109910 § 1(part), 1981.)

**10.11.327 (F.S.S.M. § 4-207) Design and fabrication—Ventilation hoods.**

Ventilation hoods and devices shall be designed to prevent grease or condensation from collecting on walls and ceilings, and from dripping into food or onto food-contact surfaces. Filters or other grease-extracting equipment shall be readily removable for cleaning and



replacement if not designed to be cleaned in place.

(Ord. 109910 § 1(part), 1981.)

**10.11.328 (F.S.S.M. § 4-208) Design and fabrication—Existing equipment.**

Equipment that was installed in a food-service establishment prior to the effective date of this chapter, and that does not fully meet all of the design and fabrication requirements of this subchapter shall be deemed acceptable in that establishment if it is in good repair, capable of being maintained in a sanitary condition, and the food-contact surfaces are nontoxic. Replacement equipment and new equipment acquired after the effective date of the ordinance codified in this chapter shall meet the requirements of this chapter.<sup>1</sup>

(Ord. 109910 § 1(part), 1981.)

1. Editor's Note: Ord. 109910 was passed by the City Council on May 26, 1981.

**Subchapter XXXIII Equipment Installation and Location**

**10.11.331 (F.S.S.M. § 4-301) Equipment installation and location—General.**

Equipment, including ice makers and ice storage equipment, shall not be located under exposed or unprotected sewer lines or water lines, open stairwells, or other sources of contamination. This requirement does not apply to automatic fire-protection sprinkler heads that may be required by law.

(Ord. 109910 § 1(part), 1981.)

**10.11.332 (F.S.S.M. § 4-302) Equipment installation and location—Table-mounted equipment.**

Equipment placed on a table or counter shall be sealed to the same or elevated on legs to provide at least a four-inch clearance between the table or counter and equipment, and shall be installed to facilitate the cleaning of the equipment and adjacent areas; provided, that this requirement shall not apply to equipment that is small and light enough to be moved easily by one person; and has no utility connection, or has a utility connection that can be disconnected in less than one minute, or has a flexible utility connection line of sufficient length to permit the equipment to be moved for easy cleaning.

(Ord. 109910 § 1(part), 1981.)

**10.11.333 (F.S.S.M. § 4-303) Equipment installation and location—Floor-mounted equipment.**

A. Floor-mounted equipment, unless readily movable, shall be:

1. Sealed to the floor; or
2. Installed on a raised platform of concrete or other smooth masonry in a way that meets all the requirements for floor clearance or sealing; or
3. Elevated on legs to provide at least a six-inch clearance between the floor and equipment, except that vertically mounted floor mixers may be elevated to provide at least a four-inch clearance between the floor and equipment if no part of the floor under the mixer is more than six inches from cleaning access.

B. Equipment is "readily movable" for the purposes of Section 10.11.333 A of this chapter if:

1. It is mounted on wheels or casters; and
2. It has no utility connection or has a utility connection that can be disconnected in less than one minute, or has a flexible utility line of sufficient length to permit the equipment to be moved for easy cleaning.

C. Unless sufficient space is provided for easy cleaning between, behind, and above each unit of fixed equipment, the space between it and every adjoining equipment unit and adjacent wall or ceiling shall be not more than 1/32 of an inch; or if exposed to seepage, the equipment shall be sealed to the adjoining equipment or adjacent wall or ceiling.

(Ord. 109910 § 1(part), 1981.)

**10.11.334 (F.S.S.M. § 4-304) Equipment installation and location—Aisles and working spaces.**

Aisles and working spaces between units of equipment and walls shall be unobstructed and of sufficient width to permit food-service establishment personnel to perform their duties readily without contamination of food or food-contact surfaces by clothing or personal contact. All easily movable storage equipment such as pallets, racks, and dollies shall be positioned to provide accessibility to working areas.

(Ord. 109910 § 1(part), 1981.)

**Subchapters XXXIV – XL  
(Reserved)**

**Subchapter XLI Equipment and Utensil Cleaning**

**10.11.411 (F.S.S.M. § 5-101) Equipment and utensil cleaning—Frequency.**

A. Tableware shall be washed, rinsed, and sanitized after each use.

B. To prevent cross-contamination, kitchenware and food-contact surfaces of equipment shall be washed, rinsed, and sanitized after each use and following any interruption of operations during which time contamination may have occurred.

C. Where equipment and utensils are used for the preparation of potentially hazardous foods on a continuous or production-line basis, utensils and the food-contact surfaces of equipment shall be washed, rinsed, and sanitized at intervals throughout the day on a schedule approved by the health officer, that takes in to consideration, among other things, food temperature, type of food, and amount of food particle accumulation.

D. The food-contact surfaces of grills, griddles, and similar cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once a day, except that this shall not apply to hot-oil cooking equipment and hot-oil filtering systems. The food-contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil.

E. Non-food-contact surfaces of equipment shall be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles, and other debris. (Ord. 109910 § 1(part), 1981.)

**10.11.412 (F.S.S.M. § 5-102) Equipment and utensil cleaning—Wiping cloths.**

A. Cloths used for wiping food spills on tableware, such as plates or bowls being served to the consumer, shall be clean, dry and used for no other purpose.

B. Moist cloths or sponges used for wiping food spills on kitchenware and food-contact surfaces of equipment shall be clean and rinsed frequently in one of the sanitizing solutions permitted in Section 10.11.413 of this chapter and used for no other purpose. These cloths and sponges shall be stored in the sanitizing solution between uses.

C. Moist cloths or sponges used for cleaning

non-food-contact surfaces of equipment such as counters, dining table tops and shelves shall be clean and rinsed in one of the sanitizing solutions permitted in Section 10.11.413 of this chapter and used for no other purpose. These cloths and sponges shall be stored in the sanitizing solution between uses. (Ord. 109910 § 1(part), 1981.)

**10.11.413 (F.S.S.M. § 5-103) Equipment and utensil cleaning—Manual cleaning and sanitizing.**

A. For manual washing, rinsing, and sanitizing of utensils and equipment, a sink with not fewer than three compartments shall be provided and used. Sink compartments shall be large enough to permit the accommodation of the equipment and utensils, and each compartment of the sink shall be supplied with hot and cold potable running water. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments shall be washed manually or cleaned through pressure-spray methods.

B. Drainboards or easily movable dish tables of adequate size shall be provided for proper handling of soiled utensils prior to washing and for cleaned utensils following sanitizing and shall be located so as not to interfere with the proper use of the dishwashing facilities.

C. Equipment and utensils shall be pre-flushed or pre-scraped and, when necessary, presoaked to remove gross food particles and soil.

D. Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing and sanitizing shall be conducted in the following sequence:

1. Sinks shall be cleaned prior to use.

2. Equipment and utensils shall be thoroughly washed in the first compartment with a hot detergent solution that is kept clean.

3. Equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment.

4. Equipment and utensils shall be sanitized in the third compartment according to one of the methods included in Section 10.11.413 E 1 - 4 of this chapter.

E. The food-contact surfaces of all equipment shall be sanitized by:

1. Immersion for at least one-half minute in clean, hot water at a temperature of at least one hundred seventy degrees Fahrenheit (seventy-seven degrees Celsius); or

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2. Immersion for at least one minute in a clean solution containing at least fifty parts per million available chlorine as a hypochloride and at a temperature of at least seventy-five degrees Fahrenheit (twenty-four degrees Celsius); or

3. Immersion for at least one minute in a clean solution having a temperature of at least seventy-five degrees Fahrenheit (twenty-four degrees Celsius), containing at least twelve and one-half (12.5) parts per million of available iodine, and having a pH not higher than five (5.0).

4. Immersion in a clean solution containing any other chemical sanitizing agent allowed under 21 CFR 178.1010 that will provide the equivalent bactericidal effect of a solution containing at least fifty parts per million of available chlorine as a hypochlorite at a temperature of at least seventy-five degrees Fahrenheit (twenty-four degrees Celsius) for one minute; or

5. Treatment with steam, free from materials or additives other than those specified in 21 CFR 178.310 in the case of equipment too large to sanitize by immersion, but in which steam can be confined; or

6. Rinsing, spraying, or swabbing with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution under Section 10.11.413 E 4 of this chapter, in the case of equipment too large to sanitize by immersion.

F. When hot water is used for sanitizing, the following facilities shall be provided and used:

1. An integral heating device or fixture installed in, on, or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least one hundred seventy degrees Fahrenheit (seventy-seven degrees Celsius); and

2. A numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit, convenient to the sink for frequent checks of water temperature; and

3. Dish baskets of such size and design to permit complete immersion of the tableware, kitchenware, and equipment in the hot water.

G. When chemicals are used for sanitization, they shall not have concentrations higher than the maximum permitted under 21 CFR 178.1010. A test kit or other device that accurately measures the parts per million concentration of the solution shall be provided and used.

(Ord. 109910 § 1(part), 1981.)

#### 10.11.414 (F.S.S.M. § 5-104) Equipment and utensil cleaning—Mechanical cleaning and sanitizing.

A. Cleaning and sanitizing may be done by any spray-type or immersion dishwashing machine or by any other type of machine or device if it is demonstrated that it thoroughly cleans and sanitizes equipment and utensils. These machines and devices shall be properly installed and maintained in good repair. Machines and devices shall be operated in accordance with the applicable manufacturer's instructions. Utensils and equipment placed in the machine shall be exposed to all dishwashing cycles. Automatic detergent dispensers, wetting-agent dispensers, and liquid sanitizer injectors, if any, shall be properly installed and maintained.

B. The pressure of final rinse water supplied to spray-type dishwashing machines shall not be less than fifteen nor more than twenty-five pounds per square inch measured in the water line immediately adjacent to the final rinse control valve. A one-quarter-inch IPS valve shall be provided immediately upstream from the final-rinse control valve to permit checking the flow pressure of the final rinse water.

C. Machine or water-line mounted numerically scaled indicating thermometers, accurate to plus or minus three degrees Fahrenheit, shall be provided to indicate the temperature of the water in each tank of the machine and the temperature of the final rinse water as it enters the manifold.

D. Rinse water tanks shall be protected by baffles, curtains, or other effective means to minimize the entry of wash water into the rinse water. Conveyors in dishwashing machines shall be accurately timed to assure proper exposure times in wash and rinse cycles in accordance with the applicable manufacturer's specifications attached to the machines.

E. Drainboards of adequate size for the proper handling of soiled utensils prior to washing and of cleaned utensils following sanitization shall be provided, and shall be so located and constructed as not to interfere with the proper use of the dishwashing facilities. This does not preclude the use of easily movable dish tables for the storage of soiled utensils or the use of easily movable dish tables for the storage of clean utensils following sanitization.

F. Equipment and utensils shall be flushed or scraped and, when necessary, soaked to



remove gross food particles and soil prior to being washed in a dishwashing machine unless a prewash cycle is a part of the dishwashing machine operation. Equipment and utensils shall be placed in racks, trays, or baskets, or on conveyors, in a way that food-contact surfaces are exposed to the unobstructed application of detergent wash and clean rinse waters and that permits free draining.

G. Machines (single-tank, stationary-rack, door-type machines and spray-type glass washers) using chemicals for sanitization may be used; provided, that,

1. The temperature of the wash water shall not be less than one hundred twenty degrees Fahrenheit (forty-nine degrees Celsius);

2. The wash water shall be kept clean;

3. Chemicals added for sanitization purposes shall be automatically dispensed;

4. Utensils and equipment shall be exposed to the final chemical sanitizing rinse in accordance with the applicable manufacturer's specifications for time and concentration;

5. The chemical sanitizing rinse-water temperature shall be not less than seventy-five degrees Fahrenheit (twenty-four degrees Celsius) nor less than the temperature specified by the machine's manufacturer, whichever is higher;

6. Chemical sanitizers used shall meet the requirements of 21 CFR 178.1010; and

7. A test kit or other device that accurately measures the parts per million concentration of the solution shall be available and used.

H. Machines using hot water for sanitizing may be used; provided, that wash water and pumped rinse water shall be kept clean and shall be maintained at not less than the following applicable temperatures:

1. Single-tank, stationary-rack, dual temperature machine:

Wash temperature . . . . . 150° F. (66°C.)

Final rinse temperature . . . . . 180° F. (82°C.)

2. Single-tank, stationary-rack, single-temperature machine:

Wash temperature . . . . . 165° F. (74°C.)

Final rinse temperature . . . . . 165° F. (74°C.)

3. Single-tank, conveyor machine:

Wash temperature . . . . . 160° F. (71°C.)

Final rinse temperature . . . . . 180° F. (82°C.)

4. Multitank, conveyor machine:

Wash temperature . . . . . 150° F. (66°C.)

Pumped rinse temperature . . . . . 160° F. (71°C.)

Final rinse temperature . . . . . 180° F. (82°C.)

5. Single-tank, pot, pan, and utensil

washer (either stationary or moving-rack):  
Wash temperature . . . . . 140° F. (56°C.)  
Final rinse temperature . . . . . 180° F. (82°C.)

I. All dishwashing machines shall be thoroughly cleaned at least once a day or more often when necessary to maintain them in a satisfactory operating condition.

(Ord. 109910 § 1(part), 1981.)

**10.11.415 (F.S.S.M. § 5-105) Equipment and utensil cleaning—Drying.**

After sanitization, all equipment and utensils shall be air-dried.

(Ord. 109910 § 1(part), 1981.)

**Subchapter XLII Equipment and Utensil Handling**

**10.11.421 (F.S.S.M. § 5-201) Equipment and utensil handling—General.**

Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Spoons, knives, and forks shall be touched only by their handles. Cups, glasses, bowls, plates and similar items shall be handled without contact with inside surfaces or surfaces that contact the user's mouth.

(Ord. 109910 § 1(part), 1981.)

**10.11.422 (F.S.S.M. § 5-202) Equipment and utensil handling—Storage.**

A. Cleaned and sanitized utensils and equipment shall be stored at least six inches above the floor in a clean, dry location in a way that protects them from contamination by splash, dust, and other means. The food-contact surfaces of fixed equipment shall also be protected from contamination. Utensils shall not be placed under exposed sewer lines or water lines, except for automatic fire-protection sprinkler heads that may be required by law.

B. Glasses and cups shall be stored inverted. Other stored utensils shall be covered or inverted, wherever practical. Facilities for the storage of knives, forks, and spoons shall be designed and used to present the handle to the employee or consumer. Unless tableware is prewrapped, holders for knives, forks, and spoons at self-service locations shall protect these articles from contamination and present the handle of the utensil to the user.

(Ord. 109910 § 1(part), 1981.)

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**10.11.423 (F.S.S.M. § 5-203) Equipment and utensil handling—Single-service article storage.**

A. Single-service articles shall be stored at least six inches above the floor in closed cartons or containers that protect them from contamination and shall not be placed under exposed sewer lines or water lines, except for automatic fire-protection sprinkler heads that may be required by law.

B. Single-service articles shall be handled and dispensed in a manner that prevents contamination of surfaces that may come in contact with food or with the mouth of the user.

C. Single-service knives, forks, or spoons packaged in bulk shall be inserted into holders or shall be wrapped by a member of the food-service establishment personnel who has washed his/her hands immediately prior to sorting or wrapping the utensils. Unless single-service knives, forks, and spoons are prewrapped or prepackaged, holders shall be provided to protect these items from contamination and present the handle of the utensil to the user.  
(Ord. 109910 § 1(part), 1981.)

**10.11.424 (F.S.S.M. § 5-204) Equipment and utensil handling—Prohibited storage area.**

The storage of food equipment, utensils or single-service articles in toilet rooms or vestibules is prohibited.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter LI Water Supply**

**10.11.511 (F.S.S.M. § 6-101) Water supply—General.**

Enough potable water for the needs of the food-service establishment shall be provided from a source constructed and operated according to the provisions of Chapter 248-54 WAC.  
(Ord. 109910 § 1(part), 1981.)

**10.11.512 (F.S.S.M. § 6-102) Water supply—Transportation.**

All water not piped into the establishment directly from the source shall be transported, handled, stored, and dispensed in a sanitary manner. Drinking water, if not dispensed through the water-supply system of the food-service establishment, may be stored in a sep-

arate nonpressurized tank, reservoir, or other container.  
(Ord. 109910 § 1(part), 1981.)

**10.11.513 (F.S.S.M. § 6-103) Water supply—Bottled water.**

Bottled and packaged potable water shall be obtained from a source that complies with all applicable laws and shall be handled and stored in a way that protects it from contamination. Bottled and packaged potable water shall be dispensed from the original container.  
(Ord. 109910 § 1(part), 1981.)

**10.11.514 (F.S.S.M. § 6-104) Water supply—Water under pressure.**

Water under pressure at the required temperatures shall be provided to all fixtures and equipment that use water.  
(Ord. 109910 § 1(part), 1981.)

**10.11.515 (F.S.S.M. § 6-105) Water supply—Steam.**

Steam used in contact with food or food-contact surfaces shall be free from any materials or additives other than those specified in 21 CFR 173.310.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter LII Sewage**

**10.11.521 (F.S.S.M. § 6-201) Sewage.**

All sewage, including liquid waste, shall be disposed of by a public sewerage system or by a sewage disposal system constructed and operated according to law.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter LIII Plumbing**

**10.11.531 (F.S.S.M. § 6-301) Plumbing—General.**

Plumbing shall be sized, installed, and maintained according to the provisions of the Seattle Plumbing Code (Ordinance 106721, as amended — Seattle Municipal Code Title 22, Subtitle V). There shall be no cross-connection between the potable water supply and any nonpotable or questionable water supply nor any source of pollution through which the potable water supply might become contaminated.  
(Ord. 109910 § 1(part), 1981.)

**10.11.532 (F.S.S.M. § 6-302) Plumbing—  
Nonpotable water system.**

A nonpotable water system is permitted only for purposes such as air-conditioning and fire protection and only if the system is installed according to law and the nonpotable water does not contact, directly or indirectly, food, potable water, equipment that contacts food, or utensils. The piping of any nonpotable water system shall be durably identified so that it is readily distinguishable from piping that carries potable water.

(Ord. 109910 § 1(part), 1981.)

**10.11.533 (F.S.S.M. § 6-303) Plumbing—  
Backflow.**

The potable water system shall be installed to preclude the possibility of backflow. Devices shall be installed to protect against backflow and back siphonage at all fixtures and equipment where an air gap at least twice the diameter of the water supply inlet is not provided between the water supply inlet and the fixture's flood level rim. A hose shall not be attached to a faucet unless a backflow prevention device is installed.

(Ord. 109910 § 1(part), 1981.)

**10.11.534 (F.S.S.M. § 6-304) Plumbing  
—Grease traps.**

If used, grease traps shall be located to be easily accessible for cleaning.

(Ord. 109910 § 1(part), 1981.)

**10.11.535 (F.S.S.M. § 6-305) Plumbing—  
Garbage grinders.**

If used, garbage grinders shall be installed and maintained according to the law.

(Ord. 109910 § 1(part), 1981.)

**10.11.536 (F.S.S.M. § 6-306) Plumbing—  
Drains.**

Except for properly trapped open sinks, there shall be no direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment, or utensils are placed.

(Ord. 109910 § 1(part), 1981.)

**Subchapter LIV Toilet Facilities**

**10.11.541 (F.S.S.M. § 6-401) Toilet facilities  
—Installation.**

Each food-service establishment shall be pro-

vided with adequate, conveniently located toilet facilities for its personnel. Food-service establishments serving food or liquor for consumption on the premises shall provide toilet and handwashing facilities for use of their patrons consistent with the requirements of Appendix C of the Seattle Plumbing Code (Ordinance 106721, as amended — Seattle Municipal Code Title 22, Subtitle V). Drive-in type establishments that do not have inside seating shall provide a minimum of one toilet and handwashing facility for each sex, including at least one urinal and one water closet for male patrons.

