

Ordinance No. 110268

AN ORDINANCE relating to the Public Health Department; amending SMC Section 10.03.010 regarding administrative fees, adding a new section to SMC Chapter 10.03 relating to food-service establishment permit fees; adding a new section to SMC Chapter 10.11 Subchapter XC to provide exemptions from the Food Code, amending SMC Subsection 10.11.911.B to change a code section reference, and repealing SMC Sections 10.11.912 and 10.11.913.

11/19/81 Pass

COMPTROLLER
FILE NUMBER

Council Bill No. 102624

INTRODUCED: SEP 28 1981	BY: 102624
REFERRED: SEP 28 1981	TO: Budget
REFERRED:	
REFERRED:	
REPORTED: NOV 30 1981	SECOND READING: NOV 30 1981
TRIED READING: NOV 30 1981	SIGNED: NOV 30 1981
PRESENTED TO MAYOR: DEC 1 1981	APPROVED: DEC 09 1981
RETD. TO CITY CLERK:	PUBLISHED:
VETOED BY MAYOR: DEC 09 1981	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

(L)

Unanimous Vote

YES NO

SEE BACK COVER

Law Department

- Ord. 110883 -Amends Sec 2 (SMC 10.03.110A) to revise food-service establishment fees.
- Ord. 111445 -Amends SMC 10.03.140 & 10.03.150 to specify the fee to be charged for immunizations other than travel-related & influenza immunizations;& to specify fees for travel-related immunizations & services.

ORDINANCE 110268

AN ORDINANCE relating to the Public Health Department; amending S.M.C. Section 10.03.010 regarding administrative fees, adding a new section to S.M.C. Chapter 10.03 relating to food-service establishment permit fees; adding a new section to S.M.C. Chapter 10.11 Subchapter XC to provide exemptions from the Food Code, amending S.M.C. Subsection 10.11.911.B to change a code section reference, and repealing S.M.C. Sections 10.11.912 and 10.11.913.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 1982, S.M.C. Section 10.03.010 is amended as follows:

10.03.010 Administrative fees and charges.

~~((Fees for administration of the Health Code shall be:))~~ The Director shall charge and collect the following administrative fees and charges under the circumstances indicated below:

- A. For ~~((R))~~ replacement of lost or destroyed permit \$ 2.00
- B. ~~((Permit transfer))~~ 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 ~~((P))~~ payment of permit fee with dishonored check \$10.00
- D. For processing the ~~((L))~~ late payment of any annual permit fee if delinquent by no more than 10 days. One-quarter of the applicable per fee.
- E. For processing the late payment of any temporary or seasonal permit fee if delinquent by no more than five days. One-quarter of the applicable permit fee.
- F. Inspections requested by permittee or person in charge of regulated activity, if outside regular Department working hours. Cost to the Department of providing the hours.

1 ((F+))G. Furnishing special services or Cost to the
 2 materials, requested by the public, Department of
 3 if not ordinarily provided by the performing the
 4 Department. service or
 5 furnishing the
 6 materials.

7 Section 2. Effective January 1, 1982, there is added to S.M.C. Chapter
 8 10.03 a new section, Section 10.03.110, as follows:

9 Section 10.03.110. Food-service establishment permit fees.

10 A. The permit fees for the food-service establishments subject to
 11 regulation by Chapter 10.11 S.M.C. shall be the annual fees set forth below
 12 and, with respect to temporary food-service establishments, the periodic fee
 13 set forth below:

14 CLASS	TYPE OF FOOD-SERVICE ESTABLISHMENT	FEE
15 CODE		
16 1. a.	Restaurants	
17 (1)	Seating Capacity 1-10	\$ 35.00
18 (2)	Seating Capacity 11-25	\$ 45.00
19 (3)	Seating Capacity 26-55	\$ 75.00
20 (4)	Seating Capacity 56-90	\$130.00
21 (5)	Seating Capacity 91-130	\$170.00
22 (6)	Seating Capacity 131-175	\$205.00
23 (7)	Seating Capacity 176-225	\$245.00
24 (8)	Seating Capacity 226-275	\$285.00
25 (9)	Seating Capacity Over 275	\$325.00
26 1. b.	Caterers	
27 (1)	If part of another food-service establishment	\$ 50.00
28 (2)	If not part of another food-service establishment	\$155.00
29 1. c.	Food-Processing Establishments	\$145.00
30 1. d.	Snack Bars	
31 (1)	No food preparation	\$100.00
32 (2)	Food Preparation	\$145.00

1. e. Mobile Food-Service Units
 - (1) Mobile Food Cart - Each Location \$ 45.00
 - (2) Mobile Caterer - First Vehicle \$145.00
 - Each Additional Vehicle\$ 50.00
 - (3) Restricted Mobile Food Vehicle - Each Location \$ 95.00
 - (4) Unrestricted Mobile Food Vehicle - Each Location \$165.00
1. f. Temporary Food Service Establishment \$ 50.00
1. g. Food Demonstrator \$145.00
1. 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
2. b. Limited Grocery Stores \$ 50.00
2. 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 1, 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 Ch. 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.

