

8.02.040 – Public Health Department, Environmental Health Division - Permit Required

- A. No person, corporation, association, firm, business, or entity shall operate, perform, carry on, conduct or engage in any of the activities delineated in this Section without obtaining a health permit and paying the fee listed in this section for the activity and obtaining a receipt therefore from the Environmental Health Division.
- B. Non-transferable permits. Permits described herein are not transferable.
- C. Owner/operator business name change. An owner/operator with a valid permit changing only the name of the business shall submit an updated permit application within 10 days from the date of the business name change. Failure to submit updated permit application will result in suspension of the health permit until the required business information is obtained.

8.02.050 – Public Health Department, Environmental Health Division - Change of Ownership

- A. Change of Ownership (Owner Requirements). The owner must notify the Public Health Department, Environmental Health Division of the change of ownership within ten (10) days prior to the date of official change of ownership. The owner shall pay within thirty (30) days any and all outstanding costs up to the date of official change of ownership.
- B. Change of Ownership (Subsequent Owner Requirements). The subsequent or new owner must obtain a permit. Failure to obtain a new permit prior to operating will result in a penalty in a sum equal to twenty-five percent (25%) of the amount of the required permit fee pursuant to Section 8.02.080. Payment of fee upon application must contain all penalties in addition to the permit fees in order to validate any permit.
- C. Outstanding Balance. Owners/operators with a previous outstanding account balance will not be authorized to submit an application for a health permit, which includes change of ownership and or facility plan review, until outstanding debt has been paid.
- D. Proration of Permit Fees. Annual health permit fees will be prorated based on frequency of inspection, which includes Food Facilities, Public Pools, Solid Waste Transfer Operations and Compost Operations, and Public Water Systems.

Permits not listed above are not eligible for proration with the submittal of a mid-year permit application for a new facility or change of owner.

8.02.060 – Public Health Department, Environmental Health Division - Right to Access

- A. The Imperial County Public Health Department, Environmental Health Division, as the regulatory authority, has the right to access all facilities and real property regulated by this Section.
- B. Denial of Access, Notification of Right to Access, and Final Request for Access.
If a person denies access to the regulatory authority, the regulatory authority shall inform the person that:

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- (1) The permit holder is required to allow access for the regulatory authority to regulate and enforce the provisions of all applicable federal, state and local laws.
- (2) Access is a condition of the acceptance and retention of a health permit to operate as specified under section 8.02.040, and
- (3) Make a final request for access.

C. If access is denied, an order issued by the appropriate authority allowing access, hereinafter referred to as an inspection order, may be obtained according to law; and the permit holder will be subject to civil and or criminal penalties pursuant to Section 8.02.090.

8.02.070 – Public Health Department, Environmental Health Division Fees

The following service fees are hereby established:

A. Retail Food Facility

FEE DESCRIPTION	FEE/RATE/CONDITIONS	
Low Risk Category	1/1/ - 12/31	
Markets / Retail Food / Restaurants $\leq 1,500$ sf Annual Health Permit – Low Risk	\$558.00 (not prorated)	
Markets / Retail Food / Restaurants 1,501 - 5,000 sf Annual Health Permit – Low Risk	\$584.00 (not prorated)	
Markets / Retail Food / Restaurants 5,001 - 10,000 sf Annual Health Permit – Low Risk	\$720.00 (not prorated)	
Markets / Retail Food/Restaurants $\geq 10,000$ sf Annual Health Permit – Low Risk	\$913.00 (not prorated)	
Moderate Risk Category	FEE/RATE/CONDITIONS	7/1 - 12/31
Markets / Retail Food / Restaurants $\leq 1,500$ sf Annual Health Permit – Moderate Risk	\$666.00	\$333.00
Markets / Retail Food / Restaurants 1,501 - 5,000 sf Annual Health Permit – Moderate Risk	\$739.00	\$369.50
Markets / Retail Food / Restaurants 5,001 - 10,000 sf Annual Health Permit – Moderate Risk	\$939.00	\$469.50
Markets / Retail Food/Restaurants $\geq 10,000$ sf Annual Health Permit – Moderate Risk	\$1,242.00	\$621.00