(Ord. 109910 § 1(part), 1981.)

**10.11.542 (F.S.S.M. § 6-402) Toilet facilities  
—Design.**

Toilet fixtures shall be of sanitary design and easily cleanable.

(Ord. 109910 § 1(part), 1981.)

**10.11.543 (F.S.S.M. § 6-403) Toilet facilities  
—Rooms.**

Toilet rooms shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during ingress, egress, cleaning, and maintenance. Louvered doors are permitted if the toilet room is provided with mechanical ventilation exhausted to the outdoors at a minimum rate of one cubic foot of air per minute per square foot of floor area.

(Ord. 109910 § 1(part), 1981.)

**10.11.544 (F.S.S.M. § 6-404) Toilet facilities  
—Fixtures.**

Toilet fixtures shall be kept clean and in good repair. A supply of toilet tissue shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms used by women shall have at least one covered waste receptacle.

(Ord. 109910 § 1(part), 1981.)

**Subchapter LV Lavatory Facilities**

**10.11.551 (F.S.S.M. § 6-501) Lavatory  
facilities—Installation.**

Each food-service establishment, except for mobile or temporary food-service establishments where the food offered for sale is prepared and packaged in individual portions at a fixed food-service establishment operating under valid permit, shall be provided with adequate



conveniently located hand-washing facilities which shall be accessible to its personnel at all times. A lavatory also shall be located in or immediately adjacent to each toilet room or vestibule.

(Ord. 109910 § 1(part), 1981.)

**10.11.552 (F.S.S.M. § 6-502) Lavatory facilities—Water temperature and faucets.**

Each lavatory shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. Water temperature at the fixture shall not exceed one hundred twenty degrees Fahrenheit (forty-eight degrees Celsius). Any self-closing, slow-closing, or metering faucet used shall be designed to provide a flow of water for at least fifteen seconds without the need to reactivate the faucet. Steam-mixing valves are prohibited.

(Ord. 109910 § 1(part), 1981.)

**10.11.553 (F.S.S.M. § 6-503) Lavatory facilities—Supplies.**

A supply of hand-cleansing soap or detergent shall be available at each lavatory. A supply of sanitary towels or a hand-drying device providing heated air shall be conveniently located near each lavatory. Common towels are prohibited. If disposable towels are used, easily cleanable waste receptacles shall be conveniently located near the handwashing facilities.

(Ord. 109910 § 1(part), 1981.)

**10.11.554 (F.S.S.M. § 6-504) Lavatory facilities—Maintenance.**

Lavatories, soap dispensers, hand-drying devices and all related fixtures shall be kept clean and in good repair.

(Ord. 109910 § 1(part), 1981.)

**10.11.555 Lavatory facilities—Prohibited use.**

Handwashing facilities shall not be used for food preparation, equipment or utensil washing, or general cleanup.

(Ord. 109910 § 1(part), 1981.)

**Subchapter LVI Garbage and Refuse**

**10.11.561 (F.S.S.M. § 6-601) Garbage and refuse—Containers.**

A. Garbage and refuse shall be kept in durable, easily cleanable, insectproof and rodent-proof containers that do not leak and do not

absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers. Cardboard or other packaging materials not containing garbage or food wastes need not be stored in covered containers.

B. Containers used in food-preparation and utensil-washing areas shall be kept covered when not in actual use.

C. Containers stored outside the establishment, compactors, and compactor systems shall be easily cleanable, shall be provided with tight-fitting lids, doors or covers, and shall be kept covered when not in actual use. In containers designed with drains, drain plugs shall be kept in place at all times, except during cleaning.

D. Each food-service establishment shall be furnished with a sufficient number of containers to hold all the garbage and refuse that accumulates in and around such establishment.

E. Soiled containers shall be cleaned at a frequency necessary to prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate food, equipment, utensils, or food preparation areas. Suitable facilities, including hot water and detergent or steam, shall be provided and used for washing containers. Liquid waste from compacting or cleaning operations shall be disposed of as sewage.

(Ord. 109910 § 1(part), 1981.)

**10.11.562 (F.S.S.M. § 6-602) Garbage and refuse—Storage.**

A. Garbage or refuse storage rooms, if used, shall be constructed of easily cleanable, non-absorbent, washable materials, shall be kept clean, shall be insectproof and rodentproof and shall be large enough to store the accumulated garbage and refuse in containers.

B. Outside storage areas or enclosures shall be large enough to store the accumulated garbage and refuse in containers and shall be kept clean. Garbage and refuse containers, dumpsters, and compactor systems located outside shall be stored on or above a smooth surface of non-absorbent material such as concrete or machine-laid asphalt that is kept clean and maintained in good repair.

(Ord. 109910 § 1(part), 1981.)

**10.11.563 (F.S.S.M. § 6-603) Garbage and refuse—Disposal.**

A. Garbage and refuse shall be disposed of

often enough to prevent the development of any offensive odor or the attraction of insects or rodents.

B. Where garbage or refuse is burned on the premises, it shall be done by controlled incineration that prevents the escape of particulate matter in accordance with regulations of the Puget Sound Air Pollution Control Agency. Areas around incineration facilities shall be clean and orderly.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter LVII Insect, Spider, and Rodent Control**

**10.11.571 (F.S.S.M. § 6-701) Insect, spider, and rodent control—General.**

Effective measures intended to minimize the presence of rodents, spiders, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harboring or feeding of insects, spiders, or rodents.  
(Ord. 109910 § 1(part), 1981.)

**10.11.572 (F.S.S.M. § 6-702) Insect, spider, and rodent control—Openings.**

Openings to the outside of a food-service establishment shall be effectively protected against the entrance of rodents. Outside openings shall be protected against the entrance of insects and spiders by tight-fitting, self-closing doors, closed windows, screening, controlled air currents, or other means. Screen doors shall be self-closing, and screens for windows, skylights, transoms, intake and exhaust air ducts, and other openings to the outside shall be tight-fitting and free of breaks. Screening material shall not be less than sixteen mesh to the inch.  
(Ord. 109910 § 1(part), 1981.)

**Subchapters LVIII – LX (Reserved)**

**Subchapter LXI Floors**

**10.11.611 (F.S.S.M. § 7-101) Floors—Construction.**

Floors and floor coverings of all food-preparation, food-storage, and utensil-washing areas, and the floors of all walk-in refrigerating units, dressing rooms, locker rooms, toilet rooms, and vestibules shall be constructed of smooth durable material such as sealed concrete, terrazzo, ceramic tile, durable grades of linoleum or plastic, or tight wood impregnated

with plastic, and such floor covering materials shall be maintained in good repair at all times. Nothing in this section shall prohibit the use of antislip floor covering in areas where necessary for safety reasons.

(Ord. 109910 § 1(part), 1981.)

**10.11.612 (F.S.S.M. § 7-102) Floors—Carpeting.**

Carpeting, if used as a floor covering, shall be of closely woven construction, properly installed, easily cleanable, and maintained in good repair. Carpeting is prohibited in food-preparation, equipment-washing and utensil-washing areas where it is likely to be exposed to large amounts of grease and water, in food-storage areas, and toilet room areas where urinals or toilet fixtures are located.

(Ord. 109910 § 1(part), 1981.)

**10.11.613 (F.S.S.M. § 7-103) Floors—Prohibited coverings.**

The use of sawdust, wood shavings, peanut hulls, or similar material as a floor covering is prohibited.

(Ord. 109910 § 1(part), 1981.)

**10.11.614 (F.S.S.M. § 7-104) Floors—Drains.**

Properly installed, trapped floor drains shall be provided in floors that are water-flushed for cleaning or that receive discharges of water or other liquid waste from equipment, or in areas where pressure-spray methods for cleaning equipment are used. Any floor having a floor drain shall be constructed only of sealed concrete, terrazzo, ceramic tile or similar materials, and shall be graded to drain.

(Ord. 109910 § 1(part), 1981.)

**10.11.615 (F.S.S.M. § 7-105) Floors—Mats and duckboards.**

Mats and duckboards shall be of nonabsorbent, grease-resistant materials and of such size, design, and construction as to facilitate their being easily cleaned. Duckboards shall not be used as storage racks.

(Ord. 109910 § 1(part), 1981.)

**10.11.616 (F.S.S.M. § 7-106) Floors—Junctures.**

In all new or extensively remodeled establishments utilizing concrete, terrazzo, ceramic tile or similar flooring materials, and where water-flush cleaning methods are used, the



junctures between walls and floors shall be coved and sealed. Such coving to extend a minimum of six inches above the floor level. In all other cases, the juncture between walls and floors shall not present an open seam of more than 1/32 of an inch.

(Ord. 109910 § 1(part), 1981.)

**10.11.617 (F.S.S.M. § 7-107) Floors—Utility line installation.**

Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the floor. In all new or extensively remodeled establishments, installation of exposed horizontal utility lines and pipes on the floor is prohibited.

(Ord. 109910 § 1(part), 1981.)

**Subchapter LXII Walls and Ceilings**

**10.11.621 (F.S.S.M. § 7-201) Walls and ceilings—Maintenance.**

Walls and ceilings, including doors, windows, skylights and similar closures shall be maintained in good repair.

(Ord. 109910 § 1(part), 1981.)

**10.11.622 (F.S.S.M. § 7-202) Walls and ceilings—Construction.**

The walls, including nonsupporting partitions, wall coverings and ceilings of walk-in refrigerating units, food-preparation areas, equipment-washing and utensil-washing areas, toilet room and vestibules shall be smooth, nonabsorbent, and easily cleanable. Concrete or pumice blocks used for interior wall construction in these locations shall be finished and sealed to provide an easily cleanable surface.

(Ord. 109910 § 1(part), 1981.)

**10.11.623 (F.S.S.M. § 7-203) Walls and ceilings—Exposed construction.**

Studs, joists, and rafters shall not be exposed in walk-in refrigerating units, food-preparation areas, equipment-washing and utensil-washing areas, toilet rooms, or vestibules. If exposed in other rooms or areas, they shall be finished to provide an easily cleanable surface.

(Ord. 109910 § 1(part), 1981.)

**10.11.624 (F.S.S.M. § 7-204) Walls and ceilings—Utility line installation.**

Exposed utility service lines and pipes shall be installed in a way that does not obstruct or pre-

vent cleaning of the walls and ceilings. Utility service lines and pipes shall not be exposed on walls or ceilings in walk-in refrigerating units, food-preparation areas, equipment-washing and utensil-washing areas, toilet rooms or vestibules. (Ord. 109910 § 1(part), 1981.)

**10.11.625 (F.S.S.M. § 7-205) Walls and ceilings—Attachments.**

Light fixtures, vent covers, wall-mounted fans, decorative materials, and similar equipment attached to walls and ceilings shall be easily cleanable and shall be maintained in good repair. Plants and hanging baskets shall not be allowed in the food preparation or storage area. (Ord. 109910 § 1(part), 1981.)

**10.11.626 (F.S.S.M. § 7-206) Walls and ceilings—Covering material installation.**

Wall and ceiling covering materials shall be attached and sealed so as to be easily cleanable. (Ord. 109910 § 1(part), 1981.)

**Subchapter LXIII Premises Cleaning**

**10.11.631 (F.S.S.M. § 7-301) Cleaning and operations—General.**

Cleaning of floors and walls, except emergency cleaning of floors, shall be done during periods when the least amount of food is exposed, such as after closing or between meals. Floors, mats, duckboards, walls, ceilings, and attached equipment and decorative materials shall be kept clean. Only dustless methods of cleaning floors and walls shall be used, such as vacuum cleaning, wet cleaning, or the use of dust-arresting sweeping compounds with brooms.

(Ord. 109910 § 1(part), 1981.)

**10.11.632 (F.S.S.M. § 7-302) Cleaning operations—Utility sinks.**

Utility sinks adequate for mopping and other similar cleaning operations shall be provided in all food-service establishments except produce stands. The use of lavatories, utensil-washing or equipment-washing, or food-preparation sinks for this purpose is prohibited. (Ord. 109910 § 1(part), 1981.)

**10.11.633 (F.S.S.M. § 7-305) Cleaning operations—Cleaning equipment storage.**

Maintenance and cleaning tools such as brooms, mops, vacuum cleaners, and similar equipment shall be maintained and stored in a way that does not contaminate food, utensils, equipment or linens, and such tools shall be stored in an orderly manner. (Ord. 109910 § 1(part), 1981.)

**Subchapter LXIV Lighting**

**10.11.641 (F.S.S.M. § 7-401) Lighting—General.**

A. Permanently fixed artificial light sources shall be installed to provide at least twenty footcandles of light on all food-preparation surfaces and at equipment or utensil-washing work levels.

B. Permanently fixed artificial light sources shall be installed to provide, at a distance of thirty inches from the floor:

1. At least twenty footcandles of light in utensil and equipment storage areas and in lavatory and toilet areas; and

2. At least ten footcandles of light in dining areas during cleaning operations, and in all other areas including walk-in refrigerating units and dry food storage areas. (Ord. 109910 § 1(part), 1981.)

**10.11.642 (F.S.S.M. § 7-402) Lighting—Protective shielding.**

A. Shielding to protect against broken glass falling onto food shall be provided for all artificial-lighting fixtures located over, by, or within food storage, preparation, service, and display facilities, and facilities where utensils or equipment are cleaned or stored.

B. Infrared or other heat lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed. (Ord. 109910 § 1(part), 1981.)

**Subchapter LXV Ventilation**

**10.11.651 (F.S.S.M. § 7-501) Ventilation—General.**

All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall be installed

and operated according to the Seattle Mechanical Code (Ordinance 106166 — Seattle Municipal Code Title 22, Subtitle IV), as now or hereafter amended or succeeded.

(Ord. 109910 § 1(part), 1981.)

**10.11.652 (F.S.S.M. § 7-502) Ventilation—Special.**

A. Intake and exhaust air ducts shall be maintained to prevent the entrance of dust, dirt, and other contaminating materials.

B. In all food-service establishments constructed, or in which the food preparation area is extensively remodeled, after the effective date of this ordinance,<sup>1</sup> all rooms from which obnoxious odors, vapors or fumes originate shall be mechanically vented to the outside. (Ord. 109910 § 1(part), 1981.)

1. Editor's Note: Ord. 109910 was passed by the City Council on May 26, 1981.

**Subchapter LXVI Dressing Rooms and Areas**

**10.11.661 (F.S.S.M. § 7-601) Dressing rooms and areas—General.**

If food-service establishment personnel routinely change clothes within the establishment, rooms or areas shall be designated and used for that purpose and shall not be used for food preparation, storage, or service, or for utensil washing or storage.

(Ord. 109910 § 1(part), 1981.)

**10.11.622 (F.S.S.M. § 7-602) Dressing rooms and areas—Lockers.**

Enough lockers or other suitable facilities shall be provided and used for the orderly storage of the clothing and other belongings of food-service establishment personnel. Lockers or other suitable facilities may be located only in the designated dressing rooms or in food-storage rooms or areas containing only completely packaged food or packaged single-service articles.

(Ord. 109910 § 1(part), 1981.)

**Subchapter LXVII Poisonous Materials**

**10.11.671 (F.S.S.M. § 7-701) Poisonous material—Permitted.**

There shall be present in food-service establishments only those poisonous materials necessary for maintaining the establishments, cleaning



and sanitizing equipment and utensils, and controlling insects and rodents.  
(Ord. 109910 § 1(part), 1981.)

**10.11.672 (F.S.S.M. § 7-702) Poisonous material—Container labeling.**

Containers of poisonous material shall be prominently and distinctly labeled according to law for easy identification of contents.  
(Ord. 109910 § 1(part), 1981.)

**10.11.673 (F.S.S.M. § 7-703) Poisonous material—Storage.**

All poisonous material shall be stored in cabinets or in a similar physically separate place used for no other purpose. To preclude contamination, poisonous material shall not be stored above or adjacent to food, food equipment, utensils or single-service articles, except that this requirement does not prohibit the convenient availability of detergents or sanitizers at utensil or dishwashing stations.  
(Ord. 109910 § 1(part), 1981.)

**10.11.674 (F.S.S.M. § 7-704) Poisonous material—Use.**

A. Bactericides, cleaning compounds, or other compounds intended for use on food-contact surfaces shall not be used in a way that leaves a toxic residue on such surfaces or that constitutes a hazard to people.

B. Poisonous material shall not be used in a way that contaminates food, equipment, or utensils, or in a way that constitutes a hazard to people, or in a way other than in full compliance with the manufacturer's labeling.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter LXVIII Personal Health Aids**

**10.11.681 (F.S.S.M. §§ 7-705 and 7-706) Personal medications and first aid supplies.**

Personal medications shall not be stored in food-storage, preparation or service areas. First-aid supplies shall be stored in a way that prevents them from contaminating food and food-contact surfaces.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter LXIX General Premises**

**10.11.691 (F.S.S.M. § 7-801) Premises—General.**

A. Food-service establishments and all parts of the premises used in connection with their operations shall be kept free of litter.

B. The walking and driving surfaces of all exterior areas of food-service establishments shall be surfaced with concrete or asphalt, or with gravel or similar material effectively treated to facilitate maintenance and minimize dust. These surfaces shall be graded to prevent pooling of water and other liquids and shall be kept free of litter.

C. The traffic of unnecessary persons through the food-preparation and utensil-washing areas is prohibited.  
(Ord. 109910 § 1(part), 1981.)

**10.11.692 (F.S.S.M. § 7-802) Premises—Living areas.**

No operation of a food-service establishment shall be conducted in any room used as living or sleeping quarters. Food-service operations shall be separated from any living or sleeping quarters by complete partitioning and solid, self-closing doors.  
(Ord. 109910 § 1(part), 1981.)

**10.11.693 (F.S.S.M. § 7-803) Premises—Laundry facilities.**

A. Linens, cloths, uniforms and aprons used in connection with food preparation or service and cleaned on the premises of a food-service establishment shall be cleaned in equipment used only for the cleaning of such items. Drying shall be done by an electric or gas dryer.

B. Laundry facilities and operations shall be separated from any food-service operation; provided that laundry operations may be conducted in storage rooms containing only packaged foods or packaged single-service articles.  
(Ord. 109910 § 1(part), 1981.)

**10.11.694 (F.S.S.M. § 7-804) Premises—Linens and clothes storage.**

A. Clean clothes and linens shall be stored in a clean place and protected from contamination until used.

B. Soiled clothes and linens shall be stored in nonabsorbent containers or washable laundry bags until removed for laundering.  
(Ord. 109910 § 1(part), 1981.)



**10.11.695 (F.S.S.M. § 7-806) Premises—Animals.**

Live animals, including birds and turtles, shall be excluded from within the food-service operational premises; provided that this exclusion does not apply to edible fish, crustacea, shellfish, or to fish in aquariums; and provided, further, that patrol dogs accompanying security or police officers, or guide dogs accompanying blind or deaf persons, shall be permitted in dining areas.

(Ord. 109910 § 1(part), 1981.)

**Subchapter LXX  
(Reserved)**

**Subchapter LXXI Mobile Food Service**

**10.11.711 (F.S.S.M. § 8-101) Mobile food service—General.**

Mobile food-service units shall comply with the requirements of this chapter, except as otherwise provided in this section and in Section 10.11.712 hereof. The Health Officer may impose additional requirements to protect against health hazards related to the conduct of the food-service establishment as a mobile operation, may prohibit the sale of some or all potentially hazardous food, and when, in his/her opinion, a health hazard is not likely to result, may waive or modify requirements of this chapter relating to physical facilities.

