

ORDINANCE NO. 2009 - ____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO THE FEES ASSESSED FOR ACTIONS OF THE PIMA COUNTY HEALTH DEPARTMENT'S CONSUMER HEALTH AND FOOD SAFETY PROGRAM; AMENDING THE PIMA COUNTY CODE, CHAPTER 8.04, SECTIONS 8.04.125 AND 8.04.130.

WHEREAS, as authorized by A.R.S. §36-187(C), the Pima County Board of Health has reviewed and adopted a schedule of reasonable fees to be charged by the Pima County Health Department for services as are authorized by law; and

WHEREAS, the Board of Supervisors has determined the need to amend the County's Consumer Health and Food Safety Program fee schedule to offset the costs incurred in providing such services; and

WHEREAS, the Board of Supervisors has reviewed and approves the following amendments to the Pima County Code.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

SECTION 1. Chapter 8.04, Section 8.04.125 of the Pima County Code is hereby amended as follows:

8.04.125

Fees for plan reviews and ~~final~~ onsite field inspections.

A. Fees for plan reviews ~~and final inspections~~ are due when an application for approval is submitted ~~to the department, and~~ Fees are not refundable. If a certificate of approval to construct becomes void, a new fee ~~shall be~~ is required.

B. Fees for onsite field inspections must be paid before the department conducts the inspection.

BC. Fee Schedule. Fees are assessed for plan reviews and onsite field inspections according to the fee schedule established by the board of supervisors for the following:

1. Fixed food establishments, new or remodeled, ~~three~~ four hundred eighty ~~two~~ dollars;
2. Mobile food establishments, new or remodeled, ~~one~~ two hundred ~~eighty-four~~ thirty dollars;
3. Ice and beverage plants, new or remodeled, one hundred ~~eight~~ thirty-five dollars;
4. ~~Public and semi-public pools, new or remodeled,~~ fifty-three dollars;

- ~~54.~~ Mobile home and travel trailer parks, new or remodeled, ~~one two hundred seventy-nine~~ twenty-five dollars;
- ~~65.~~ Motels, hotels, resorts, and tourist courts, new or remodeled, ~~one two hundred eighty twenty-five~~ five dollars;
- ~~76.~~ Other ~~plan~~ health reviews, ~~fifty-three~~ sixty-six dollars;:
 - a. Public and semi-public pools, new or remodeled,
 - b. Public schools, new or remodeled,
 - c. Children’s camps, new or remodeled,
 - d. Campgrounds, new or remodeled,
- ~~9e.~~ Adult amusement establishments, new or remodeled, ~~fifty-three~~ dollars;
- ~~87.~~ ~~Other~~ Onsite field inspections, ~~forty-five~~ fifty-six dollars;
- 8. Consultation services for new owner, change of owner, remodel:
 - a. Facilities, one to three years old, two hundred fifty dollars,
 - b. Facilities, four to six years old, three hundred seventy-five dollars,
 - c. Facilities, seven and more years old, five hundred dollars.

SECTION 2. Chapter 8.04, Section 8.04.130 of the Pima County Code is hereby amended as follows:

**8.04.130
Operating permit required.**

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E. A permit ~~shall be~~ is required of the following:

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- 4. Mobile home and travel trailer parks;:
- 5. Adult amusement establishments;
- 6. Public school physical plants.

F. Annual Permit ~~or License~~ and ~~Initial License~~ Late Fees:

1. There ~~shall be~~ is an annual fee for operating permits ~~or licenses~~ issued by the health department. The annual fee, ~~except as noted below,~~ is due on the date the annual permit expires. ~~For fees thirty days in arrears~~ If the annual fee is not paid within thirty days of the expiration of the annual permit, a late fee ~~of thirty dollars will be~~ is assessed and added to the total amount of fees due.