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High Risk Category	FEE/RATE/CONDITIONS	5/1 – 8/31	9/1 – 12/31
Markets / Retail Food / Restaurants ≤1,500 sf Annual Health Permit – High Risk	\$777.00	\$518.00	\$259.00
Markets / Retail Food / Restaurants 1,501 - 5,000 sf Annual Health Permit – High Risk	\$898.00	\$598.66	\$299.32
Markets / Retail Food / Restaurants 5,001 - 10,000 sf Annual Health Permit – High Risk	\$1,159.00	\$772.66	\$386.32
Markets / Retail Food/Restaurants ≥ 10,000 sf Annual Health Permit – High Risk	\$1,572.00	\$1,048.00	\$524.00
Micro-enterprise Home Kitchen Operation (MEHKO) Annual Health Permit		\$370.00	
Micro-Market Annual Health Permit		\$478.00	
Host Kitchen Annual Health Permit		\$390.00	
Cottage Food Operation Class A Annual Registration		\$233.00	
Cottage Food Operation Class B Annual Health Permit		\$320.00	
School Cafeteria Annual Health Permit		\$622.00	
Satellite Food Facility Non-Processing Annual Health Permit		\$340.00	
Satellite Food Facility Limited Processing Annual Health Permit		\$441.00	
Limited Service Charitable Feeding Operation Annual Registration		\$365.00	
Community Kitchen Annual Health (Non-Profit 501(c)(3))		\$383.00	
Caterer Annual Health Permit		\$347.00	
Mobile Food Facility – Processing Annual Health Permit		\$459.00 (not prorated)	
Mobile Food Facility - Limited Food Preparation Annual Health Permit		\$375.00 (not prorated)	
Mobile Food Facility - Non-Processing Annual Health Permit		\$330.00 (not prorated)	
Mobile Food Facility – Support Unit Annual Health Permit		\$345.00 (not prorated)	
Commissary Annual Health Permit		\$233.00	
Vending Machines—Potentially Hazardous Foods Only Annual Health Permit (each)		\$94.00	

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Swap Meet Organizer Health Permit	\$390.00
Swap Meet (Temporary Food Facility) 12-Month Health Permit commercially prepackaged foods and/or whole produce	\$292.00
Sporting Event Food Concession – commercially prepackaged non-potentially hazardous food and/or whole produce – 6-month Health Permit	\$128.00
Sporting Event Food Concession – commercially prepackaged non-potentially hazardous food and/or whole produce – 12-month Health Permit	\$256.00
Sporting Event Food Concession – limited nonprepackaged foods and/or limited food processing (TFF) 6-month Health Permit	\$183.00
Sporting Event Food Concession - limited nonprepackaged foods and/or limited food processing (TFF) 12-month Health Permit	\$366.00
Sporting Event Food Concession – nonprepackaged foods and/or food processing (TFF) 6-month Health Permit	\$213.00
Sporting Event Food Concession - nonprepackaged foods and/or food processing (TFF) 12-month Health Permit	\$427.00
Temporary Food Facility (TFF) 1-3 days Health Permit – For-profit	\$50.00
Temporary Food Facility (TFF) 1-3 days Health Permit – Non-profit	\$50.00
Temporary Food Facility (TFF) 4-15 days Health Permit – For-profit	\$283.00
Temporary Food Facility (TFF) 4-15 days Health Permit – Non-profit	\$141.00
Temporary Food Facility (TFF) 16-25 days Health Permit – For-profit	\$320.00
Temporary Food Facility (TFF) 16-25 days Health Permit – Non-profit	\$160.00
Temporary Food Facility (TFF) 6-month Health Permit – For-profit commercially prepackaged foods and/or whole produce	\$164.00
Temporary Food Facility (TFF) 6-month Health Permit – Non-profit commercially prepackaged foods and/or whole produce	\$82.00
Temporary Food Facility (TFF) 6-month Health Permit – For-profit unpackaged foods and/or food processing	\$235.00
Temporary Food Facility (TFF) 6-month Health Permit – Non-profit unpackaged foods and/or food processing	\$117.00

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Temporary Food Facility (TFF) 12-month Health Permit – For-profit – commercially prepackaged foods and/or whole produce	\$204.00
Temporary Food Facility (TFF) 12-month Health Permit – Non-profit – commercially prepackaged foods and/or whole produce	\$102.00
Temporary Food Facility (TFF) 12-month Health Permit – For-profit unpackaged foods and/or food processing	\$297.00
Temporary Food Facility (TFF) 12-month Health Permit – Non-profit unpackaged foods and/or food processing	\$148.00
Temporary Food Facility (TFF) – Community Event Organizer Permit	\$25.00 per Food Vendor
Temporary Food Facility (TFF) Late Submittal Expedited Processing Fee (For-profit, non-profits, and/or Organizer)	\$75.00 plus Permit Fee
Re-score Inspection	\$157.00
Re-inspection	\$163.00
Enforcement Activity	\$163.00/hr

1. Health Risk Categorization of Food Establishments (Retail Food Facilities)

a) **Low – Requires 1 inspection per year.**

Low: Establishments that sell or serve only pre-packaged foods.

b) **Moderate: – Requires 2 inspections per year.**

Moderate: Products are prepared/cooked and served immediately. May involve hot and cold holding of PHF (Potentially Hazardous Foods) products after preparation or cooking.