(Ord. 109910 § 1(part), 1981.)

**10.11.712 (F.S.S.M. § 8-102) Restricted—Mobile food vehicles exemption from requirements.**

Mobile food-service units serving only food prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of this chapter, or beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment, need not comply with requirements of this chapter pertaining to the cleaning and sanitization of equipment and utensils if the required equipment for cleaning and sanitization exists at the commissary, and the equipment and utensils of such mobile food units are cleaned and sanitized regularly, nor with requirements of this chapter pertaining to the necessity of water and sewage systems. Notwithstanding any other provision hereof, frankfurters may be prepared and served from these units.

(Ord. 109910 § 1(part), 1981.)

**10.11.713 (F.S.S.M. § 8-103) Mobile food service—Single-service articles.**

Mobile food-service units or pushcarts shall provide only single-service articles for use by the consumer.

(Ord. 109910 § 1(part), 1981.)

**10.11.714 (F.S.S.M. § 8-104) Mobile food service—Water system.**

A mobile food unit requiring a water system shall have a potable water system under pressure and of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing, and handwashing, in accordance with the requirements of this chapter. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease; and it shall be kept capped unless being filled. The water inlet shall be provided with a transition connection of a size or type that will prevent its use for any other service. All water distribution pipes or tubing shall be constructed and installed in accordance with the requirements of this chapter.

(Ord. 109910 § 1(part), 1981.)

**10.11.715 (F.S.S.M. § 8-105) Mobile food service—Waste retention.**

All liquid waste resulting from the operation of a mobile food-service unit shall be stored in a permanently installed retention tank having a capacity at least fifteen percent larger than that of the water-supply tank. Liquid waste shall not be discharged from the retention tank when the mobile food-service unit is in motion. All connections on the vehicle for servicing mobile food-service unit waste-disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food-service unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.

(Ord. 109910 § 1(part), 1981.)

**10.11.716 (F.S.S.M. § 8-201) Mobile food service—Base of operations.**

Mobile food-service units shall operate from a commissary or other fixed food-service establishment.

(Ord. 109910 § 1(part), 1981.)



**10.11.717 (F.S.S.M. § 8-301) Mobile food service—Servicing area.**

A. A mobile food-service unit servicing area shall be provided and shall include at least overhead protection for any supplying, cleaning, or servicing operation. Within this servicing area, there shall be a location provided for the flushing and drainage of liquid wastes separate from the location provided for water servicing and for loading and unloading of food and related supplies. Such separate servicing area is not required where only packaged food is placed on the mobile food-service unit or where mobile food units do not contain waste retention tanks.

B. The surface of the servicing area shall be constructed of a smooth nonabsorbent material such as concrete or machine-laid asphalt, and shall be maintained in good repair, kept clean, and be graded to drain.

C. The construction of the walls and ceilings of the servicing area is exempt from the provisions of Sections 10.11.621 through 10.11.626 of this chapter.

(Ord. 109910 § 1(part), 1981.)

**10.11.718 (F.S.S.M. § 8-302) Mobile food service—Servicing operations.**

A. Potable-water servicing equipment shall be installed according to law and shall be stored and handled in a way that protects the water and equipment from contamination.

B. The mobile food-service unit liquid-waste retention tank, where used, shall be thoroughly flushed and drained during the servicing operation. All liquid waste shall be discharged to a sanitary sewerage disposal system in accordance with Section 10.11.521 of this chapter.

(Ord. 109910 § 1(part), 1981.)

**Subchapters LXXII – LXXX  
(Reserved)****Subchapter LXXXI Temporary Food-Service Establishments****10.11.811 (F.S.S.M. § 9-101) Temporary food-service establishments—General.**

A temporary food-service establishment shall comply with the requirements of this chapter, except as otherwise provided in this subchapter. The Health Officer may impose additional requirements to protect against health hazards

related to the conduct of the temporary food-service establishment, may prohibit the sale of some or all potentially hazardous foods, and may waive or modify requirements of this chapter when, in his/her opinion, a health hazard is not likely to result from such waiver or modification.

(Ord. 109910 § 1(part), 1981.)

**10.11.812 (F.S.S.M. § 9-102) Temporary food-service establishments—Restricted operations.**

Only those potentially hazardous foods requiring limited preparation, such as hamburgers and frankfurters that only require seasoning and cooking, shall be prepared or served. The preparation or service of other potentially hazardous foods, including pastries filled with cream or synthetic cream, custards, and similar products, and salads or sandwiches containing meat, poultry, eggs or aquatic foods is prohibited. This prohibition does not apply to any potentially hazardous food that has been prepared and packaged under conditions meeting the requirements of this chapter, is obtained in individual servings, is stored at a temperature of forty-five degrees Fahrenheit (seven degrees Celsius) or below or at a temperature of one hundred forty degrees Fahrenheit (fifty-six degrees Celsius) or above in facilities meeting the requirements of this chapter, and is served directly in the unopened container in which it was packaged.

(Ord. 109910 § 1(part), 1981.)

**10.11.813 (F.S.S.M. § 9-103) Temporary food-service establishments—Ice.**

Ice that is consumed or that contacts food shall be made under conditions meeting the requirements of this chapter. The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet-strength paper bags filled and sealed at the point of manufacture. The ice shall be held in these bags until it is dispensed in a way that protects it from contamination.

(Ord. 109910 § 1(part), 1981.)

**10.11.814 (F.S.S.M. § 9-104) Temporary food-service establishments—Equipment.**

A. Equipment shall be located and installed in a way that prevents food contamination and that also facilitates cleaning the establishment.

B. Food-contact surfaces of equipment shall be protected from contamination. Effective shields for such equipment shall be provided, as necessary, to prevent contamination. (Ord. 109910 § 1(part), 1981.)

10.11.815 (F.S.S.M. § 9-105) Temporary food-service establishments—Single-service articles.

All temporary food-service establishments without effective facilities for cleaning and sanitizing tableware shall provide only single-service articles for use by the consumer. (Ord. 109910 § 1(part), 1981.)

10.11.816 (F.S.S.M. § 9-106) Temporary food-service establishments—Water.

Enough potable water shall be available in the establishment for food preparation, for cleaning and sanitizing utensils and equipment, and for handwashing. A heating facility capable of producing enough hot water for these purposes shall be provided on the premises. (Ord. 109910 § 1(part), 1981.)

10.11.817 (F.S.S.M. § 9-107) Temporary food-service establishments—Wet storage.

Storage of packaged food in contact with water or undrained ice is prohibited. Wrapped sandwiches shall not be stored in direct contact with ice. (Ord. 109910 § 1(part), 1981.)

10.11.818 (F.S.S.M. § 9-108) Temporary food-service establishments—Handwashing.

A convenient handwashing facility shall be available for handwashing by food-service establishment personnel. This facility shall consist of at least warm running water, soap, and individual paper towels. (Ord. 109910 § 1(part), 1981.)

10.11.819 (F.S.S.M. § 9-110) Temporary food-service establishments—Floors.

Floors shall be constructed of concrete, asphalt, tight wood, or other similar cleanable material kept in good repair. Dirt or gravel, when graded to drain, may be used as sub-flooring when covered with clean, removable platforms or duckboards, or covered with wood

chips, shavings or other suitable materials effectively treated to control dust. (Ord. 109910 § 1(part), 1981.)

10.11.820 (F.S.S.M. § 9-111) Temporary food-service establishments—Walls and ceilings of food-preparation areas.

A. Ceilings shall be made of wood, canvas, or other material that protects the interior of the establishment from the weather. Walls and ceilings shall be constructed in a way that prevents the entrance of insects. Doors shall be solid or screened and shall be self-closing. Screening material used for walls, doors, or windows shall be at least sixteen mesh to the inch.

B. Counter-service openings shall not be larger than necessary for the particular operation conducted. These openings shall be provided with tight-fitting solid or screened doors or windows or shall be provided with fans installed and operated to restrict the entrance of flying insects. Counter-service openings shall be kept closed, except when in actual use. (Ord. 109910 § 1(part), 1981.)

Subchapters LXXXII – LXXXIX (Reserved)

Subchapter XC Waiver

10.11.901 Waiver.

When the Health Officer finds, following receipt of a permittee's written petition, including such evidence as the Health Officer may require, that in the Health Officer's opinion, a health hazard is unlikely to result, he/she may waive or modify the requirements of this chapter relating to physical facilities, including requirements set forth in Subchapters LI through LXVI of this chapter. (Ord. 109910 § 1(part), 1981.)

10.11.902 Exemptions.

A. Food-service establishments that sell or offer for sale only coffee, tea, nonpotentially hazardous nonalcoholic beverages, popcorn and prepackaged candy, chewing gum, nut meats, potato chips, and pretzels shall be exempt from the provisions of this chapter. The Health Officer, by rule, may authorize the sale of other nonpotentially hazardous foods to be likewise exempt from the provisions of this chapter.

2021 updates to the Seattle Municipal Code adopted in 1980 For current SMC, contact the Office of the City Clerk

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B. The sale of wrapped prepackaged ice cream, ice cream bars, or frozen confections shall not require a permit where such products are prepared, manufactured, wrapped or packaged, and frozen in a facility operating under permit from the Department, the Washington State Department of Agriculture, the United States Department of Health and Human Services, Public Health Service, Food and Drug Administration, or another official agency acceptable to the Health Officer, and where such products remain packaged and frozen in an unaltered state until being sold.  
(Ord. 110268 § 3, 1981.)

### Subchapter XCI Permits

#### 10.11.911 (F.S.S.M. §§ 10-101 and 10-102) Permits—Application for, issuance, display, and effective periods.

A. It is unlawful for any person to operate a food-service establishment, including the conduct of a food demonstration, without a valid permit therefor issued to such person by the Health Officer. Permits shall not be transferable and shall be valid only for the person and place for which it has been issued. Each such permit shall be posted conspicuously in the food-service establishment for which it has been issued.

B. Any person desiring to operate a food-service establishment, shall submit a written application to the Department, on a form to be provided by the Health Officer, for a permit for such operation. Such application shall include the applicant's full name, post office address, and the signature of an authorized representative of the applicant; shall disclose whether such applicant is an individual, firm, or corporation, and, if a partnership, the names and addresses of the partners; the location and type of the proposed food-service establishment; and shall be accompanied by the permit fee amounts described in Sections 10.03.010 and 10.03.110, as appropriate. If the application is for a seasonal or temporary food-service establishment, it shall also include the inclusive dates of the proposed operation.

C. When inspection reveals that the applicable requirements of this chapter and directives of the Health Officer have been met and the applicable permit fee has been paid, a permit shall be issued to the applicant by the Health Officer.

D. Temporary and seasonal food-service establishment permits shall be issued for the periods of time specified by the applicant therefor, except that in no case shall a temporary food-service establishment permit be valid for more than fourteen consecutive days, and a seasonal food-service establishment permit be valid for more than six consecutive months.

E. Where, from such evidence as he/she may require, the Health Officer finds that a permit has been lost, he/she may issue a duplicate to the permittee upon payment of Two Dollars (\$2.00).

F. All permits issued pursuant to this chapter shall expire on the March 31st following the date of issuance. Notwithstanding any other provision of this chapter to the contrary, all temporary and seasonal permits issued pursuant to this chapter shall expire on the date set forth on the face of such permit.

G. Where, from such evidence as he/she may require, the Health Officer finds that the name of an establishment has changed after a permit has been issued for the same, but there has been no change in ownership, location, or type of operation, he/she may issue a permit to the permittee in the new establishment name upon payment of Two Dollars (\$2.00).  
(Ord. 110268 § 4, 1981; Ord. 109910 § 1(part), 1981.)

#### 10.11.912 Permits—Fees.

Repealed by Ordinance 110268.

#### 10.11.913 Permits—Permit and permit fee exemptions.

Repealed by Ordinance 110268.

#### 10.11.914 (F.S.S.M. § 10-103) Permits— Suspension.

A. The Health Officer may, without warning, notice, or hearing suspend any permit to operate a food-service establishment if the permittee does not comply with the requirements of this chapter, or the lawful directives of the Health Officer, or if the operation of the establishment is not in compliance with the requirements of this chapter, or if violations of this chapter have not been corrected within the time specified in an inspection report; provided, that the Health Officer shall suspend the permit of a food-service establishment whenever he finds that the operation of such food-service establishment constitutes a substantial hazard to public

health or whenever the rating score of such food-service establishment is found upon inspection to be less than seventy points on the form established pursuant to Section 10.11.923. Suspension is effective upon service of the notice required by subsection B of Section 10.11.914. When a permit is suspended, food-service operations shall immediately cease.

B. Whenever a permit is suspended, the permittee shall be notified, in writing, that upon service of the notice on the permittee or the person in charge, the permit is immediately suspended and that an opportunity for a hearing on the validity of the suspension will be provided if a written request for hearing is filed with the Health Officer by the permittee within ten days after the suspension. The filing of a written request for hearing shall not stay the effectiveness of the suspension.

(Ord. 109910 § 1(part), 1981.)

**10.11.915 (F.S.S.M. § 10-104) Permits—Revocation.**

A. The Health Officer, after providing the permittee an opportunity for a hearing, may revoke a permit for serious or repeated violations of any of the requirements of this chapter or for interference with the Health Officer in the performance of duty.

B. Prior to any such revocation, the Health Officer shall notify, in writing, the permittee of the specific reason(s) for which the permit is to be revoked and that the permit shall be revoked at the end of the tenth day following service of such notice unless a written request for hearing is filed with the Health Officer by the permittee within ten days after the date of service, in which case the revocation shall be stayed until the issuance of a final decision following the hearing.

(Ord. 109910 § 1(part), 1981.)

**10.11.916 Permits—Reinstatement after suspension.**

Any person whose permit has been suspended may, at any time, submit to the Department a written application for an inspection for the purpose of reinstatement of a suspended permit, which application shall include a statement signed by the applicant that, in his opinion, the conditions causing suspension of the permit have been corrected. Within ten days following the Department's receipt of such an application, the Health Officer shall inspect the premises

to be used as a food-service establishment. In the event the applicant and such premises are in compliance with the requirements of this chapter, and when timely, the applicable permit fee has been paid, the permit shall be reinstated. (Ord. 109910 § 1(part), 1981.)

**10.11.917 (F.S.S.M. § 10-107) Permits—Application after revocation.**

Whenever a permit has been revoked, the previous permittee may make written application for a new permit.

(Ord. 109910 § 1(part), 1981.)

**Subchapter XCII Inspections**

**10.11.921 (F.S.S.M. § 10-201) Inspections—Frequency.**

An inspection of a food-service establishment may be performed by the Health Officer as often as such officer deems necessary. The Health Officer shall inspect every food-service establishment prior to issuing a permit therefor whenever the operation thereof is delinquent in the payment of any applicable permit fee.

(Ord. 109910 § 1(part), 1981.)

**10.11.922 (F.S.S.M. § 10-202) Inspections—Access.**

Every person operating a food-service establishment shall permit the Health Officer, after proper identification, to enter the food-service establishment during its normal business hours for the purpose of making inspections to determine compliance with this chapter; and shall permit the Health Officer to examine the records of the establishment to obtain information pertaining to food and supplies purchased, received, or used.

(Ord. 109910 § 1(part), 1981.)

**10.11.923 (F.S.S.M. § 10-203) Inspections—Report.**

A. Whenever an inspection of a food-service establishment is made, the findings shall be recorded on the inspection report form prepared by the Health Officer.

B. The inspection report form shall summarize the requirements of this chapter and shall set forth a weighted point value for each requirement as specified on FDA Form FD 2420, of the U.S. Department of Health and Human Services, Food and Drug Administration. Inspectional remarks shall be written to reference, by



subchapter number, the section of this chapter violated, and shall state the date of the inspection, the correction to be made, and the period of time allowed for the correction of the violations found. The inspection report shall also state that failure to comply with any specified time limits for corrections may result in a Department directive to cease food-service operations and that an opportunity for hearing on the inspection findings will be provided if a written request for a hearing is filed with the Health Officer within ten days following the date of the inspection report. The rating score of the establishment shall be the total of the weighted point values for all violations, subtracted from 100.

C. A copy of the completed inspection report form shall be furnished to the person in charge of the establishment at the conclusion of the inspection. The completed inspection report form is a public document that shall be made available for public disclosure to any person who requests it according to law.  
(Ord. 109910 § 1(part), 1981.)

**10.11.924 (F.S.S.M. § 10-204) Inspections—  
Time allowed for correction of  
violations.**

Correction of the violations identified in any inspection report shall be accomplished within the period specified therein and in accordance with the following provisions:

A. All one- or two-point items shall be corrected as soon as possible, but in any event, by the time of the next routine inspection; provided, that when a rating score of the establishment is between seventy and eight-five, all one- and two-point weighted items shall be corrected within thirty days.

B. All violations of four- or five-point weighted items shall be corrected as soon as possible, but in any event, within ten days following inspection. A followup inspection may be conducted to confirm correction.

C. In the case of temporary food-service establishments, all violations shall be corrected within a time specified by the Health Officer, which shall not exceed twenty-four hours.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter XCIII Examination and  
Condemnation of Food**

**10.11.931 Examination and condemnation  
of food.**

Food may be examined or sampled by the Health Officer as often as necessary for enforcement of this chapter. The Health Officer, upon written notice to the permittee or person in charge specifying with particularity the reasons therefor, may place a hold order on any food which he/she believes is in violation of any provision of this chapter. The Health Officer shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or removed from the establishment except pursuant to direction of the Health Officer. The Health Officer shall permit storage of the food under conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The written notice of a hold order shall state that an opportunity for a hearing on the validity of the hold order will be provided if a written request for hearing is filed with the Health Officer within ten days, and that if no hearing is requested, the food shall be destroyed.  
(Ord. 109910 § 1(part), 1981.)

**Subchapter XCIV Review of Food-service  
Establishment Plans**

**10.11.941 (F.S.S.M. § 10-401) Review of  
food-service establishment plans;  
review fee.**

Whenever a food-service establishment is to be constructed or extensively remodeled and whenever an existing structure is to be converted to use as a food-service establishment, plans and specifications for such construction, remodeling, or conversion shall be submitted to the Health Officer for review and approval before any such construction, remodeling or conversion is begun, together with the sum of Fifty Dollars (\$50.00), which shall be the fee for such review. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, and construction materials of work areas, and the type and model of proposed fixed equipment and facilities. The Health Officer shall approve the plans and specifications if they meet the requirements of this chapter and the plans

review fee has been paid; otherwise, he/she shall not. In the event the health officer disapproves submitted plans and specifications, he/she shall indicate the particular aspects thereof that are not in compliance with the requirements of this chapter, and shall invite the resubmission of such plans and specifications following their revision. When plans and specifications that have been examined are altered and resubmitted, an additional fee for the reexamination of such plans shall be assessed at the rate of Forty Dollars (\$40.00) per hour. Where a duplicate set of approved plans is submitted for examination and approval at any time after a permit has been issued on the original approved plans, a fee shall be charged at the rate of Forty Dollars (\$40.00) per hour for such examination and approval. Where a complete redesign of a building is submitted after one design has been examined, a new review fee shall be charged in addition to the review fee for the first design. The examination of any further redesign shall be similarly charged. No food service establishment shall be constructed, extensively remodeled, or converted except in accordance with plans and specifications approved by the Health Officer. (Ord. 109910 § 1(part), 1981.)