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

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

- 7 1. Every person who operates a public, private, or parochial school
8 lunchroom.
- 9 2. Every religious, charitable, community-service or educational
10 organization or institution operating a food-service establishment
11 unless such food-service establishment, more than five times per
12 year, provides food to nonmembers of such organization or
13 institution for a charge.
- 14 3. Any blind person who operates a vending facility under the
15 supervision of the Washington State Commission for the Blind. The
16 term "vending facility" as used in this subsection means any vending
17 stand, facility, cafeteria, or snack bar at which food, tobacco or
18 sundries are offered for sale. The term "blind person" as used in
19 this subsection shall have the meaning set forth in RCW 74.17.010.

20 Section 3. Effective January 1, 1982, there is added to the Seattle
21 Municipal Code, a new section, Section 10.11.902, as follows:

22 10.11.902 Exemptions.

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

29 B. The sale of wrapped prepackaged ice cream, ice cream bars, or frozen
30 confections shall not require a permit where such products are prepared,
31 manufactured, wrapped or packaged, and frozen in a facility operating under
32 permit from the Department, the Washington State Department of Agriculture,
33 the United States Department of Health and Human Services, Public Health

1 Service, Food and Drug Administration, or another official agency acceptable
2 to the Health Officer, and where such products remain packaged and frozen in
3 an unaltered state until being sold.

4 Section 4. Effective January 1, 1982, S.M.C. Subsection 10.11.911B is
5 amended as follows:

6 B. Any person desiring to operate a food-service establishment, shall
7 submit a written application to the Department, on a form to be provided by
8 the Health Officer, for a permit for such operation. Such application shall
9 include the applicant's full name, post office address, and the signature of
10 an authorized representative of the applicant; shall disclose whether such
11 applicant is an individual, firm, or corporation, and, if a partnership, the
12 names and addresses of the partners; the location and type of the proposed
13 food-service establishment; and shall be accompanied by the permit fee
14 amounts described in Sections ~~((10.11.912 of this subchapter))~~ 10.03.010 and
15 10.03.110, as appropriate. If the application is for a seasonal or temporary
16 food-service establishment, it shall also include the inclusive dates of the
17 proposed operation.

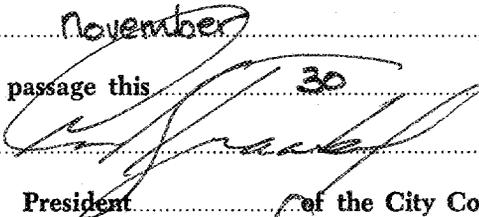
18 Section 5. Effective January 1, 1982, S.M.C. Sections 10.11.912 and
19 10.11.913 (parts of §1, Ordinance 109910) are repealed.

20 Section 6. Any act consistent with the authority and prior to the
21 effective date of this Ordinance is ratified and confirmed.

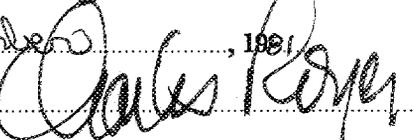
(To be used for all Ordinances except Emergency.)

Section...7... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

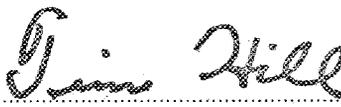
Passed by the City Council the 30 day of November, 1981,
and signed by me in open session in authentication of its passage this 30 day of
November, 1981.


President of the City Council.

Approved by me this 9th day of December, 1981.


Mayor.

Filed by me this 9th day of December, 1981.

Attest: 
City Comptroller and City Clerk.

(SEAL)

Published.....

By 
Deputy Clerk.