- Establishments that heat only commercially processed, PHF products for hot holding. No cooling of PHF foods.
- Establishments that prepare PHF for same day use using a food preparation method that involves two or more steps which may include: combining potentially hazardous ingredients, cooking, or hot or cold holding of ready to eat foods, (no cooling or reheating of PHF).
- Establishments that prepare or serve PHF in quantities based on projected same day consumer demand and discard prepared foods that are not sold or served the same day.
- Establishments that use single use eating and drinking utensils.
- Examples include convenience stores, delis, movie theater snack bars, ice cream stores, alcohol bars without kitchens.

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c) **High– Requires 3 inspections per year.**

High: This category includes, but is not limited to meat markets and full-service restaurants that meet any of the following criteria:

- Offer an extensive menu with complex preparation of raw potentially hazardous ingredients.
- Prepare potentially hazardous food (PHF) in advance using a food preparation method that involves cooking, cooling, or reheating.
- Prepare foods for multi-day use (e.g., enchiladas, soups, sauces, beans, and foods which are frequently used to create a second-day dish or used over several days).
- Prepare or serve raw PHF products such as sushi, meat, seafood, raw sprouts, or poultry.
- Provide customers multi-use eating utensils.

B. Recreational Health (Public Pools & Spas)

FEE DESCRIPTION	FEE/RATE/CONDITIONS		
	5/1 – 8/31	9/1 – 12/31	
Primary - Pool/Spa/Wading Pools/ Spray Ground Annual Health Permit	\$399.00	\$266.00	\$133.00
Secondary - Pool/Spa/Wading Pools/Spray Ground Annual Health Permit	\$168.00	\$112.00	\$56.00
Dormant Pool/Spa/Wading Pools/Spray Ground Annual Health Permit	\$128.00		
Public Water – Recreation & Contact Sports Lake and Waterway Annual Health Permit	\$804.00		
Re-inspection	\$163.00		
Enforcement Activity	\$163.00/hr		

C. Body Art Operations

FEE DESCRIPTION	FEE/RATE/CONDITIONS
Tattoo and Body Art Facility Annual Health Permit	\$267.00
Tattoo and Body Art Practitioner Registration (each permitted location)	\$150.00
Tattoo and Body Art Mobile Operation Annual Health Permit	\$243.00
Tattoo and Body Art Event Organizer Health Permit	\$407.00
Tattoo and Body Art Temporary booth Health Permit	\$237.00

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Tattoo and Body Art Event Late Submittal Expedited Processing Fee (organizer and/or per booth submittal)	\$75.00 plus Permit Fee
Re-inspection	\$163.00
Enforcement Activity	\$163.00/hr

D. Plan Review & Construction Inspections

FEE DESCRIPTION	FEE/RATE/CONDITIONS
Projects Costing Less Than \$5,000	T/M (\$500 deposit)
Projects Costing \$5,001-\$30,000	T/M (\$1,000.00 deposit)
Projects Costing More Than \$30,000	T/M (\$1,500.00 deposit)
EH Building Plan Review Base Fee	\$153.00
EH Building Plan Review (minor impact review, see below)	\$213.00
EH Building Plan Review (moderate impact review, see below)	\$328.00
EH Building Plan Review (major impact review, see below)	\$525.00
EH Water Potability Review (* No additional charge for resubmitting test results)	\$234.00

Provisions related to building plan reviews.

1. All applicants are required to pay the EH Building Plan Review Base Fee of \$153.00 for the initial building plan review at the time the application is submitted for initial review.
2. Building plan reviews requiring additional review based on the complexity of the review necessary, site limitations for complying with applicable regulations and completeness and accuracy of documentation provided will be classified as a Minor Impact, Moderate Impact, or Major Impact review.
3. Applicants will be notified of the anticipated plan review category and any changes to the plan review category prior to completion of the review process.
4. Upon completion of the review, the applicant will be required to pay the remaining balance, if any, of the plan review fee prior to receiving plan approval.
5. Examples of the types of building plans for each plan review category may include, but are not limited to:
 - Minor Impact – Routine agricultural buildings in A-1, A-2, and A- 3 zones (for example, basic agricultural storage buildings without plumbing).