**10.11.942 (F.S.S.M. § 10-402) Pre-operational inspection.**

Whenever plans and specifications are required by Section 10.11.941 of this chapter to be submitted to the Health Officer, the Health Officer may inspect the food-service establishment prior to the start of operations, to determine compliance with approved plans and specifications and with requirements of this chapter. (Ord. 109910 § 1(part), 1981.)

**Subchapter XCV Authority of Health Officer Suspecting Infection**

**10.11.951 (F.S.S.M. § 10-501) Procedure when infection is suspected.**

When the Health Officer has reasonable cause to suspect possible disease transmission of any food-service establishment personnel, or by an outbreak of food-borne illness, the Health Officer may secure a morbidity history of the suspected personnel and may make any other investigation as indicated. The Health Officer may also require any or all of the following measures to be undertaken:

A. The immediate exclusion of the infected personnel from employment in food-service establishments;

B. The immediate closing of the food-service establishment concerned until, in the option of the Health Officer, no further danger of disease outbreak exist;

C. Restriction of the infected personnel's services to some area of the establishment where there would be no danger of transmitting disease;

D. Medical and laboratory examination of the personnel and of their body discharges;

E. Assistance in locating persons exposed to the disease.

(Ord. 109910 § 1(part), 1981.)

**Subchapter XCVI Administrative Proceedings**

**10.11.961 (F.S.S.M. § 10-105)**

**Administrative proceedings—  
Service of notices.**

A notice provided for in this chapter is properly served when it is delivered in person to the permittee or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the permittee. A copy of the notice shall be filed in the records of the Health Officer. (Ord. 109910 § 1(part), 1981.)

**10.11.962 Administrative proceedings—  
Request for hearing.**

Any request for a hearing under this chapter shall be in writing and shall specify the name of the permittee; the business or operating name and address or location of the food-service establishment; the Departmental action concerning which the hearing is sought (for instance, a permit suspension, permit revocation, inspection finding(s), the placing of a hold order on any food or the ordering of its destruction); the date of such Departmental action; a short statement of the reasons why a hearing should be held; the hearing requestor's position(s) with respect to the matters to be heard; and the administrative relief sought. Forms for such requests to be made shall be provided by the Health Officer, but the use of such forms shall not be a prerequisite for any such hearing. (Ord. 109910 § 1(part), 1981.)

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**10.11.963 Administrative proceedings--  
Hearings.**

In all cases in which a hearing is requested or otherwise required in accordance with the provisions of this chapter, the Health Officer shall set a date of hearing either before the Health Officer or a Hearing Examiner in the Office of Hearing Examiner, which date, unless otherwise provided herein, shall not be later than fifteen days after the Department's receipt of a request for a hearing. Notice of the date, and a summary of the issues involved, shall be sent by certified mail to the permittee and to any complainant other than the Health Officer. Such hearing shall be open to the public and shall be conducted and a record kept thereof in accordance with Administrative Code of The City of Seattle (Ordinance 102228, as amended).<sup>1</sup> After any hearing with respect to the placing of a hold order on any food or the ordering of its destruction, the Health Officer or the Hearing Examiner may vacate the hold order or may direct the permittee or person in charge to denature or destroy such food or to bring it into compliance with the provisions of this chapter.  
(Ord. 109910 § 1(part), 1981.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

**Subchapter XCVII Penalties**

**10.11.971 (F.S.S.M. § 10-601) Penalties.**

Anyone convicted for violating or failing to comply with any of the provisions of this chapter shall be punished by a fine of not to exceed Three Hundred Dollars (\$300.00), or by imprisonment in jail for a term not to exceed ninety days, or by both such fine and imprisonment; and each day that anyone shall continue to so violate or fail to comply shall be considered a separate offense.

(Ord. 109910 § 1(part), 1981.)

**Subchapter XCVIII Appendices**

**10.11.981 Adoption and incorporation of appendices.**

Appendices C and D of the 1976 Food Service Sanitation Manual published by the U.S. Department of Health, Education and Welfare, Public Health Service, Food and Drug Administration, are hereby adopted and by this reference made part of this chapter.

(Ord. 109910 § 1(part), 1981.)

**Subchapter XCIX General Provisions**

**10.11.991 Enforcement.**

The code shall be enforced and administered by the Director. The Director is authorized pursuant to the Administrative Code of the city<sup>1</sup> to make rules and regulations not inconsistent with the provisions of this code for the purpose of enforcing and carrying out its provisions.

(Ord. 109910 § 1(part), 1981.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

**10.11.992 Construction.**

The provisions of this chapter do not apply to or govern the construction of and punishment of any offense committed prior to the effective date of the ordinance codified in this chapter,<sup>2</sup> or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing at the time of the commission thereof in the same manner as if this Ordinance had not been enacted.

(Ord. 109910 § 1(part), 1981.)

2. Editor's Note: Ordinance 109910 was passed by the City Council on May 26, 1981.

**Chapter 10.12**

**MEAT DISTRIBUTION AND SALE**

Repealed by Ordinance 110052.

**Chapter 10.13**

**MEAT, RABBIT, POULTRY AND  
AQUATIC FOODS CODE**

**Sections:**

**Subchapter I Title, Purpose and Definitions**

- 10.13.010 Title.
- 10.13.020 Purpose and policy declared.
- 10.13.030 Definitions "A" and "B."
- 10.13.040 Definitions "C" and "D."
- 10.13.050 Definitions "E" through "J."
- 10.13.060 Definitions "K" through "O."
- 10.13.070 Definitions "P" through "Z."

Subchapter II Permits

- 10.13.100 Permits required.
- 10.13.110 Exemptions from permit requirements.
- 10.13.120 Application for and issuance of permits.
- 10.13.130 Permit, inspection, and examination fees—Permit effective period—Fee deposits—Refunds.
- 10.13.140 Transfer of permits between MPRAF establishments.
- 10.13.150 Suspension and revocation of permits.
- 10.13.160 Operations and activity authorized by permit.

Subchapter III Consumer Protection and Quality Standards

- 10.13.200 Invoices required from MPRAF dispensers operating without permit pursuant to RCW 36.71.090.
- 10.13.210 Consumer protection through advertisements and displays.
- 10.13.220 Consumer protection through labeling and packaging.
- 10.13.230 Dispensing of certain ungraded meat prohibited.
- 10.13.240 Quality standards for ground meat and poultry, and ground meat and poultry products.
- 10.13.250 Preparation of rabbits.
- 10.13.260 Processing, dispensing, and storage of aquatic foods.

Subchapter IV Sanitation Standards

- 10.13.400 Sanitation standards for personnel of MPRAF establishments.
- 10.13.410 Food and beverage service worker's permit required.
- 10.13.420 Sanitation standards regarding the operations of MPRAF establishments.
- 10.13.430 Construction and maintenance sanitation standards for MPRAF establishments.

Subchapter V Unlawful Activities

- 10.13.500 Unlawful possession or dispensing of MPRAF.
- 10.13.510 Commercial dispensing of MPRAF from other than permitted shops prohibited.

- 10.13.520 MPRAF peddling prohibited.
- 10.13.530 Unlawful use, or alteration, of permits, marks, numbers or other insignia.

Subchapter VI Examinations and Inspections

- 10.13.600 Examination and inspection of plans, records, facilities and equipment of MPRAF establishments.
- 10.13.610 Examination and inspection of MPRAF and MPRAF food products.
- 10.13.620 Special inspection services.
- 10.13.630 Removal of orders, tags, marks, MPRAF, and MPRAF food products.

Subchapter VII Enforcement

- 10.13.700 Enforcement—Regulations.
- 10.13.710 Appeal of inspector's or director's order or decision.
- 10.13.720 Penalty.

Subchapter VIII Advisory Committees and Implementing Personnel

- 10.13.800 Advisory committees.
- 10.13.810 Implementing personnel.

Subchapter I Title, Purpose and Definitions

10.13.010 Title.  
This chapter may be cited as the "Meat, Rabbit, Poultry, and Aquatic Foods Code." (Ord. 110052 § 1 (part), 1981.)

10.13.020 Purpose and policy declared.

A. This chapter is enacted as an exercise of the police power of the city to protect and preserve the public peace, health, safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.

B. It is expressly the purpose of this chapter to provide for and promote the health, safety, and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

C. It is the specific intent of this chapter to place the obligation to comply with its requirements upon the person who engages in operations or activities within its scope, and no provision of or term used in this chapter is

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intended to impose any duty whatsoever upon the city or any of its officers or employees, for whom the implementation or enforcement of this chapter shall be discretionary and not mandatory.

D. Nothing contained in this chapter is intended to be or shall be construed to create or form the basis for any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from the failure of the person who engages in operations or activities subject to the provisions of, or regulated by, this chapter to comply with the provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter on the part of the city by its officers, employees or agents.

(Ord. 110052 § 1 (part), 1981.)

**10.13.030 Definitions "A" and "B."**

For the purposes of this chapter, unless the context clearly indicates a different meaning:

A. "Adulterated" means:

1. Containing or bearing any toxic, deleterious or unwholesome substance of any kind in a quantity that may render MPRAF injurious to health;
2. Bearing or containing any added poisonous or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established;
3. Bearing or containing material such as, but not limited to, added water, farinaceous material, excess fat, preservative, or any other substance not authorized to be contained in a specific MPRAF food product;
4. Consisting in whole or in part of any substance otherwise unfit for human consumption;
5. Prepared, processed, or held under an insanitary condition, such that contamination may have occurred or such that the MPRAF may have been rendered injurious to health;
6. Being in whole or in part the product of a diseased animal or aquatic fauna, or an animal that has died or has been killed for any reason other than food production;
7. Contained in a container composed, in whole or in part, of any poisonous or deleterious substance that may render the contents injurious to health; or
8. Containing or bearing breeding, sauce,

or any similar coating material within an MPRAF food product rather than just on the outer surfaces thereof, or in a quantity in excess of thirty percent of the weight of the meat or meat product, alone.

B. "Approved" means acceptable to the Director based on his/her determination regarding conformance with appropriate health standards and good public health practice.

C. "Aquatic food" means and includes the edible parts of shellfish, crustacea, mollusks, and fish.

(Ord. 110052 § 1 (part), 1981.)

**10.13.040 Definitions "C" and "D."**

For the purpose of this chapter, unless the context clearly indicates a different meaning:

A. "City" means the city of Seattle.

B. "Commercially" means as a part of commerce; for the purpose of or related to trade or business; related to the operations or activities undertaken by an MPRAF establishment or by any individual or entity, that make such individual or entity subject to the permit requirements of this chapter, including the undertaking of demonstrations, exhibitions, and the providing of samples.

C. "Consumer" means any person obtaining MPRAF for consumption either by him/herself; his/her family and guests; and where such person operates a licensed food-service establishment, for consumption by such person's patrons and customers.

D. "Crustacea" means and includes crabs, shrimps, lobsters, and crayfish.

E. "Cured" means having been treated against deterioration and decomposition, and/or flavored, by cooking, smoking, salting, drying, or any recognized trade process for curing.

F. "Cured sausage" means all MPRAF food products prepared, in whole or in part, from chopped or ground MPRAF molded or encased in artificial or natural animal casing, and cured.

G. "Department" means the Seattle-King County Department of Public Health, except as provided in Section 10.13.730, hereof.

H. "Director" means the Director of the Department or his/her designated representative, except as provided in Section 10.13.730, hereof.

I. "Dispense" means to sell, to give away as a part of a demonstration or other commercial activity, to barter, to trade, or to otherwise merchandise; to offer to do any of the preceding activity; or to sponsor an advertisement to



dispense, but does not mean to dispose of as garbage, swill or other waste product.  
(Ord. 110052 § 1 (part), 1981.)

**10.13.050 Definitions "E" through "J."**

For the purposes of this chapter, unless the context clearly indicates a different meaning:

A. "Equipment" means all stoves, ovens, ranges, hoods, slicers, mixers, meatblocks, tables, counters, refrigerators, sinks, dish-washing machines, saws, knives, and similar items used in the operation of any MPRAF establishment.

B. "Fish" means any edible aquatic fauna including but not limited to eels and fish, but excluding crustacea, shellfish and mollusks.

C. "Food and beverage establishment service worker's permit" means a permit issued pursuant to Chapter 69.06 of the Revised Code of Washington.

D. "Fresh" means not having been processed; it does not include having been thawed after having been frozen.

E. "Frozen" means congealed by a reduction in temperature.

F. "Inspected" means examined and passed or approved, and stamped or tagged by an inspector.

G. "Inspector" means any Department employee detailed to such position or function, and any person authorized to do MPRAF inspection by a governmental MPRAF inspecting and regulatory authority of the United States or the State of Washington.  
(Ord. 110052 § 1 (part), 1981.)

**10.13.060 Definitions "K" through "O."**

For the purposes of this chapter, unless the context clearly indicates a different meaning:

A. "Law" includes Federal and State statutes, the City Charter and ordinances, and rules and regulations of any federal, state, or city administrative body.

B. "Meat" means all animal flesh, carcasses, and any part thereof that is intended for human consumption, including but not limited to fresh, frozen, and processed meat, but excluding poultry, aquatic food, rabbit, and game.

C. "Misbranded" means having any written, printed, or other graphic matter that is false or misleading in any particular stated on or accompanying any MPRAF, MPRAF food product, or its container. "Misbranded" also means having any word, statement, or other information that

is required by this chapter to appear prominently on the label or labeling of any MPRAF or MPRAF food product, placed thereon with such inconspicuousness, as compared with other labeling, or in such terms, as to render it not likely to be seen and understood by the reasonable consumer under ordinary conditions of purchase and use.

D. "Mollusks" means and includes squid, octopus, snail, and other forms of mollusks.

E. "MPRAF" means meat, poultry, rabbit, or aquatic food.

F. "MPRAF establishment" means any retail MPRAF shop, retail processed MPRAF shop, wholesale MPRAF shop, or MPRAF warehouse.

G. "MPRAF warehouse" means all premises used for the storage of MPRAF and not otherwise requiring a permit under this chapter.  
(Ord. 110052 § 1 (part), 1981.)

**10.13.070 Definitions "P" through "Z."**

For the purposes of this chapter, unless the context clearly indicates a different meaning:

A. "Permitted" means having been issued a valid and current permit by the Department.

B. "Person" means and includes individuals of either sex, associations, partnerships, corporations, and other juridical entities.

C. "Person in charge" means the individual present in an MPRAF establishment who is the apparent supervisor of the MPRAF establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

D. "Poultry" means chickens, ducks, geese, turkeys, squabs, pheasants, guinea hens, chukars, and other feathered fowl, domestic or wild, including but not limited to fresh, processed and frozen fowl, and parts thereof, that have been inspected and are intended for human consumption.

E. "Prepackaged" means MPRAF that has not been cut or wrapped to a consumer's order, and is dispensed without additional covering or wrapping to prevent contamination.

F. "Prepare" means to slaughter, kill, eviscerate, dress-out, clean, cut, divide, or grind.

G. "Process" means to can, cure, or preserve, or cook at any temperature, or to make sausage and other MPRAF food products.

H. "Rabbit" means all members of the hare family, excluding wild rabbit, that are intended for human consumption.

I. "Sausage" means chopped or ground

meat, rabbit, either in bulk

J. "Shellfish" means clams, scallops, and oysters

K. "Wild animal" means any animal raised in cages and enclosures.  
(Ord. 110052 § 1 (part), 1981.)

**10.13.100**

A. "Generator" means any person who operates or employs any person for the purpose of performing any work or service for the sale of MPRAF products, including but not limited to meat cutters, wrappers, and other appropriate equipment, except as provided in sections 10.13.110, 10.13.111, and 10.13.112.

B. "Preparation" means the process of preparing any person for the purpose of performing any work or service for the sale of MPRAF products, including but not limited to poultry, rabbit, and other appropriate equipment, in the city of Seattle.

C. "MPRAF establishment" means any retail MPRAF shop, retail processed MPRAF shop, wholesale MPRAF shop, or MPRAF warehouse.  
(Ord. 110052 § 1 (part), 1981.)

**10.13.110**

A. "Recipe" means any recipe for the preparation of any food product, including but not limited to any recipe issued by the King County Health Department, or any person who holds a license or permit under this chapter, or any ordinance, rule, or regulation, similar in nature to this chapter, shall be required to engage with the health department to be regulated by this chapter.  
B. "Federal" means any law, statute, ordinance, rule, or regulation of the United States or the State of Washington.



meat, rabbit, or poultry, with or without spice, either in bulk or in casings.

J. "Shellfish" means and includes oysters, clams, scallops and mussels.

K. "Wild rabbit" means rabbit not bred and raised in captivity, or not domesticated, and not raised and held in restraint in hutches or like enclosures.

(Ord. 110052 § 1 (part), 1981.)

### Subchapter II Permits

#### 10.13.100 Permits required.

A. General Requirements. No person shall operate or hold itself out as, work or be employed as, or engage in or carry on the business or work of, an MPRAF establishment, a wholesale MPRAF dealer, a meat cutter, an apprentice meat cutter, an MPRAF salesperson, or MPRAF wrapper, in the city without having a valid, appropriate permit therefor from the city, except a person exempt from the permit requirements of this chapter pursuant to Section 10.13.110, hereof.

B. Preparer's Permits. No person except a person exempt from the permit requirements of this chapter shall prepare or process outside of the city but within the state of Washington, poultry, rabbit or aquatic food for dispensing in the city unless such person has been issued a valid preparer's permit.

C. MPRAF Establishment Permits. A separate permit is required for each MPRAF establishment having a separate business address or location. Every MPRAF establishment permit shall be displayed in a conspicuous location visible to the public within the permitted establishment.  
(Ord. 110052 § 1 (part), 1981.)

#### 10.13.110 Exemptions from permit requirements.

A. Reciprocal Exemption. For so long as King County provides reciprocal exemptions from its permit or license requirements to persons issued permits pursuant to this chapter, no person who has been issued a valid or current license or permit by King County pursuant to an ordinance, resolution, or rule substantially similar, in scope, intent and effect, to this chapter, shall be required to secure a city permit to engage within the city, in any activity that is regulated by this chapter.

B. Federally-inspected Wholesale MPRAF

Shops. No city permit shall be required under this chapter of any person who operates, engages in the business of, or is employed in, a federally-inspected wholesale MPRAF shop that does not engage in retail sales.

C. Shops Dispensing Only Room-temperature Items. No city permit shall be required under this chapter of any establishment that limits its dispensing of MPRAF and MPRAF food products to only cured MPRAF and MPRAF food products not requiring refrigeration.

D. Statutorily-exempt Activity. No farmer or other person shall be required to obtain a city permit under this chapter to dispense within the city pursuant to RCW 36.71.090, on any day other than Sunday, MPRAF that such person has raised, caught, produced, or manufactured (prepared or processed) in the State of Washington.

(Ord. 110052 § 1 (part), 1981.)

#### 10.13.120 Application for and issuance of permits.

A. General Application Requirement. Every application for a meat cutter's, apprentice meat cutter's, MPRAF salesperson's, MPRAF wrapper's, wholesale MPRAF dealer's, preparer's permit, or MPRAF establishment permit shall be submitted to the Director upon an application form provided by the Department.

B. Standard Application Disclosures and Submittals. Each permit application shall include the applicant's full name and address; an identification of the applicant as an individual, firm, corporation, or partnership, and if a partnership, the names and addresses of all general partners. If the application is for an MPRAF establishment permit, or preparer's permit, the application shall also disclose the location, by street and number, of the premises to be occupied or the premises from which applicant wishes to operate, an indication of whether the applicant desires a preparer's permit or an MPRAF establishment permit, and the type of MPRAF establishment to be operated (if applicable). Applications shall be accompanied by the appropriate permit fee or, if applicable, the agreement specified in subsection C of Section 10.13.120 of this chapter.