Seattle-King County / **DEPARTMENT OF PUBLIC HEALTH**
400 Yesler Way Seattle, Washington 98104 (206) 625-2161

August 31, 1981

JESSE W. TAPP, M.D., M.P.H.
Director of Public Health

The Honorable Paul Kraabel
President, Seattle City Council
11th Floor, Municipal Building

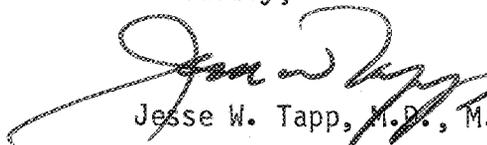
Dear Mr. Kraabel:

Please find attached proposed legislation to revise permit fees for food service establishments. The proposed fee increases are included as part of the Health Department's 1982 Budget Request.

The current fee schedule has not been changed since January 1979, except for temporary permit fees which were changed in 1981. The proposed schedule increases each annual permit fee by \$5.00 - representing a 4.7% increase in permit revenues. The fee increases are necessary to support the costs of inspection services for those establishments subject to the fee requirements.

The same increases are being proposed to the King County Board of Health for adoption in the county.

Sincerely,


Jesse W. Tapp, M.D., M.P.H.

JWT:phg
Att.

District Service Centers:

CENTRAL
1500 Public Safety Bldg.
Seattle 98104
625-5536

NORTH
10501 Meridian Ave. N.
Seattle 98133
363-4765

COLUMBIA HEALTH CENTER
3722 Hudson
Seattle 98118
625-5151

SOUTHWEST
10820 8th Ave. SW.
Seattle 98148
244-6400

EAST
2424 156th Ave. N.E.
Bellevue 98007
885-1278

SOUTHEAST
Renton
3001 N.E. 4th St.
Renton 98056
228-2620

Environmental Health Services
172 20th Ave.
Seattle 98122
625-2763

Auburn
20 Auburn Ave.
Auburn 98002
852-8400

REC'D OMB SEP 9 1981



Seattle-King County / **DEPARTMENT OF PUBLIC HEALTH**
400 Yesler Way Seattle, Washington 98104 (206) 625-2161

August 31, 1981

803353

JESSE W. TAPP, M.D., M.P.H.
Director of Public Health

John Saven, Director
Office of Management and Budget
200 Municipal Building

Attention: Lucy Gaskill, Budget Analyst

Dear Mr. Saven:

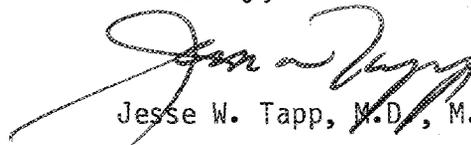
Please find attached proposed legislation to revise permit fees for food service establishments. The proposed fee increases are included as part of the Health Department's 1982 Budget Request.

The current fee schedule has not been changed since January 1979, except for temporary permit fees which were changed in 1981. The proposed schedule increases each annual permit fee by \$5.00 - representing a 4.7% increase in permit revenues. The fee increases are necessary to support the costs of inspection services for those establishments subject to the fee requirements.

The same increases are being proposed to the King County Board of Health for adoption in the county.

SOP 100-014, transmittal letter to the Seattle Council, and a duplicate ordinance copy are also attached.

Sincerely,


Jesse W. Tapp, M.D., M.P.H.

JWT:phg
Att.

District Service Centers:

CENTRAL
1500 Public Safety Bldg.
Seattle 98104
625-5536

NORTH
10501 Meridian Ave. N.
Seattle 98133
363-4765

COLUMBIA HEALTH CENTER
3722 Hudson
Seattle 98118
625-5151

SOUTHWEST
10820 8th Ave. S.W.
Seattle 98146
244-6400

EAST
2424 156th Ave. N.E.
Bellevue 98007
885-1278

SOUTHEAST
Renton
3001 N.E. 4th St.
Renton 98056
228-2620

Environmental Health Services
172 20th Ave.
Seattle 98122
625-2763

Auburn
20 Auburn Ave.
Auburn 98002
852-8400

Standard Operating Procedure 100-014.
REQUEST FOR LEGISLATIVE ACTION

Section 1. An ordinance relating to the Public Health Department; establishing a new section in Chapter 10.03 of the Seattle Municipal Code relating to food service establishment permit fees; and repealing Section 10.11.912 of the Seattle Municipal Code.

Section 2. The objective of this proposal is to increase the fees to the level which will support the costs of inspection services for those establishments subject to the fee requirements. The proposed increase is \$5.00 per permit - representing a 4.7% increase in permit revenues. The fees have not been changed since January, 1979, except for temporary permit fees which were changed in 1981.

Section 3. There is no General Fund impact.