2. Fee Schedule. Permit fees are assessed according to the fee schedule established by the board of supervisors for the following:

a. Food establishments, operating or initial license:

1) Fixed establishments:

- i. Less than two thousand five hundred square feet, one hundred ~~fifteen~~ forty-four dollars,
- ii. Two thousand five hundred square feet to seven thousand ~~four~~ five hundred ninety-nine square feet, one hundred ~~twenty-nine~~ sixty-two dollars,
- iii. ~~More than \$~~ Seven thousand five hundred square feet or more, ~~one two hundred ninety-seven~~ forty-six dollars;:

2) Ice and beverage plants, one hundred ~~twenty-eight~~ sixty dollars;:

3) Temporary establishments, less than fifteen consecutive days, ~~one event,~~ forty-eight sixty dollars;:

4) Seasonal establishments, fifteen ~~days~~ to one hundred twenty consecutive days, ~~one event,~~ sixty-two seventy-eight dollars;:

- 5) Temporary and seasonal establishments, late fee for application received less than fourteen days before the event, forty-five dollars;
- 56) Mobile food establishments-vehicle drawn, one hundred ~~fifteen~~ forty-four dollars;
- 67) Mobile food establishments-vehicle drawn, pre-packaged ~~foods~~, eighty-seven one hundred nine dollars;
- 78) Mobile food establishments-push cart, open unpackaged ~~foods~~, one hundred ~~nine~~ thirty-six dollars;
- 89) Mobile food establishments-push cart, pre-packaged foods only, ~~forty-six~~ fifty-eight dollars;
- 10) Re-inspection fees:
 - i. Provisional license, first issuance, one hundred ninety dollars,
 - ii. Provisional license, second issuance within twelve months, three hundred eighty dollars,
 - iii. Operating license, first suspension, three hundred eighty dollars,
 - iv. Operating license, second suspension within twelve months, seven hundred sixty dollars,
 - v. Notice of violation, each inspection to meet compliance, sixty-five dollars.
- b. Public and semi-public swimming pools, semi-public spas, and public wading pools:
 - 1) Public pools, one hundred ~~and twelve~~ forty dollars;
 - 2) Semi-public pools, ~~ninety-one~~ one hundred fourteen dollars;
 - 3) Semi-public spa, ~~eighty-two~~ one hundred dollars;
 - 4) Public wading pool, ~~ninety-six~~ one hundred twenty dollars.
- c. Motels, hotels, resorts, tourist courts:
 - 1) Less than twenty guest rooms, ~~sixty-nine~~ ninety-seven dollars;
 - 2) Twenty to seventy-five guest rooms, ~~ninety-nine~~ one hundred twenty-five dollars;
 - 3) Seventy-six or more guest rooms, one hundred ~~and twenty-seven~~ sixty dollars.
- d. Mobile home and travel trailer parks:
 - 1) ~~less than one~~ One hundred lots or less, seventy ninety-five dollars,
 - 2) ~~More than one~~ One hundred lots or more, eighty-three one hundred five dollars;
- e. Adult amusement establishments, ~~two three hundred sixty-four~~ twenty dollars.
- f. Public ~~S~~school physical plants, ~~ninety-seven~~ one hundred twenty dollars.
- g. Late fees for past due annual operating license, thirty-eight dollars.
- h. Operating without an application or license, sixty dollars.

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J. Fee schedule for certain eCertificates and training fees;. Fees are assessed according to the fee schedule established by the board of supervisors for the following:

- 1. Food sanitation certificate, each certificate, issued pursuant to Section 8.08.070, twenty-tw~~o~~eight dollars;
- 2. Re_examination for the food sanitation certificate issued pursuant to Section 8.08.70, seven dollars and fifty cents;
- 3. Food safety training fee for training provided by department pursuant to subsection 8.08.080(E), two dollars per person. The food safety training fee may not exceed the prescribed fee for a food sanitation certificate;
- 4. Food sanitation certificate replacement, five dollars.
- 52. Swimming pPool service sanitation technician certificate, technician level, issued pursuant to Section 8.32.240, twenty-tw~~o~~eight dollars;
- 3. Pool sanitation certificate, operator level, twenty-eight dollars.

SECTION 3. This Ordinance is effective 30 days after its adoption.

PASSED AND ADOPTED THIS _____ day of _____, 2009.

Chairman, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

Deputy County Attorney