C. Additional Submittal From Wholesale MPRAF Shop or Preparer Outside of City. Every application from an existing or proposed wholesale MPRAF shop or a preparer, located outside of the city, shall be accompanied by the



applicant's signed, written agreement as follows:

1. To comply with the provisions of this chapter and all rules and regulations made pursuant thereto and with any other ordinance of the city relating to or affecting wholesale MPRAF shops or MPRAF preparers, processors, or dispensers;

2. To allow such inspection of the applicant's premises as the Director may require; and

3. To pay to the city, upon presentation of an invoice therefor, the cost of transportation required for such inspection at the rate specified in subsection B of Section 10.13.130 of this chapter.

D. Additional Submittal From Applicants For Occupational Permits. Every applicant for an apprentice meat cutter's permit shall submit evidence, to the satisfaction of the Director, of enrollment in the Seattle-King County Meat Cutter's Apprenticeship program approved by the Joint Apprenticeship Committee.

E. Grant or Denial of MPRAF Establishment Permit Dependent on Inspection. The Director shall inspect the premises described on every MPRAF Establishment Permit application, and the equipment to be used in the proposed operation, to determine compliance with the provisions of this ordinance. If such inspection reveals that the applicable requirements of this chapter have been met, the Director shall issue a permit; otherwise, it shall be denied.

F. Grant of Meat Cutter's or MPRAF Salesperson's Permit Dependent on Examination Passage. Each applicant for a meat cutter's permit or an MPRAF salesperson's permit shall be subject to a Departmental examination. The MPRAF salesperson's examination shall test the applicant's knowledge of requirements and good practices regarding the refrigeration, sanitation, and care of MPRAF. The meat cutter's examination shall be similar to the MPRAF Salesperson's examination, and shall additionally test the applicant's competency in the cutting and handling of meat; and his/her ability, by the senses, to recognize in meat decomposition and other taints and conditions deleterious to health. If the applicant passes the examination, the Director shall issue the appropriate permit; otherwise, it shall be denied.

G. Issuance of Other Permits. The Director shall issue other permits authorized under this chapter upon the applicant's proper completion and filing of the application, the submission of

satisfactory evidence of compliance with other requirements herein, and the payment of the fee for such permit.

(Ord. 110052 § 1 (part), 1981.)

**10.13.130 Permit, inspection, and examination fees—Permit effective period—Fee deposits—Refunds.**

A. Amount of Permit Fees. The fees for annual permits issued pursuant to this chapter shall be as follows:

1. Permit for wholesale MPRAF shop in which one or more persons are engaged in preparing and processing and/or dispensing MPRAF or MPRAF food products:

a. Two or fewer persons so engaged: ..... \$450.00

b. Three or more persons so engaged: ..... \$650.00

2. Wholesale MPRAF dealer's permit: ..... \$350.00

3. Retail processed MPRAF shop permit: ..... \$ 50.00

4. Permit for retail MPRAF shop in which one or more persons are engaged in preparing, processing, or dispensing MPRAF or MPRAF food products:

a. One person so engaged:.. \$150.00

b. Two or three persons so engaged: ..... \$200.00

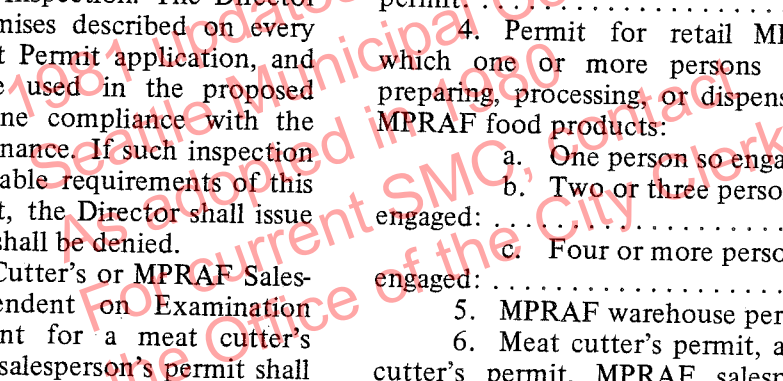
c. Four or more persons so engaged: ..... \$250.00

5. MPRAF warehouse permit:.. \$ 50.00

6. Meat cutter's permit, apprentice meat cutter's permit, MPRAF salesperson's permit and MPRAF wrapper's permit: ..... \$ 15.00

7. Meat cutter's or MPRAF salesperson's examination:..... \$ 15.00

provided, that the fee for any permit issued during the period beginning January 1st and ending June 30th of any year, shall be an amount equal to one-half of the applicable fee stated above; provided, further, that in the event the applicable fee is not paid prior to the commencement of the activity or operation subject to such permit, or in the event a previously permitted person continues in such operation or activity for more than ten days after the expiration date of such previous permit without having obtained another permit, the person owing the applicable fee shall be subject to a surcharge equal to an additional one-quarter of the applicable permit fee, to pay



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for the additional Departmental administrative procedures occasioned by such delinquency.

B. Inspection Mileage Fee. Every person issued a preparer's permit or a permit for any wholesale MPRAF shop located outside the city shall be charged an inspection mileage fee of Thirty-four Cents (\$.34) per mile for the one-way distance between the inspector's office and the inspection site.

C. Permit Fee Due Date. The fee for any permit to be issued under this chapter shall be due and payable on or before the commencement date of the operation or activity subject to such permit.

D. Permit Expiration Date. Permits issued pursuant to this chapter shall expire annually, on June 30th.

E. Fee Refunds. The Department is authorized to refund any permit fee paid under the following circumstances:

1. Where the fee or any portion thereof has been overpaid;

2. Where the fee has been paid in advance of the applicable permit effective period, and where the permit-holding individual or entity never undertook an operation or activity authorized by the permit during its effective period because of the permit-holder's illness, death, dissolution, sale or other transfer of interest; Provided, that proof of any such circumstances, satisfactory to the Director, must be submitted to the Director before any such refund will be provided. Each such refund shall be subject to a Ten Dollar (\$10.00) deduction for the costs of administration.

(Ord. 110052 § 1 (part), 1981.)

**10.13.140 Transfer of permits between MPRAF establishments.**

Permits issued pursuant to this chapter shall not be transferable or assignable, except that:

A. An MPRAF establishment permit may be transferred from one such establishment to another whenever the Director has inspected and approved the premises to which the permit is to be transferred and the permittee has paid to the Department a transfer fee equal to ten percent of the full fee chargeable for the type of MPRAF establishment involved; and

B. Upon application from a wholesale MPRAF dealer, the Director shall substitute on said dealer's permit, the name of a wholesale MPRAF shop or MPRAF warehouse different

from the name originally designated on such permit.

(Ord. 110052 § 1 (part), 1981.)

**10.13.150 Suspension and revocation of permits.**

A. Hearing Required to Revoke Permit. No permit issued pursuant to the provisions of this chapter may be revoked except after a hearing before the Director, at which time the holder of such permit shall have the right to be heard, to be represented by counsel, and to introduce evidence in his/her/its behalf. At least ten days before such hearing the Director shall cause to be mailed or delivered to the permit holder at his/her/its last known address, a notice stating the time and place of such hearing, together with a summary of the reasons assigned for such proposed revocation.

B. Conditions Permitting Permit Suspension Prior to Revocation Hearing. Whenever the reasons assigned for the revocation of the permit include a charge or statement, based upon reasonable grounds for belief, that the premises described in the permit or the fixtures or equipment used therein, have become or are insanitary; or that the permit holder has been convicted of a crime or violation involving fraud or dishonesty in the dispensing of MPRAF or MPRAF food products; or that the permit holder has employed for more than thirty consecutive days any meat cutter, apprentice meat cutter, MPRAF salesperson, MPRAF wrapper, wholesale MPRAF dealer, or other person whose duties include handling unwrapped or unpackage MPRAF or an MPRAF food product, who has failed to file with his/her employer a valid food and beverage service worker's permit; or that the permit holder has otherwise failed to comply with the requirements of this chapter or any other ordinance of the city relating to the preparing, processing, or dispensing of MPRAF or MPRAF food products, or to health and sanitation, or any rule or regulation made pursuant thereto, the Director may immediately suspend the authority granted by the permit involved pending a hearing on the revocation thereof. When any permit has been so suspended, such hearing shall be had not more than ten days after the date of suspension.

C. Director's Actions Following Hearing. If, following the hearing, the Director finds that one or more of the reasons assigned for the



proposed revocation exist, he/she shall forthwith revoke and take up the permit; otherwise, he/she shall immediately reinstate the permit and return the same to the permittee. Such findings and decision of the Director shall be final, subject only to review by the courts. (Ord. 110052 § 1(part), 1981.

**10.13.160 Operations and activity authorized by permit.**

A. **MPRAF Warehouse Permit.** A person issued an MPRAF warehouse permit is authorized only to store MPRAF and MPRAF food products upon the premises described on such permit.

B. **Wholesale MPRAF Dealer's Permit.** A person issued a wholesale MPRAF dealer's permit is authorized only to operate or engage in business in and from a permitted wholesale MPRAF shop or MPRAF warehouse, to obtain MPRAF from any permitted wholesale MPRAF shop or person exempt from the permit requirements of this chapter pursuant to subsection D of Section 10.13.110, hereof, and to dispense MPRAF and MPRAF food products to any person other than a consumer.

C. **Wholesale MPRAF Shop Permit.** A person issued a wholesale MPRAF shop permit is authorized only to prepare, process, and dispense MPRAF in any form from the premises described on such permit, to any person, including but not limited to any consumer, retail processed MPRAF shop, or retail MPRAF shop.

D. **Retail Processed MPRAF Shop Permit.** A person issued a retail processed MPRAF shop permit is authorized only to dispense upon the premises described on such permit, to consumers, processed and/or frozen MPRAF and MPRAF food products, all of which have been obtained from a permitted wholesale MPRAF shop, permitted wholesale MPRAF dealer, or person exempt from the permit requirements of this chapter pursuant to subsection D of Section 10.13.110 hereof.

E. **Retail MPRAF Shop Permit.** A person issued a retail MPRAF shop permit is authorized only to prepare, process, and dispense to consumers, from the premises described on such permit, MPRAF food products and fresh, processed, and/or frozen MPRAF, all of which has been obtained from a permitted wholesale MPRAF shop, permitted wholesale MPRAF dealer, or person exempt from the permit

requirements of this chapter pursuant to subsection D of Section 10.13.110 hereof.

F. **MPRAF Wrapper's Permit.** A person issued an MPRAF wrapper's permit is authorized only to handle, weigh, label, wrap, display, and package fresh and processed MPRAF and MPRAF food products for dispensing in a permitted wholesale or retail MPRAF shop; to prepare and dispense any fresh aquatic food therefrom to any consumer; and to dispense processed or frozen MPRAF and MPRAF food products therefrom to any consumer; and in a retail processed MPRAF shop, to slice and package processed MPRAF and MPRAF food products and to dispense processed and frozen MPRAF and MPRAF food products.

G. **MPRAF Salesperson's Permit.** A person issued an MPRAF salesperson's permit is authorized only to engage in all activity in which a permitted MPRAF wrapper may engage, and to dispense fresh MPRAF and MPRAF food products in a permitted wholesale or retail MPRAF shop.

H. **Meat Cutter's Permit.** A person issued a meat cutter's permit is authorized only to engage in all activity in which a permitted MPRAF salesperson may engage, and to prepare and/or process MPRAF and MPRAF food products in and from a permitted MPRAF establishment.

I. **Apprentice Meat Cutter's Permit.** A person issued an apprentice meat cutter's permit is authorized to engage in all activity in which a permitted meat cutter may engage, but only while under the immediate direction and supervision of a permitted meat cutter.

J. **Preparer's Permit.** A person issued a preparer's permit is authorized to prepare and process poultry, rabbit, aquatic foods within the city, and to dispense the same but only to permitted wholesale MPRAF shops. (Ord. 110052 § 1 (part), 1981.)

**Subchapter III Consumer Protection and Quality Standards**

**10.13.200 Invoices required from MPRAF dispensers operating without permit pursuant to RCW 36.71.090.**

Every person who dispenses, within the city, MPRAF or any MPRAF food product without a permit, pursuant to RCW 36.71.090 and

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subsection D of Section 10.13.110, hereof, shall issue to every consumer, food-service establishment, and MPRAF establishment receiving any MPRAF or MPRAF food product from or through such person, a sales invoice containing the following information: the name and business address of the dispenser, the date of the dispensing, the name of the person to whom or the entity to which such MPRAF or MPRAF food product was dispensed, and the quantity and cut (if any) of each species of MPRAF or MPRAF food product dispensed. A copy of each such invoice shall be retained by such person for not less than three years following the date of such invoice and shall be made available to the Director for inspection upon his/her request therefor.

(Ord. 110052 § 1 (part), 1981.)

#### 10.13.210 Consumer protection through advertisements and displays.

A. Deceptive or Misleading Advertisements or Displays. No person shall purchase or otherwise sponsor any advertisement or display that contains any assertion, representation, picture, or statement relating to any MPRAF or MPRAF food product or the dispensing of the same, that is untrue, deceptive, or misleading. Every advertisement and display of veal, calf, beef, lamb, and mutton, and any cut thereof must clearly indicate the true and correct grade of the meat advertised or displayed.

B. Designation of Cuts in Advertisements and Displays. No person shall advertise or display for dispensing any cut of veal, calf, beef, buffalo, pork, lam, mutton, horse, goat, poultry, or rabbit unless the advertisement or display clearly indicates the commonly accepted trade name of such cut, as approved by the Director. No person shall advertise or display any meat roast or use the word "roast" in any advertisement or display of meat without clearly and correctly designating the roast so advertised or displayed as a "neck cut," a "blade cut," an "arm cut," a "rump cut" or other truthful designation.

C. Identification as "Imitation" or Having Added Water in Advertisements and Displays. No person shall advertise or display for dispensing any MPRAF or MPRAF food product that has been labeled, branded or otherwise marked as "imitation" or "water added" by a manufacturer or producer unless the advertisement or display clearly states that the same is "imitation" or "water added."

D. Advertisements, Displays and Dispensing of Pork. No person shall advertise, display, or dispense any pork loin, shoulder, belly, leg, or spare rib, or any portion or part thereof, without indicating on such advertisement, display, or meat portion or part the average weight of the whole portion from which such meat has been cut.

E. Use of Artificial Lighting. No person shall use any artificial light(s) so as to mislead any consumer concerning the natural appearance of any MPRAF or MPRAF food product displayed for dispensing in an MPRAF establishment.

F. Advertisement or Representation of Frozen or Once-frozen MPRAF. No person shall advertise or represent MPRAF that is or has been frozen without clearly indicating in the advertisement or representation that such MPRAF is or has been frozen.

G. MPRAF Grade Signing in Retail MPRAF Shops. In a retail MPRAF shop in which the majority of MPRAF dispensed consists of MPRAF cut and wrapped in the consumer's presence, the grade (if any) of all meat to be dispensed shall be designated by signs using plain letters not less than one-half inch high, against a contrasting background.

H. Advertisement of Ground Beef. No person shall purchase or sponsor an advertisement for ground beef without clearly identifying, in such advertisement the classification of the ground beef so advertised. The classifications to be used for this purpose shall be those set forth in Section 10.13.240 of this chapter, pertaining to the maximum fat content of particular classifications of ground beef.  
(Ord. 110052 § 1 (part), 1981.)

#### 10.13.220 Consumer protection through labeling and packaging.

A. Authorized Preparers. Each piece of fresh MPRAF cut or otherwise prepared on the premises of an MPRAF establishment must have been prepared only by a permitted apprentice meat cutter or meat cutter.

B. Permissible Wrapping Material for MPRAF. All material used to wrap or otherwise cover or enclose MPRAF or MPRAF food products for display and dispensing as prepackaged MPRAF, or at the time of dispensing of the MPRAF or MPRAF food product, shall be sanitary, and sufficiently strong to keep the MPRAF or MPRAF food product free from contamination until unwrapped by the consumer. No person shall wrap any MPRAF or



MPRAF food product in a material that the Director has disapproved on the grounds of health endangerment or for other good cause.

C. Labeling Required Prior to Dispensing. No person shall dispense any MPRAF or MPRAF food product unless the same is labeled to plainly designate the kind(s) of MPRAF used therein. Where more than one ingredient is used, each ingredient shall be listed on the label in the order of its predominance, by volume, in the MPRAF or MPRAF food product.

D. Disapproved Labels Prohibited. No person shall apply or affix to, enclose with, or otherwise use in connection with any MPRAF or MPRAF food product, any label or labeling that has been disapproved by the Director. The Director shall disapprove any label, brand, or tag for MPRAF or any MPRAF food product the use of which would result in misbranding.

E. Required Text for Labeling of MPRAF and MPRAF Food Products. No person shall dispense any package or receptacle containing MPRAF or any MPRAF food product unless such package or container is labeled by printing, embossing, lithographing, or other graphic means, marking, stickers, seals, wrappers, or container designs to show clearly, legibly, prominently, and informatively, the following information:

1. The true name of the product and the date (day and month) when packaged, or where applicable, the date (day, month, and year) when frozen;

2. The type or condition of contents (whether sliced, cut-up, etc.). If more than one ingredient is contained in the package, the label shall include the word "ingredients," followed by the information required by Section 10.13.220 C of this chapter;

3. For prepackaged, frozen MPRAF, the name and business address of the retail or retail processed MPRAF shop from which such MPRAF is to be dispensed, and if different, the name and business address of the processor or the distributor of such MPRAF;

4. For prepackaged, fresh MPRAF, the name and business address of the retail MPRAF shop from which such MPRAF is to be dispensed, and, if different, the MPRAF establishment in which the MPRAF food product was prepared;

5. Net weight and price per pound (except on unit weight items), total price of package, and grade of contents; provided, that

the grade may be deleted if the meat is ground, chopped, cubed or sliced less than one-eighth-inch thick, or if the product contains no meat subject to grading requirements;

6. The federal or state inspection legend and the number of the establishment, or approved city inspection legend or identification, if any.

F. Frozen MPRAF and MPRAF Food Products. No person shall dispense any previously frozen MPRAF or MPRAF food product that does not have attached thereto a label, sticker, wrapper, or other informative mark indicating that such food product has been frozen; provided, that the dispensing of previously frozen crab, shrimp, and sausage shall be exempt from this labeling requirement. No person shall refreeze prior to dispensing the same, any MPRAF or MPRAF food product that has been frozen and then thawed, except crab, shrimp, and sausage.

G. Ham Portions. No person shall dispense any part or portion of ham less than one-half of the whole ham, without plainly labeling such part or portion as "portion."

H. Ground Beef. No person shall label ground beef without clearly identifying, on such label, the classification of the ground beef so labeled. The classifications to be used for this purpose shall be those set forth in Section 10.13.220 of this chapter, pertaining to the maximum fat content of particular classifications of ground beef.

I. Pet Food. No pet food shall be displayed or otherwise made available for self-service dispensing unless such product is completely wrapped and is clearly labeled as pet food. (Ord. 110052 § 1 (part), 1981.)

**10.13.230 Dispensing of certain ungraded meat prohibited.**

No person shall dispense in the city any veal, calf, beef, lamb, or mutton unless such meat has been graded by the city or by the U.S. Department of Agriculture in accordance with the U.S. Department of Agriculture, Consumer and Marketing Service Livestock Division, Meat Grading Branch, Service and Regulatory Announcements, as most currently revised and amended; provided, that this requirement shall not apply to meat used in the processing of fresh or cured sausage or cured meat. Meat grading may be done by the Department, if deemed necessary by the Director. (Ord. 110052 § 1 (part), 1981.)