Section 4-7. N.A.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on
to which was referred

Budget

NOV 30 1981

C.B. 102624

Relating to the Public Health Department; amending SMC Section 10.03.010 regarding administrative fees, adding a new section to SMC Chapter 10.03 relating ot food-service establishment permit fees; adding a new section to SMC Chapter 10.11 Subchapter XC to provide exemptions from the Food Code, amending SMC Subsection 10.11.911.B to change a code section reference, and repealing SMC Sections 10.11.912 and 10.11.913.

11/19/81

Pass

[Signature] Chairman

..... Chairman

.....
.....
.....
.....
.....

.....
.....
.....
.....
.....

Committee

Committee

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 110268

was published on December 14, 1981

J. Blue
Subscribed and sworn to before me on

December 14, 1981

J. Mahaly
Notary Public for the State of Washington,
residing in Seattle.

ORDINANCE 10999

AN ORDINANCE relating to the Public Health Department, amending S.M.C. Section 10.03.010 regarding administrative fees, adding a new section to S.M.C. Chapter 10.03 relating to food-service establishment permit fees, adding a new section to S.M.C. Chapter 10.11 Subchapter 10 to provide exemptions from the Food Code, amending S.M.C. Subsection 10.11.911.B to change a code section reference, and repealing S.M.C. Sections 10.11.912 and 10.11.913.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective January 1, 1982, S.M.C. Section 10.03.010 is amended as follows:

10.03.010 Administrative fees and charges.

((Fees for administration of the Health Code shall be:)) The Director shall charge and collect the following administrative fees and charges under the circumstances indicated below:

- A. For ((A)) replacement of lost or destroyed permit \$ 2.00
- B. ((Permit transfer)) 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 ((A)) payment of permit fee with dishonored check \$10.00
- D. For processing the ((A)) late payment of any annual permit fee if delinquent by no more than 10 days. One-quarter of the applicable per fee.
- E. For processing the late payment of any temporary or seasonal permit fee if delinquent by no more than five days. One-quarter of the applicable permit fee.
- F. Inspections requested by permittee or person in charge of regulated activity, if outside regular Department working hours. Cost to the Department of providing the hours.
- (((F))) G. Furnishing special services or materials, requested by the public, if not ordinarily provided by the Department. Cost to the Department of performing the service or furnishing the materials.

Section 2. Effective January 1, 1982, there is added to S.M.C. Chapter 10.03 a new section, Section 10.03.110, as follows:

Section 10.03.110. Food-service establishment permit fees.

A. The permit fees for the food-service establishments subject to regulation by Chapter 10.11 S.M.C. 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
1. b.	Caterers	
(1)	If part of another food-service establishment	\$ 50.00
(2)	If not part of another food-service establishment	\$150.00
1. c.	Food-Processing Establishments	\$145.00
1. d.	Snack Bars	
(1)	No food preparation	\$100.00
(2)	Food Preparation	\$145.00
1. e.	Mobile Food-Service Units	
(1)	Mobile Food Cart - Each Location	\$ 45.00
(2)	Mobile Caterer - First Vehicle	\$145.00
	Each Additional Vehicle	\$ 50.00
(3)	Restricted Mobile Food Vehicle - Each Location	\$ 95.00
(4)	Unrestricted Mobile Food Vehicle - Each Location	\$165.00
1. f.	Temporary Food Service Establishment	\$ 50.00
1. g.	Food Demonstrator	\$145.00
1. 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

- 2. b. Limited Grocery Stores \$ 60.00
- 2. 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 31, 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 Ch. 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.

Section 3. Effective January 1, 1982, there is added to the Seattle Municipal Code, a new section, Section 10.11.902, as follows:

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.

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.

Section 4. Effective January 1, 1982, S.M.C. Subsection 10.11.911B is amended as follows:

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 ((10.11.912 or this subchapter)) 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.

Section 5. Effective January 1, 1982, S.M.C. Sections 10.11.912 and 10.11.913 (parts of ~~2~~, Ordinance 109910) are repealed.

Section 6. Any act consistent with the authority and prior to the effective date of this Ordinance is ratified and confirmed.

2

Section 1. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor, otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 30 day of November, 1981,
and signed by me in open session in authentication of its passage this 30 day of
November, 1981.

Approved by me this 7th day of December, 1981.
Charles Royer
Mayor

Filed by me this 9th day of December, 1981.

Attest: Tim Hill
City Comptroller and City Clerk

(SEAL)

By: Theresa Dunbar
Deputy Clerk

Publication ordered by TIM HILL, Comptroller and City Clerk.
Date of Official Publication in the Daily Journal of Commerce, Seattle, December
14, 1981. (C. 420)