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**10.13.240 Quality standards for ground meat and poultry, and ground meat and poultry products.**

A. General Prohibition. No person shall prepare, process, or dispense in the city any adulterated fresh or cured sausage or ground meat or poultry.

B. Specific Fresh Sausage and Ground Meat and Poultry Adulterants. In addition to the adulterants specified in subsection A of Section 10.13.030 hereof, ground meat and poultry shall be deemed to be adulterated when containing or composed of any of the following:

1. Cereal, flour, grits of flour or grits of seeds from leguminous plants;
2. Any added coloring matter;
3. A greater amount of water than the meat or poultry from which it is prepared contained in its fresh condition, except that pork and link sausage may contain three percent added moisture;
4. Flavoring, antiseptics or preservatives other than salt, sugar, spice, or ingredients other than those approved by the Director; or
5. Other chemicals;
6. Heart, liver, tongue, spleen, tripe, or other offal, fat other than the natural fat contained in the meat or poultry from which such ground meat or poultry is prepared.

C. Ground Beef Maximum Fat Requirements. Ground beef designated as follows shall be deemed to be adulterated if it contains fat in excess of the percentages specified below.

1. "Hamburger" or "ground beef" 30% maximum fat;
2. "Lean ground beef" 23% maximum fat;
3. "Extra lean ground beef" 16% maximum fat;
4. "Leanest ground beef" 9% maximum fat.

D. Additional Pork Sausage Adulterants. In addition to the adulterants specified in Sections 10.13.030 A and 10.13.240 B of this chapter, pork sausage shall be deemed to be adulterated when containing MPRAF or MPRAF products other than pork.

(Ord. 110052 § 1 (part), 1981.)

**10.13.250 Preparation of rabbits.**

A. Live Rabbits Prohibited in Certain Areas. Live rabbits may be introduced into a room where rabbits are slaughtered only immediately prior to the slaughter of the same; otherwise,

no person shall receive, feed, or otherwise keep any live rabbit in a room where rabbit meat is prepared, processed, dispensed or stored.

B. Refrigeration of Rabbit Meat. The meat of prepared rabbits shall be reduced to thirty-six degrees Fahrenheit (two degrees Celsius) within two hours after the rabbit's slaughter. Thereafter, until it is dispensed, such rabbit meat shall be kept refrigerated at a temperature no higher than forty degrees Fahrenheit (four degrees Celsius). No rabbit meat shall be kept in chilled water for more than two hours.

(Ord. 110052 § 1 (part), 1981.)

**10.13.260 Processing, dispensing, and storage of aquatic foods.**

A. Processing of Crab and Lobster. No person shall dispense any prepared crab or lobster within the city except crab or lobster that was alive immediately prior to cooking, and was cooked in water at a rolling boil for at least ten minutes.

B. Shellfish That May Be Dispensed Within the City. No person shall dispense within the city any shellfish except the following:

1. Those harvested or taken from beds or waters approved or certified, at the time of such harvesting, by a governmental shellfish regulatory authority in the United States or Canada, as being safe for such harvesting and having shellfish safe for consumption; and

2. Those in a wholesome condition and bearing the number or identification mark of a shellfish shipper certified as such by a governmental shellfish regulatory authority in the United States or Canada.

C. Display and Storage of Aquatic Foods. Prepared raw aquatic foods and unpackaged cooked aquatic foods shall be displayed only in display cases having both a top and a front cover and shall be otherwise protected from contamination and refrigerated at a temperature no higher than forty degrees Fahrenheit (four degrees Celsius); provided, that shellfish, crustacea, and whole eviscerated fish may be displayed in or on display cases or tables that are open at the top; provided, further, that if ice is used for such refrigeration, a sufficient supply of ice must be on hand at all times for that purpose. No aquatic food shall be kept overnight in a display or storage case that is not mechanically refrigerated.

(Ord. 110052 § 1 (part), 1981.)



**Subchapter IV Sanitation Standards**

**10.13.400 Sanitation standards for personnel of MPRAF establishments.**

No person who works in an MPRAF establishment and handles MPRAF or any MPRAF food product, or who undertakes any of the functions of an MPRAF wrapper, MPRAF salesperson, meat cutter, apprentice meat cutter, or wholesale MPRAF dealer, shall use tobacco in any form while on duty, eat any food, or engage in any other potentially unsanitary practice or activity where MPRAF or any MPRAF food product is prepared, processed, dispensed or stored. Each such person shall put on clean outer garments in good repair immediately prior to preparing, processing, or otherwise handling MPRAF or MPRAF food products. Each such person shall wash his/her hands with soap and water immediately prior to preparing, processing, dispensing, storing or otherwise handling any MPRAF or MPRAF food product that is not wrapped or otherwise protected against contamination. Each such person shall wear a hair restraint while in any area of an MPRAF establishment where MPRAF or MPRAF food products are being prepared, processed, dispensed, or stored.

(Ord. 110052 § 1 (part), 1981.)

**10.13.410 Food and beverage service worker's permit required.**

Every person who works for more than thirty days as a meat cutter, apprentice meat cutter, MPRAF sales person, MPRAF wrapper, or wholesale MPRAF dealer or who otherwise handles unwrapped or unpackaged MPRAF or an MPRAF food product shall obtain and file with his/her employer, or where self-employed, shall retain a valid food and beverage service worker's permit. No person shall employ for more than thirty days any meat cutter, apprentice meat cutter, MPRAF wrapper, MPRAF salesperson or wholesale MPRAF dealer or other person whose duties include the handling of unwrapped or unpackaged MPRAF or an MPRAF food product, who has not filed such permit with his/her employer.

(Ord. 110052 § 1 (part), 1981.)

**10.13.420 Sanitation standards regarding the operations of MPRAF establishments.**

Every MPRAF establishment shall comply with the following sanitation standards regarding its equipment, facilities, supplies, packaging, refrigeration and other operational aspects:

A. Water. All water used in the preparing, processing, dispensing or storing of MPRAF or MPRAF food products shall be potable and from a source not disapproved by the Director. Hot and cold running water under pressure shall be readily available at all times in sufficient quantities for all cleaning and washing activity.

B. Ice. All ice used in the preparing, processing, or storing of MPRAF or MPRAF food products must be produced from a potable water supply not disapproved by the Director; must be stored and transported in clean containers; can be used only once to chill MPRAF or MPRAF food products.

C. Cleaning of Premises and Equipment. The premises of every MPRAF establishment including the walls, ceilings, floors, toilets, lavatories and dressing rooms, shall be kept clean and free of equipment not reasonably necessary to the operation of the establishment. All equipment used in the operation of the MPRAF establishment shall be cleaned after each day's use or more often, and must be stored in a clean and sanitary condition and location and in a manner that will facilitate the cleaning of the premises. Preparing and processing equipment shall be constructed of water-impervious material, and, if of metal, one that will not oxidize and render MPRAF in contact therewith, adulterated; provided, that cutting surfaces of equipment other than that described above may be used so long as the same has not been disapproved by the Director.

D. Refrigeration Levels. All fresh MPRAF and MPRAF food products shall be kept under refrigeration while in storage or available for dispensing, either in walk-in refrigeration boxes maintaining a temperature not higher than forty degrees Fahrenheit (four degrees Celsius), or in self-service display cases maintaining a temperature not higher than thirty-six degrees Fahrenheit (two degrees Celsius), as indicated by a thermometer located inside each such walk-in refrigerator box and self-service display case. Frozen MPRAF and MPRAF food products not on display for dispensing shall be kept frozen in a cold storage area maintaining a temperature

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at or below zero degrees Fahrenheit (minus eighteen degrees Celsius). Frozen MPRAF and MPRAF products available for dispensing may be stored in self-service dispensing/display cases; provided, that no frozen MPRAF or MPRAF product available for dispensing shall be stored or displayed at a temperature higher than fifteen degrees Fahrenheit (minus nine degrees Celsius).

E. Storage of Inedible Products. Inedible products and poisons must be stored in a location sufficiently separated from any MPRAF or MPRAF product to ensure that contamination of edible materials cannot occur.

F. Use of Poisons. Poisons may be used in an MPRAF establishment only consistent with directions and labels on the poison package or container, and in a manner not prohibited by law.

G. Live Animals on Premises. Live animals other than Seeing-eye, guide, and guard dogs shall be prohibited in all areas of any MPRAF establishment. Seeing-eye, guide, and guard dogs are permitted only in the area of an MPRAF establishment used for dispensing, and only when accompanying a blind consumer or when on guard duty.

H. Packaging of MPRAF and MPRAF Food Products. All MPRAF and MPRAF food products, whether fresh or frozen, shall be packaged prior to being dispensed to a retail consumer. The packaging material used for such purpose shall consist of a container, carton, paper, plastic, cellophane, or other material that has not been disapproved by the Director, and shall be of such strength and quality as will prevent the MPRAF or MPRAF food product from becoming contaminated prior to being opened by the consumer.

I. Containment of Garbage and Refuse. Garbage and refuse from an MPRAF establishment shall be kept in durable, easily cleanable, insect-proof and rodent-proof containers that do not leak and do not absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing garbage or refuse is prohibited. Containers stored outside the MPRAF establishment, compactors, and compactor systems shall be easily cleanable, shall be provided with tight-fitting lids, doors or covers, and shall be kept covered when not in actual use. In containers designed with drains, drain plugs shall be in

place at all times, except during cleaning. Each MPRAF establishment shall maintain and use whatever number of containers is necessary to hold all the garbage and refuse that such MPRAF establishment produces. Soiled containers shall be cleaned at a frequency that will prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate MPRAF, MPRAF food products, equipment, utensils, or MPRAF preparation areas. Detergent and hot water or steam, or another method recognized by the Director as being an effective cleaning method shall be used in washing containers. Liquid waste from compacting or cleaning operations shall be disposed of as sewage.

J. MPRAF Transportation Requirements. No person shall commercially transport MPRAF or any MPRAF food product in any vehicle that is not maintained in a clean and sanitary condition. All meat, poultry, and rabbit shall be transported in a closed vehicle having a solid dust- and vermin-proof door; aquatic food may be transported in a vehicle that is not closed, provided that the aquatic food is covered and otherwise protected from dust, dirt and other contamination while in transit. All cut portions of MPRAF shall be thoroughly wrapped, boxed, or otherwise contained to prevent contamination. All quarters of beef, sides of veal, and larger combinations of either, and lamb carcasses, shall be suspended or laid on clean paper; and no meat, poultry or rabbit shall come in contact with the floor or walls of the transport vehicle. Frozen MPRAF must be maintained in a frozen condition while in transit. Fresh MPRAF, when transported, shall be maintained at a temperature of forty degrees Fahrenheit (four degrees Celsius) or less. No livestock or live poultry shall be transported in any vehicle used to transport prepared MPRAF or MPRAF food products.

K. Supervision and Maintenance of MPRAF Displays. No retail MPRAF shop shall display or store fresh MPRAF in any display cabinet, locker, or case available for self-service by a customer unless such cabinet, locker, or case is supervised and maintained, at all times that such shop is open for business, by a permitted person who has been issued a current and valid food and beverage service worker's permit. Every person having the supervision of or maintenance responsibility for any such display



cabinet, locker, or case shall remove therefrom every open, mutilated, broken, or torn package or container of MPRAF or any MPRAF food product; every package or container of spoiled MPRAF or any spoiled MPRAF food product; and every package or container of MPRAF or any MPRAF food product that is not wrapped and labeled as required by this chapter. (Ord. 110052 § 1 (part), 1981.)

**10.13.430 Construction and maintenance sanitation standards for MPRAF establishments.**

Every structure used as a MPRAF establishment shall satisfy the following sanitation standards:

A. Structure, Generally. Every structure in or from which an MPRAF establishment operates shall be of sound construction and shall be kept in good repair. Dust, spiders, rodents, and insects shall be prevented from entering or remaining in or on such structure.

B. Walls, Ceilings, and Floor. The walls, ceiling and floor of every area of an MPRAF establishment where MPRAF or any MPRAF food product is prepared, processed, dispensed, or stored shall have a smooth, hard, and water- and grease-impervious surface.

C. Ventilation. Every area of an MPRAF establishment where MPRAF or any MPRAF food product is prepared, processed, dispensed, or stored shall be adequately ventilated to prevent condensation and to remove obnoxious odors, smoke and steam. Ventilation systems shall be installed and operated according to the Seattle Mechanical Code (Seattle Municipal Code, Title 22, Subtitle IV or its successors).

D. Lighting. Every area of an MPRAF establishment where MPRAF or any MPRAF food product is prepared, processed, dispensed, or stored shall be lit consistent with the following requirements:

1. Permanently fixed artificial light sources shall be installed to provide at least twenty footcandles of light on all MPRAF preparation surfaces and at equipment or utensil-washing work levels.

2. Permanently fixed artificial light sources shall be installed to provide, at a distance or thirty inches from the floor:

a. At least twenty footcandles of light in utensil and equipment storage areas and in lavatory and toilet areas; and

b. At least ten footcandles of light

in walk-in refrigerating units and in all other areas.

3. Shielding to protect against broken glass falling onto MPRAF or any MPRAF food product shall be provided for all artificial lighting fixtures located over, by, or within MPRAF preparing, processing, dispensing, or storage facilities, and areas where utensils and equipment are cleaned and stored.

4. Infrared or other heat lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed.

**E. Plumbing.**

1. General. All plumbing shall satisfy the requirements of the Seattle Plumbing Code (Seattle Municipal Code, Title 22, Subtitle V or its successors).

2. Lavatory Facilities. Each MPRAF establishment shall be provided with adequate, conveniently located, hand-washing facilities for its personnel, including a lavatory equipped with hot and cold or tempered running water, hand-cleansing soap or detergent, and disposable or approved sanitary towels or other approved hand-drying devices. Such facilities shall be kept in good repair and shall be accessible to such personnel at all times. Lavatories shall be located in or immediately adjacent to toilet rooms or vestibules. Handwashing facilities shall not be used for food preparation or for washing equipment or utensils. Sinks used for MPRAF preparation or for washing equipment or utensils, or for general cleanup shall not be used for handwashing.

3. Toilet Facilities. Toilet facilities, adequate in number for the number of personnel of an MPRAF establishment, as presented by the Seattle Plumbing Code (Seattle Municipal Code, Title 22, Subtitle V, or its successor), shall be provided on the premises of each such establishment, and shall be conveniently located and accessible to such personnel at all times. Toilet rooms shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during access, cleaning, or maintenance. Toilet rooms shall be separated, by a self-closing door, from areas of the MPRAF establishment where MPRAF is prepared, processed, dispensed, or stored. Toilet rooms shall be ventilated consistent with the requirements of the Seattle Building and Plumbing Codes (Seattle Municipal Code, Title 22, Subtitles I

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and V or their respective successors). A reasonable supply of toilet tissue shall be provided at each toilet at all times.

F. Dressing Room or Area. Each MPRAF establishment shall provide a room or area with convenient clothes-storage facilities for clothes-changing by personnel, which area shall be separated by a self-closing door from the areas where MPRAF is prepared, processed, dispensed or stored.

G. Garbage and Refuse Containment Areas. Garbage or refuse storage rooms, if used, shall be constructed of easily cleanable, nonabsorbent, washable materials and shall be spider-, rodent-, and insect-proof. Outside storage areas or enclosures or inside garbage or refuse storage rooms shall be large enough to store all necessary garbage and refuse containers. Garbage and refuse containers and compactor systems located outside shall be stored on or above a smooth surface of nonabsorbent material, such as concrete or machine-laid asphalt that is maintained in good repair.

(Ord. 110052 § 1 (part), 1981.)

**Subchapter V Unlawful Activities**

**10.13.500 Unlawful possession or dispensing of MPRAF.**

No retail MPRAF shop, retail processed MPRAF shop, wholesale MPRAF shop, wholesale MPRAF dealer, or any food-service establishment subject to the Food Code (Seattle Municipal Code Ch. 10.11 or its successors) shall have on its premises or shall dispense any wild rabbit; or any MPRAF or MPRAF food product that is not wholesome, that has not been kept and handled in a sanitary manner, or that has not been inspected or graded (if inspection or grading is required by this chapter or federal or state law, rule or regulation). A retail or retail processed MPRAF shop may have on its premises and may dispense only MPRAF or MPRAF food product that has been dispensed through a permitted wholesale MPRAF dealer, or an individual authorized by RCW 36.71.090 to dispense the same without a permit.

(Ord. 110052 § 1 (part), 1981.)

**10.13.510 Commercial dispensing of MPRAF from other than permitted shops prohibited.**

No person shall commercially dispense fresh MPRAF to a consumer except in and from a

permitted retail or wholesale MPRAF shop; or commercially dispense cured MPRAF, frozen MPRAF, or cured sausage to any consumer except in and from a permitted wholesale or a retail processed or retail MPRAF shop; provided, that nothing herein shall restrict the authority of individuals authorized by RCW 36.71.090 to dispense MPRAF without a permit.

(Ord. 110052 § 1 (part), 1981.)

**10.13.520 MPRAF peddling prohibited.**

No person shall transport and dispense MPRAF on a house-to-house or a place-to-place basis except an individual authorized by RCW 36.71.090 to do so, and a permitted wholesale MPRAF dealer who transports and dispenses MPRAF to MPRAF establishments or to food-service establishments issued valid city permits under this chapter or the Food Code (Seattle Municipal Code Ch. 10.11, or its successors).

(Ord. 110052 § 1 (part), 1981.)

**10.13.530 Unlawful use, or alteration, of permits, marks, numbers or other insignia.**

A. Forged, Simulated or Altered Permits. No person shall forge, simulate or alter any permit issued or issuable hereunder; or present as true any such permit knowing the same to have been forged, simulated or altered; or have any such forged, simulated or altered in his/her/its possession with intent to use the same.

B. Inspection Tags. No person shall apply, affix or attach to any MPRAF or MPRAF food product or container therefor any mark, tag, stamp or insignia indicating that the same has been inspected unless the same has been inspected.

(Ord. 110052 § 1 (part), 1981.)

**Subchapter VI Examinations and Inspections**

**10.13.600 Examination and inspection of plans, records, facilities and equipment of MPRAF establishments.**

A. Authorization to Inspect and Examine. The Director, may examine and inspect any MPRAF establishment including but not limited to the facilities and equipment therein, as frequently as may be necessary to ensure that such MPRAF establishment is maintained and operated in compliance with this chapter.

B. Examination and Approval of Plans.



Every person who proposes to construct, remodel, or otherwise alter any MPRAF establishment or any structure from or in which an MPRAF establishment may operate, shall submit scaled plans for such construction, remodeling or alteration to the Director for examination and approval prior to the commencement of any such construction, remodeling or alteration work. Plans shall be examined by the Director to determine compliance with the provisions of this chapter and other related ordinances, including but not limited to the city's Building, Mechanical and Plumbing Codes (Seattle Municipal Code, Title 22, Subtitles I, IV and V, or their respective successors). The Director shall indicate his/her approval or disapproval of such plans and the date of such administrative action on the face of such plans within ten city business days after his/her receipt thereof; plans not disapproved with such ten-day period shall be deemed to have been approved by the Director; provided, however, that approval by the city or any city officer other than the Director, for any other purpose, particularly for the issuance of a building permit or certificate of occupancy, nor shall such approval estop the Director from finding, upon an inspection of any MPRAF establishment a violation of this chapter because of an inconsistency between the requirements of this chapter and the facilities and equipment of an MPRAF establishment as constructed, remodeled, altered, or as operated.

C. Records Open to Inspection. The person in charge of records in any permitted MPRAF establishment shall at all reasonable times, on demand in the name of the Director, exhibit to the Director any books, records or other papers of such business.  
(Ord. 110052 § 1 (part), 1981.)

#### 10.13.610 Examination and inspection of MPRAF and MPRAF food products.

A. Examination and Inspection. The Director may examine and inspect, as frequently as may be necessary, all MPRAF and MPRAF food products in MPRAF establishments to ensure that the same has been prepared, processed, dispensed, and otherwise handled in a manner conforming to the requirements of this chapter and is appropriately labeled, and is wholesome and not adulterated.

B. Taking of Samples. MPRAF and MPRAF

food products, whether fresh or frozen, and pre-packaged or otherwise, may be examined and sampled by the Director as often as may be necessary to determine whether they are appropriately labeled, and are wholesome and not adulterated; and such samples as may be reasonably be required by the Director shall be given to the Department without compensation therefor. Whenever a sample is obtained by the Department in the course of any inspection, prior to the use, destruction, or consumption of the sample or prior to the removal of the sample from the MPRAF establishment, whichever is earlier, the person in charge of the MPRAF establishment shall be given a receipt describing the sample obtained. Whenever an analysis is made of such sample, a copy of the results of such analysis shall be furnished promptly to the person in charge of the MPRAF establishment from which such sample was obtained.

(Ord. 110052 § 1 (part), 1981.)

#### 10.13.620 Special inspection services.

Upon the request of the person desiring the same, the Director is authorized to inspect specially prepared MPRAF and MPRAF food-product mixtures for dispensing under private contract, and to inspect maritime vessels used for the capture, preparation, or the processing of aquatic food; provided, that the person receiving such inspection services shall reimburse the Department for its actual costs of performing the services within thirty days after the date of the Department's invoice therefor.

(Ord. 110052 § 1 (part), 1981.)

#### 10.13.630 Removal of orders, tags, marks, MPRAF, and MPRAF food products.

No person other than the Director shall remove or alter any order placed on any MPRAF establishment by the Director or his/her inspector. No person shall remove any MPRAF or MPRAF food product from a facility where the Director has suspended the sale or transfer of MPRAF or any MPRAF food product therefrom, except as permitted by the Director. All MPRAF and MPRAF food products determined or deemed to be adulterated, unhealthful, or unwholesome or that otherwise do not comply with the provisions of this chapter shall be condemned, retained, and disposed of as specified by the Director. No person shall remove



or mutilate any "retained" or "condemned" tag, or other official mark or device placed upon any carcass, part thereof, MPRAF, MPRAF food product, MPRAF package or container, equipment, facility, vehicle, or premises, except pursuant to an order or direction of the Director.

(Ord. 110052 § 1 (part), 1981.)

### Subchapter VII Enforcement

#### 10.13.700 Enforcement regulations.

A. General. The Director is authorized to enforce this chapter.

B. Rulemaking. The Director is authorized to promulgate, amend, and rescind rules and regulations, pursuant to the Administrative Code of the city (Seattle Municipal Code Ch. 3.02 or its successor) consistent with this chapter to promote its objectives.

C. Temporary Prohibition Against Dispensing. Whenever any inspector finds that MPRAF or an MPRAF food product in any MPRAF establishment is inappropriately labeled, adulterated, or is not wholesome, or is being prepared, processed, stored or dispensed under unsanitary conditions, he/she shall by appropriate order in the name of the Director, forthwith prohibit, the dispensing from such establishment of MPRAF or MPRAF food products until the same shall have been fully inspected and found to be labeled appropriately, wholesome, and not adulterated, and to have been prepared and processed under sanitary conditions as provided for herein. Upon issuing such order, the inspector shall cause a copy or copies thereof to be prominently posted upon the MPRAF establishment.

D. Suspension of Permit Upon Failure or Refusal to Admit Inspector. Upon the failure or refusal of the person in charge of any permitted MPRAF establishment to admit an inspector for purposes authorized in this chapter the inspector shall inform the person that such failure or refusal constitutes grounds for revocation or suspension of such establishment's permit. If the person in charge thereafter continues to refuse inspection, the inspector shall forthwith inform the person in charge that the MPRAF establishment's permit is suspended, that the establishment is to cease all operations governed by this chapter, and that the permit will remain suspended until permission to enter and inspect as authorized herein

is granted. The inspector shall thereupon take up the permit, if possible.

E. Injunctions. In addition to any other enforcement technique available under this chapter, the Director may request the Law Department to seek the appropriate legal or equitable remedy to prevent or halt any operation or activity in violation of this chapter.

(Ord. 110052 § 1 (part), 1981.)

#### 10.13.710 Appeal of inspector's or director's order or decision.

Any person feeling aggrieved by the order or decision of any Department inspector with respect to the enforcement of this chapter shall have the right of appeal to the Director, whose decision shall be final, subject to review by the courts.

(Ord. 110052 § 1 (part), 1981.)

#### 10.13.720 Penalty.

Violation of any provision of this chapter constitutes a violation subject to the provisions of Chapter 12A.02 and 12A.04 of the Seattle Municipal Code.

(Ord. 110052 § 1 (part), 1981.)

### Subchapter VIII Advisory Committees and Implementing Personnel

#### 10.13.800 Advisory committees.

A. Creation and Purpose. There are established two advisory committees, namely, the "Meat, Rabbit, and Poultry Industry Advisory Committee" (hereinafter called the "MRPIAC") and the "Aquatic Foods Industry Advisory Committee" (hereinafter called the "AFIAC"), to examine pertinent rulings of the Director regarding the interpretation and enforcement of this chapter; to recommend changes in the interpretation, enforcement and provisions of this chapter; and to otherwise advise the Director on matter pertaining to the regulation of the preparation, processing, storage, and dispensing of MPRAF and MPRAF food products and the issuance of permits to individuals and establishments in connection therewith.

B. MRPIAC Membership and Terms of Office.

1. The MRPIAC shall consist of five members appointed by the Director. Each of the following groups shall be represented by one member:

- a. The meat, rabbit and poultry consuming public;
- b. Meat cutters;
- c. Wholesale MPRAF shops;
- d. Retail MPRAF shops in which the majority of MPRAF dispensed consists of meat, rabbit, or poultry cut or wrapped in the consumer's presence;

e. Retail and retail processed MPRAF shops in which the majority of MPRAF dispensed consists of prepackaged and processed or frozen meat, rabbit, or poultry selected by the consumers from open counters.

2. The first appointment shall be for one-year term; the second and third, for two-year terms; and the remaining appointments for three-year terms. Thereafter, all appointments shall be for three-year terms. Vacancies shall be filled for the unexpired term in the manner of original appointments.

C. AFIAC Membership and Terms of Office.

1. The AFIAC shall consist of three members appointed by the Director. Each of the following groups shall be represented by one member:

- a. The aquatic foods consuming public;
- b. Retail MPRAF shops in which the majority of MPRAF dispensed consists of aquatic foods;

c. Wholesale MPRAF shops in which the majority of MPRAF dispensed consists of aquatic foods, wholesale MPRAF dealers who deal exclusively or primarily in aquatic foods, and the holders of preparer's permits that exclusively or primarily prepare aquatic foods.

2. The first appointment shall be for a one-year term; the second, for a two-year term; and the third for a three-year term. Thereafter, all appointments shall be for three-year terms. Vacancies shall be filled for the unexpired term in the manner of original appointments.

D. Administration. The MRPIAC and AFIAC shall organize themselves, elect respective chairs, and may adopt rules and regulations for their procedures. Either the Director of the chairs of such committees shall call meetings thereof when deemed necessary, provided three days' prior written notice is given of the time and place of the meeting. The Director shall provide staff assistance to the MRPIAC and the AFIAC. No MRPIAC or AFIAC committee member shall receive any compensation for services thereof.

(Ord. 110052 § 1(part), 1981.)

**10.13.810 Implementing personnel.**

The overall coordination of the implementation and enforcement of this chapter shall be by a veterinarian licensed by the state of Washington. Department inspectors used to enforce this chapter shall be persons who have been actively engaged in the preparing and/or processing of meat for a minimum of five years.  
(Ord. 110052 § 1(part), 1981.)

**Chapter 10.14**

**POULTRY, RABBIT AND FISH**

Repealed by Ordinance 110052.

**Chapter 10.25**

**REPORTS ON WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS**

**Sections:**

- 10.25.010 Application for information.
- 10.25.020 Fee for report.
- 10.25.030 Submittal of water samples for analysis—Fee.

**10.25.010 Application for information.**

Any person, agency or company desiring a report on the condition of a water supply or sewage disposal system shall make application for such information to the Department of Public Health on a form provided by the Director of Public Health.  
(Ord. 107099 § 1, 1978.)

**10.25.020 Fee for report.**

Application for a report on such water supply or individual sewage disposal system shall be accompanied by a fee as follows:

- A. For a report on a water supply . . . \$35.00
- B. For a report on sewage disposal system . . . . . 55.00
- C. For a report on a water supply and a sewage disposal system on the same premises . . . . . 75.00.

(Ord. 110266 §§ 1 and 3 (part), 1981: Ord. 107099 § 2, 1978.)

**10.25.030 Submittal of water samples for analysis—Fee.**

Any person, agency or company may submit water samples to the Department of Public

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Health for analysis. The fee for the analysis of each submitted water sample is eleven dollars (\$11.00).

(Ord. 110266 §§ 1 and 3 (part), 1981: Ord. 109497 § 1, 1981: Ord. 107099 § 3, 1978.)

**Chapter 10.48**

**REGULATIONS FOR REMOVAL OF GARBAGE AND SWILL**

Repealed by Ordinance 109936.

**Chapter 10.54**

**FUMIGATORS AND EXTERMINATORS**

**Sections:**

- 10.54.010 Definitions.
- 10.54.020 Permit required.
- 10.54.030 Exemption from chapter requirements.
- 10.54.040 Grounds for summary suspension or revocation.
- 10.54.050 Requirements for master fumigator or exterminator permits.
- 10.54.060 Requirements for fumigator, exterminator and apprentice permits.
- 10.54.070 Compliance with chapter required.
- 10.54.080 Storage requirements.
- 10.54.090 Notification of fumigation—Record of extermination.
- 10.54.100 Protection of the public—Notification of occupant.
- 10.54.110 Fumigation of a ship.
- 10.54.120 Danger signs—Preparation of premises.
- 10.54.130 Watchers.
- 10.54.140 Two persons to perform fumigation.
- 10.54.150 Airing out and ventilation.
- 10.54.160 First aid kit—Knowledge of CPR.

**10.54.010 Definitions.**

Unless the context otherwise requires:

A. "Apprentice" means a person who works directly under the supervision of a master fumigator, master exterminator, fumigator, or exterminator, as a sealer, watcher or helper.

B. "Designated artisan" means an individual

who is chosen by an applicant for a master fumigator or master exterminator permit to pass the examination required by this chapter.

C. "Extermination" or "exterminate" means the use of powders, sprays or baits for the destruction of rodents, vermin, fungi, insects or other pests.

D. "Exterminator" means a person employed by a master exterminator who applies the powders, sprays or baits for the destruction of rodents, vermin, fungi, insects, or other pests.

E. "Fumigant" means and includes any substance which by itself or in combination with any other substance emits or liberates a gas, fume or vapor used for the destruction or control of insects, fungi, vermin, germs, rodents or other pests, and is distinguished from insecticides and disinfectants which are essentially effective in the solid or liquid phase.

F. "Fumigation" or "fumigate" means the use of fumigants in buildings, vessels or enclosed spaces for the destruction or control of insects, fungi, vermin, germs, rodents or other pests.

G. "Fumigator" means a person employed by a master fumigator who liberates any fumigant in fumigating any building, vessel or enclosed space.

H. "Master exterminator" means a person who engages in the business of extermination.

I. "Master fumigator" means a person who engages in the business of fumigation.  
(Ord. 109932 § 1(part), 1981.)

**10.54.020 Permit required.**

A. It is unlawful for any person to engage in the business of master fumigator or master exterminator without first obtaining a permit as required by this chapter.

B. It is unlawful for any person to work as a fumigator, exterminator or apprentice without first obtaining a permit as required by this chapter.

(Ord. 109932 § 1(part), 1981.)

**10.54.030 Exemption from chapter requirements.**

No master fumigator or master exterminator permit is required for:

A. Fumigation of or extermination in greenhouses, mushroom houses, or horticulture or farm fumigation or extermination, or fumigation of or extermination in grain in bins or elevators or of flouring mills; provided, that if such fumigation or extermination is done by

an individual other than the owner, including an employee of the owner, the individual shall obtain the appropriate fumigator or exterminator permit issued hereunder;

B. Fumigation or extermination under the direction and supervision of the United States Public Health Service or other federal or state authority;

C. The owner or occupant using upon his/her premises any powder, spray or bait for the destruction of rodents, vermin, fungi, insects or other pests.

(Ord. 109932 § 1(part), 1981.)

**10.54.040 Grounds for summary suspension or revocation.**

In addition to grounds for summary suspension or revocation of permits in Chapter 10.01, a master fumigator or master exterminator permit may be summarily suspended or revoked if any permittee's designated artisan ceases to be employed by or associated with the permittee and no new, certified, designated artisan is employed by or associated with the permittee.

(Ord. 109932 § 1(part), 1981.)

**10.54.050 Requirements for master fumigator or exterminator permits.**

The following requirements must be met by the applicant before the Director shall issue either a master fumigator or master exterminator permit:

A. The applicant shall be no less than eighteen years of age;

B. The applicant shall furnish proof satisfactory to the Director of two years' actual full-time experience in the field in which the applicant is applying for the permit, or one year's actual full-time experience in the field in which the applicant is applying for the permit and completion of a course of study approved by the Director training applicants in the pertinent technology;

C. The applicant shall furnish to the Director, to be filed with the City Comptroller, a general public liability insurance policy in full force and effect. This policy shall be conditioned as required in Chapter 10.01, and shall: Provide liability insurance in the minimum amount of One Hundred Thousand Dollars (\$100,000.00), and a minimum aggregate amount of not less than Five Hundred Thousand Dollars (\$500,000.00) for all claims arising during any one year;

D. The applicant's designated artisan shall pass both a written and a demonstrative examination administered by the Director, in which he/she shall be required to exhibit knowledge about fumigants, rodenticides and insecticides, and any other substance or mechanical devices other than fumigants, under whatever name known, for the destruction or control of insects, vermin, rodents, fungi, or other pests, and their uses, and antidotes; as to the hazards involved, precautionary and safety measures; the use of gas masks; the effects, residual and otherwise, upon foods and commodities; dosages and exposure periods; provisions for adequate ventilation and safe occupancy; first aid methods; the rules and regulations of the city relating to the use of fumigants and insecticides; provided, that designated artisans who have successfully passed the examination required by this subsection, and who have been associated with a master fumigator or master exterminator permit in each consecutive year since successful passage of the examination; are required to be reviewed only every fifth year; provided further, that in lieu of reexamination, such designated artisans may show proof of accumulating five continuing education credits earned at courses, seminars, conferences and workshops, as approved by the Director by rule.

(Ord. 109932 § 1 (part), 1981.)

**10.54.060 Requirements for fumigator, exterminator and apprentice permits.**

The applicant for either a fumigator, exterminator or apprentice permit shall pass an examination administered by the Director which tests knowledge of first aid, the danger in the use and storage of the substance or substances for which application for permit is made, and knowledge of the laws and ordinances governing the use and storage of the substances.

(Ord. 109932 § 1(part), 1981.)

**10.54.070 Compliance with chapter required.**

No person shall keep, store or use any fumigant, inflammable liquid, or poisonous solid or liquid, or powder, sprays or baits used to fumigate or exterminate without complying with this chapter and all other ordinances of the city and all laws governing their keeping, storing or use.

(Ord. 109932 § 1(part), 1981.)

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**10.54.080 Storage requirements.**

No fumigant shall be stored in any place other than a separate, well-ventilated room, approved for the purpose by the Chief of the Fire Department and the Director. On all doors leading to any such room, there shall be posted conspicuous signs bearing the skull and crossbones, the words "DANGER! FUMIGANT STORAGE" in red letters not less than two inches high on a white background. No one shall store any flammable liquid, or poisonous solid or liquid used for extermination in any place other than a separate room approved for the purpose by the Chief of the Fire Department and the Director; provided, that such substances for use only on the premises where stored may be kept in a separate locker approved by the Director and the Chief of the Fire Department, and that on all doors leading to the room or locker there shall be posted conspicuous signs bearing the skull and crossbones, and the words "DANGER! STORAGE OF INFLAMMABLES AND POISONS" in red letters not less than two inches high on a white background, and that any room or locker shall at all times when a competent person is not present be securely locked against entry.

(Ord. 109932 § 1(part), 1981.)

**10.54.090 Notification of fumigation—Record of extermination.**

A. No person shall fumigate any building or enclosed space without giving at least twenty-four hours' written notice thereof to the Director, Chief of the Fire Department and Chief of Police of the city, stating the location, character and the use of the building or space, type of fumigant to be used and the time when fumigation is to be performed.

B. No person shall fumigate any vessel without giving at least four hours' written notice thereof to the Director, Chief of the Fire Department and Chief of Police of the city, stating the location of such vessel, type of fumigant to be used and the time when fumigation is to be performed.

C. Each master exterminator shall keep a record of each premises on which extermination work has been done under his/her direction which shall show the address of such premises and the date of application of exterminating substances used. Such records shall be open to examination by the Director or his/her authorized representative on request.

(Ord. 109932 § 1(part), 1981.)

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**10.54.100 Protection of the public—Notification of occupant.**

A. The Director shall prohibit any fumigation when, in his/her judgement, such action is necessary to protect the public health and safety.

B. No person shall remain in any building, vessel or enclosed space during the period of fumigation thereof; provided, that where the part to be fumigated is locked and warning signs posted as elsewhere herein provided, persons may remain in other parts when deemed by the Director to be safe. The master fumigator shall, at least twenty-four hours prior to fumigation, in writing notify every occupant of the premises to be fumigated and every person within any surrounding area in which human life may be endangered by the fumigation of the time of fumigation. The fumigator shall, immediately prior to fumigation, cause a careful examination to be made of all parts of the place to be fumigated and of the surrounding area in which human life may be endangered by the fumigation to see that no persons remain.

C. The Director may require the use of five-percent chloropicrin or any warning gas in conjunction with the fumigant.

(Ord. 109932 § 1(part), 1981.)

**10.54.110 Fumigation of a ship.**

No ship shall be fumigated until the captain or other commanding officer shall have mustered the crew and caused its members and all other persons in or on it to leave and remain away from the ship during the process of fumigation; provided, that, where a part of a ship is not immediately adjoining or does not communicate with an occupied portion of the ship, and where after an investigation conducted by the Director and fumigator, it appears to the satisfaction of the Director and fumigator that such portion may be fumigated without danger to life or health, or without creating a fire hazard, the Director may, in his/her discretion, grant permission to the holder of a permit to perform fumigation without requiring all persons in other parts of the ship to leave it, subject to such conditions and restrictions as the Director may impose.

(Ord. 109932 § 1(part), 1981.)

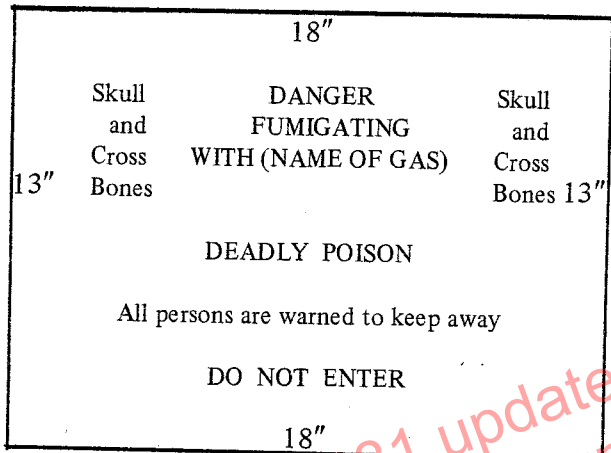
**10.54.120 Danger signs—Preparation of premises.**

Before any person commences a fumigation, the following regulations shall be complied with:

A. Danger Signs. Prior to fumigation, warning signs shall be posted on all doors, entrances, and exits to the premises to be fumigated, and upon all gangplanks and ladders from the dock, pier, or land to the ship as follows:

1. Signs shall be eighteen inches by thirteen inches, printed in red on white background with letters in headlines at least two inches in height;

2. Signs shall conform substantially with the following format;



3. At night, signs shall be illuminated so that they are plainly readable.

B. Where the Director permits the presence of persons in any portion of a building while another portion is being fumigated, all doors and entrance ways to the portion to be fumigated shall be posted as above required.

C. All moist food and liquids, if not sealed in gas-proof containers or compartments, shall be removed from the place to be fumigated.

D. The fumigator in charge of the work on the premises to be fumigated shall make a personal inspection and examination of the premises, and cause a thorough cleanup, removing all refuse, oily waste, and other needless combustible material prior to the sealing of the premises, and cause a proper and secure sealing of all cracks, crevices, openings and apertures in the walls, ceilings and floors in such manner as to confine the fumigant exclusively to the building, ship or other similar enclosed space intended to be fumigated, and take all other practical precautions necessary to protect and safeguard persons that may be exposed.

E. All fires, oil burners, flames, pilot lights, and similar sources of ignition shall be eliminated from the space under fumigation.

F. If a fire occurs in the immediate vicinity, the Fire Chief of the city may at his/her discretion cause the building under fumigation to be immediately ventilated by the fumigator. Ventilation shall take place at points furthest from the fire.

(Ord. 109932 § 1(part), 1981.)

**10.54.130 Watchers.**

During fumigation, except fumigation in a gastight vault or tank, a capable, alert watcher or watchers shall remain on duty at the entrance or entrances to the building, ship or enclosed space being fumigated, who shall be supplied with an efficient gas mask of the type approved by the Director and who shall continue on duty until after the fumigation is completed, the premises properly ventilated, again safe for human occupancy, and released and approved for occupancy by the Director. Sufficient watchers shall be provided to prevent any person without being observed from entering the building, ship or enclosed space under fumigation.

(Ord. 109932 § 1(part), 1981.)

**10.54.140 Two persons to perform fumigation.**

Two persons, working together, shall do the fumigating and ventilation. No person shall be allowed in the building, ship or enclosed space under fumigation during the placing of chemicals, during fumigation and until the same is properly ventilated and declared safe for occupancy by the Director, unless he/she wears a properly tested gas mask suitable for protection from the particular gas or fumes used.

(Ord. 109932 § 1(part), 1981.)

**10.54.150 Airing out and ventilation.**

A. The fumigator shall, after fumigation, cause all pillows, mattresses, bedding, curtains, rugs, upholstered furniture, clothing and other similar articles to be thoroughly aired before the fumigated place is again occupied. These articles shall be well ventilated until methyl orange test papers indicate absence of cyanide gas. The Director may require such other tests to indicate presence of other dangerous gas he/she deems advisable.

B. After fumigation of any place, all doors and windows shall be opened and kept open until clearing and ventilation is completed. Mechanical ventilation by means of electric fans or blower or suction type shall be em-

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ployed as required by the Director. Clearing and ventilation shall be conducted with due regard to the hazard to persons outside the building in the vicinity of ventilation openings. Whenever required by the Director the space fumigated after it has been once cleared and ventilated shall be heated to seventy-five degrees Fahrenheit and again ventilated and cleared until no dangerous gases are indicated by tests required herein.

C. No fumigated building, space or vessel shall be released for occupancy nor shall the watcher be discharged or the danger or warning signs removed until the building, space, or vessel has been inspected and approved for occupancy by the Director.

D. The fumigator shall dispose of all empty containers, pails, tubs, canvas or other devices used in fumigation as required by the Director. (Ord. 109932 § 1(part), 1981.)

**10.54.160 First aid kit—Knowledge of CPR.**

A. Any fumigator shall have as a part of his/her equipment, a first aid kit and a medical aid kit consisting of:

1. Antidotes with instructions on how to use, for all fumigant(s) used;
2. Testing equipment for each fumigant in use; and
3. A gas mask that will allow emergency entry into an area where a fumigant is being administered.

B. Each fumigator shall have a "Heartsaver" certificate dated within the past two years showing successful completion of a cardiopulmonary resuscitation training course, as approved by the Director. (Ord. 109932 § 1(part), 1981.)

**Chapter 10.56**

**SWIMMING AND SPA POOL CODE**

**Sections:**

- 10.56.010 Citation.
- 10.56.020 Definitions.
- 10.56.030 Permit required.
- 10.56.040 Plans and specifications for construction, alteration or renovation.
- 10.56.045 Operation and maintenance.
- 10.56.050 Water quality.
- 10.56.060 Disinfection.
- 10.56.070 Recirculation and filtration.

**10.56.080 Waste.**

**10.56.090 Cross-connections.**

**10.56.100 Operating records.**

**10.56.110 Alternate materials, equipment or procedures.**

Severability: The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 110180 § 5, 1981.)

**10.56.010 Citation.**

This chapter may be cited and referred to, and shall be known as the "Seattle Swimming and Spa Pool Code." (Ord. 110180 § 1 (part), 1981.)

**10.56.020 Definitions.**

As used in this chapter, unless the context clearly requires another meaning,

A. "Approved" means approved, in writing, by the Director.

B. "Director" means the Director of the Seattle-King County Department of Public Health or his designee.

C. "Private pool" means any swimming, wading, spa or spray pool maintained by an individual, the use of which is confined to members of his/her family or invited guests.

D. "Public pool" means any swimming or spa pool, together with buildings and appurtenances in connection therewith, that is available to the general public, with or without payment of an admission charge, for the use of same; and shall include any swimming pool of fifteen thousand square feet or more in surface area, whether or not available to the general public.

E. "Semipublic pool" means any swimming or spa pool less than fifteen hundred square feet in surface area, the use of which is provided for and limited to defined persons, or multiple-family or cooperative groups such as, but not limited to, the guests, patrons, and members of hotels, motels, mobile home parks, apartments, condominiums, subdivisions, community clubs, private clubs, institutions, and schools, and their invited guests.

F. "Spa pool" means a unit designed for recreational or therapeutic use that is not drained, cleaned or refilled for each user. It may include, but not be limited to hydrojet circulation, hot water, cold water, mineral baths, air induction

bubbles, or any combination thereof. Industry terminology for a spa includes, but is not limited to, "therapeutic pool," "hydrotherapy pool," "whirlpool," "hot spa," hot tubs, etc. This definition excludes pools in medical health-care facilities licensed by the State of Washington Department of Social and Health Services or its successor.

G. "Spray pool" means any pool or artificially constructed depression into which water is sprayed but is not allowed to pond in the bottom of the pool.

H. "Swimming pool" means any structure, basin, chamber, or tank containing an artificial body of water for swimming, diving, or recreational bathing and having a depth of two feet or more at any point and including all facilities incidental thereto.

I. "Wading pool" means any artificial pool of water intended and constructed for wading purposes that is not over two feet in depth at any point.

(Ord. 110180 § 1 (part), 1981.)

**10.56.030 Permit required.**

It shall be unlawful for any person to operate a swimming or spa pool without a valid permit issued to such person by the Director.

(Ord. 110180 § 1 (part), 1981.)

**10.56.040 Plans and specifications for construction, alteration or renovation.**

A. No person shall commence the construction, alteration, or renovation of any public or semipublic swimming, wading, spray, or spa pool or any appurtenance thereto, without first having obtained the Director's approval of the plans and specifications for such construction, alteration or renovation.

B. 1. Plans and specifications for the construction, alteration or renovation of a public or semipublic swimming, spray, wading, or spa pool or any appurtenance thereto, shall be submitted, in duplicate, to the Director for review and approval prior to the commencement of any such construction, alteration, or renovation. Plans and specifications for new public or semipublic swimming, spray, wading or spa pools shall be prepared by an architect or professional engineer qualified in the proposed work and licensed to practice such profession under the laws of the State of Washington. Plans shall be accompanied by a plan review fee specified in SMC 10.03.056.

2. Plans shall be drawn to scale. Specifications shall include details on all recirculation and chemical equipment, including pumps, disinfection equipment, chemical feeders, filters, meters, strainers, overflow channels and/or skimming facilities and related equipment, to facilitate a comprehensive engineering review of such plans and specifications including piping and hydraulic details. If, upon examination of such plans and specifications, the Director finds that the proposed construction, alteration or renovation will comply with the provisions of this chapter and applicable departmental rules and regulations established in accordance herewith, he/she shall approve the same; otherwise such plans and specifications shall be disapproved. The Director may condition his/her approval of plans and specifications upon making of such modifications in such plans and specifications as the public health or safety may require.

C. The construction, alteration or renovation of any public or semipublic swimming, wading, spray, or spa pool or appurtenance thereto shall be made only in accordance with approved plans and specifications therefor; provided, that changes or modifications in such approved plans and specifications that are consistent with the public health and safety may be made with the written approval of the director.

D. Upon completion of any such construction, alteration, or modification, the owner or operator of such pool, or the agent of either, shall notify the Director of its readiness for inspection. No such pool shall be opened for use or allowed or caused to be used until it has been inspected by the Director and found to have been constructed, altered or remodeled consistent with the approved plans and specifications therefor, and to be in compliance with the provisions of this chapter and applicable rules and regulations established in accordance herewith.

(Ord. 110180 § 1 (part), 1981.)

**10.56.045 Operation and maintenance.**

A. All public or semipublic swimming, spray, wading and spa pools and all components thereof, appurtenances thereto, and the premises thereof, shall be maintained in a clean and sanitary condition at all times such pool is open to users.

B. The person to whom a pool permit is issued shall be responsible for the maintenance, operation and proper use of the public or semipublic pool for which such permit is issued, and

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shall provide one or more operators or attendants at such times as shall be necessary for the maintenance and operation of such pool in compliance with the provisions of this chapter and applicable rules and regulations established in accordance herewith. All such operators and attendants shall be familiar with the equipment and appurtenances of such pool and the principles of pool operation.

(Ord. 110180 § 1(part), 1981.)

#### 10.56.050 Water quality.

The water in all public or semipublic swimming, spa, wading and spray pools, at all times shall meet such standards of chemical, physical and bacteriological quality as the Director shall establish, by rule, to ensure that persons using such pools shall not be exposed to toxic or irritating chemical conditions, or disease-producing organisms.

(Ord. 110180 § 1 (part), 1981.)

#### 10.56.060 Disinfection.

A disinfecting process or procedure shall be used to maintain in all public or semipublic swimming, and wading pools, and spray pools using recirculated water, a minimum free-chlorine residual of 1.0 ppm and in spa pools, a minimum free-chlorine residual of 2.0 ppm; provided, that upon written application, the Director may approve the use of other processes or procedures found to ensure adequate and continuous disinfection of water throughout such pools during the period such pools are in use.

(Ord. 110180 § 1 (part), 1981.)

#### 10.56.070 Recirculation and filtration.

Recirculation and filtration equipment adequate to recirculate and filter the entire volume of water at least once every six hours shall be provided for every public swimming pool; and at least once every twelve hours for every semipublic swimming or wading pool; and at least once every thirty minutes for every spa pool. Such equipment shall be in operation at all times such pool is open for use; provided, that such recirculation and filtration equipment need not be provided for a flow-through pool in which the supply of water meets the water quality requirements of Section 10.56.050, hereof, and the disinfection requirements of Section 10.56.060, hereof; and such supply is sufficient to provide a complete change of water

within the time period required by this section; and the introduction of such water supply into the pool is accomplished by the same type of inlet design required for recirculation pools. Where more than one pool is located on the same premises, each must have an independent recirculation and filtration system.

(Ord. 110180 § 1 (part), 1981.)

#### 10.56.080 Waste.

All water from backwash, filter residues, and other waste in any public or semipublic pool shall be disposed of in a safe and sanitary manner approved by the Director.

(Ord. 110180 § 1 (part), 1981.)

#### 10.56.090 Cross-connections.

No piping arrangement shall be installed or used in any public or semipublic, spray, or wading pool such that under any condition, sewage or waste water will be permitted to enter the recirculation system of the pool, or water from the recirculation system or the pool will be permitted to enter the potable water supply or make-up water supply.

(Ord. 110180 § 1 (part), 1981.)

#### 10.56.100 Operating records.

At all public or semipublic swimming, spa, and wading pools, and spray pools using recirculating water, complete daily records shall be kept of the times each filter is backwashed or cleaned and of the results of all tests made as to water quality and disinfectant residual. Such records shall be made available at any reasonable time for examination by the Director.

(Ord. 110180 § 1 (part), 1981.)

#### 10.56.110 Alternate materials, equipment or procedures.

For the purpose of temporarily evaluating equipment, materials, or procedures, and to meet any temporary emergency condition, the Director, consistent with the needs of the public health and safety, may permit the use of materials, equipment and procedures not specifically prescribed by this chapter and applicable departmental rules and regulations established in accordance herewith.

(Ord. 110180 § 1 (part), 1981.)

Chapter 10.58

SCHOOL INSPECTIONS, REVIEWS OF PLANS AND SPECIFICATIONS, AND INVESTIGATIONS

Sections:

10.58.010 School inspections, reviews, and investigations.

10.58.010 School inspections, reviews, and investigations.

Upon receipt of a request or direction from the chief administrator of a public or private school, the governing board of education of any public school, the State Department of Social and Health Services, or the Superintendent of Public Instruction, the Director of Health is authorized to do the following:

A. Review final plans and specifications for construction of any new school facility and any new addition to or major alteration of an existing facility or any of the utilities connected thereto, and make recommendations for any necessary or appropriate changes therein to secure compliance with, and to otherwise implement, Chapter 248-64 WAC;

B. Conduct preoccupancy inspections of new school construction, and major alterations and additions to existing school facilities to determine conformance with, and to otherwise implement, Chapter 248-64 WAC;

C. Inspect private school facilities to certify compliance with the provisions of Chapter 248-64 WAC to implement RCW 28A.02.201(5);

D. Investigate whether any exemption from the provisions of Chapter 248-64 WAC should be made by the State Board of Health pursuant to WAC 248-64-360.

(Ord. 110265 § 1, 1981.)

Chapter 10.60

PERSONAL HEALTH CARE PROGRAMS

Sections:

10.60.010 Authority to provide personal health care.

10.60.020 Determination of departmental fees.

10.60.010 Authority to provide personal health care.

The Director of Public Health is authorized to provide personal health care services to eligible recipients thereof, as follows:

A. Treatment for sexually transmitted diseases;

B. Treatment under maternal and child health programs contemplated under Title V of the Social Security Act, as amended;

C. Dental care for adults; and

D. Comprehensive care through the North District Family Health Clinic.

(Ord. 110272 § 1 (part), 1981.)

10.60.020 Determination of departmental fees.

Fees for health care services authorized in SMC 10.60.010, are hereby fixed and established as the indicated maximum allowable reimbursement levels under Title XIX of the Social Security Act, as amended, for the indicated units of service, as specified in the Schedule of Maximum Allowances and Program Descriptions published July, 1981, by the State of Washington, Department of Social and Health Services, Division of Medical Assistance, as amended by Memorandum 81-80 (Revision #1) issued August 3, 1981, by such Division, three copies of each of which documents have been filed with the City Clerk as C.F. 291001, and which schedule, as amended, is hereby adopted and, by this reference, made a part of this section; provided, that fees for dental services authorized in SMC 10.60.010, are hereby fixed and established as the indicated maximum allowable reimbursement levels under Title XIX of the Social Security Act, as amended, for the indicated units of service, as specified in the Schedule of Maximum Allowances and Program Descriptions published May, 1981, by the State of Washington, Department of Social and Health Services, Division of Medical Assistance, three copies of which have been filed with the City Clerk as C.F. 291001, and which schedule is hereby adopted and, by this reference, made a part of this section; provided, that in the event the Director finds, on the basis of departmental cost experience or other factors, that a greater proportion of the Department's costs would be reimbursed by application of the schedule adopted hereunder as further revised by the Department of Social and Health Services subsequent to the effective date of the ordinance



codified in this chapter, and that the Department's actual costs would not be exceeded by such reimbursement schedule as further revised, then the Director is authorized to file with the City Clerk his official finding thereof together with three copies of any such revision, upon which filing said further revised schedule shall constitute the revised schedule adopted hereby. (Ord. 110272 § 1 (part), 1981.)

**Chapter 10.62**

**WHOLESALING OF DRUGS AND SUPPLIES**

**Sections:**

**10.62.010 Authorization for wholesaling.**

**10.62.010 Authorization for wholesaling.**

The Director of Public Health is authorized to sell drugs and supplies to community clinics with which contracts have been executed for or on the behalf of the City, for the procurement of health care services for the public, which sales shall be at rates equal to the Health Department's cost for such drugs and supplies plus ten percent of such cost to reimburse the Department for its administrative overhead associated with such activity. (Ord. 110270 § 1, 1981.)

**Title 11**

**VEHICLES AND TRAFFIC**

**Subtitle I Traffic Code**

**Part 2 Licenses, Permits and Collision Reports**

**Chapter 11.20**

**DRIVER LICENSING**

**Sections:**

**11.20.040 Special endorsement for motorcycle operator's license—Moped exception.**

**11.20.040 Special endorsement for motorcycle operator's license—Moped exception.**

No person shall drive a motorcycle, as defined

in RCW 46.04.330, or a motordriven cycle, as defined in RCW 46.04.332 as now or hereafter amended, unless such person has a valid driver's license specially endorsed by the Director of Licensing to enable the holder to drive such vehicles; provided, that any person sixteen years of age or older, holding a valid driver's license of any class issued by the state of the person's residence, may operate a moped without taking any special examination for the operation of a moped. (RCW 46.20.500) (Ord. 109698 § 1(part), 1981.)

**Chapter 11.22**

**VEHICLE LICENSING**

**Sections:**

**11.22.200 Special license plates—Hulk hauler.**

**11.22.220 Display of special license plates—Hulk hauler.**

**11.22.240 Dealer and manufacturer license plates—Use.**

**11.22.200 Special license plates—Hulk hauler.**

Every hulk hauler or scrap processor shall obtain a special set of license plates in addition to the regular licenses and plates required for the operation of vehicles owned and/or operated by him and used in the conduct of his business as provided in RCW 46.79.060. (RCW 46.79.060) (Ord. 109698 § 1(part), 1981.)

**11.22.220 Display of special license plates—Hulk hauler.**

Ther special license plates required by Section 11.22.200 shall be displayed on the operational vehicles and shall be in lieu of a trip permit or current license of any vehicle being transported as provided in RCW 46.79.060. (RCW 46.79.060) (Ord. 109698 § 1(part), 1981.)

**11.22.240 Dealer and manufacturer license plates—Use.**

A. Motor vehicle dealer license plates may be used:

1. To demonstrate motor vehicles held for sale when operated by an individual holding a valid operator's license, provided that a dated demonstration permit, valid for no more than seventy-two hours, is carried in the vehicle at