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- Moderate Impact – Simple residential and commercial remodels, standard construction trailers, covered patios, carports, swimming pools, water tanks and systems, and typical building demolitions (additions less than 500 square feet).
- Major Impact - New basic building construction, building or room additions (greater than 500 square feet), garages, offices, modifications to occupancy type, and a change or expansion of use.

E. Housing and Institutions

FEE DESCRIPTION	FEE/RATE/CONDITIONS
Detention Facility/Jail Annual Health Permit	\$710.00
Satellite Food Facility Limited Processing Annual Health Permit	\$441.00
Satellite Food Facility Non-Processing Annual Health Permit	\$340.00
Adult Court and Temporary Holding Facility Annual Health Permit	\$419.00
Organized Camps Annual Health Permit (Includes food, pool and housing)	\$743.00
Re-inspection	\$163.00
Enforcement Activity	\$163.00/hr

F. Liquid Waste/Sewage Systems

FEE DESCRIPTION	FEE/RATE/CONDITIONS
Sewage System Health Permit—New, Alteration, or Full System Replacement ¹	\$856.00
Sewage System Health Permit—Engineered System less than 5,000 gpd*	\$1,542.00
Sewage System Health Permit – Engineered System greater than 5,000 gpd	\$2,543.00
Sewage System Health Permit—Minor Repair	\$358.00
Sewage System Health Permit —Major Repair	\$504.00
Sewage System health Permit – Engineered System Repair – capacity less than 5,000 gpd	\$755.00
Sewage System Health Permit – Engineered System Repair – capacity more than 5,000 gpd	\$1,114.00
Sewage System Health Permit—Abandonment	\$372.00
Sewage System Health Permit - Holding Tank System	\$1,426.00

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Sewage System Certification Review	\$673.00
Temporary Septage Storage Facility Health Permit	\$871.00
Sewage System Annual Operating Permit for alternative on-site wastewater treatment systems	\$645.00
Additional Plan Check	T/M
Septage Pumper Hauler (Each Vehicle) (annual health permit fee)	\$539.00 (not prorated)
Re-inspection	\$163.00
Enforcement Activity	\$163.00/hr

*Permit includes one inspection. Additional inspections will be charged at the division hourly rate.

G. Solid Waste

FEE DESCRIPTION	FEE/RATE/CONDITIONS
Permit Application Review—New Solid Waste Facility Permit	T/M + consultants (\$5,000 deposit)
Permit Application Review—Permit Revision	T/M + consultants (\$5,000 deposit)
Permit Application Review—Permit Modification	T/M + consultants (\$5,000 deposit)
Permit Application Review—5-Year Permit Review	T/M (\$5,000 deposit)
Permit Application Review—RFI Amendments	T/M (\$1,500 deposit)
Permit Application Review—Tiered Permits	T/M (\$1,500 deposit)
Permit Application Review—Closure/Post-Closure Plan Approval	T/M + consultants (\$5,000 deposit)
Active Landfill Annual Health Permit Fees	
Landfills less than 499 tpd (max permitted tonnage)	\$25,000.00
Landfills 500 tpd - 999 tpd (max permitted tonnage)	\$60,000.00
Landfills 1,000 tpd - 4,999 tpd (max permitted tonnage)	\$65,000.00

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Landfills 5,000 tpd - 9,999 tpd (max permitted tonnage)	\$70,000.00			
Landfills 10,000 tpd - 14,999 tpd (max permitted tonnage)	\$150,000.00			
Landfills greater than 15,000 tpd (max permitted tonnage)	\$250,000.00			
Closed Landfill Annual Health Permit – *Less than 40 Acre Disposal Footprint	\$5,925.00			
Transfer Operation Annual Health Permit & Proration Fees				
	FEE/RATE/CONDITIONS	4/1 – 6/30	7/1 – 9/30	10/1 – 12/31
EA Notification – Limited Volume Transfer Processing Operation	\$7,837.00	\$5,877.75	\$3,918.50	\$1,959.25
Registration – Medium Volume Transfer Processing Operation	\$24,766.00	\$18,574.50	\$12,383.00	\$6,191.50
Full – Large Volume Transfer Processing Operation	\$33,735.00	\$25,301.25	\$16,867.50	\$8,433.75
EA Notification – CDI Operation	\$12,210.00	\$9,157.50	\$6,105.00	\$3,052.50
Registration – Medium Volume CDI Facility	\$15,466.00	\$11,599.50	\$7,733.00	\$3,866.50
Full – Large Volume CDI Facility	\$17,909.00	\$13,431.75	\$8,954.50	\$4,477.25
Direct Transfer Operation (up to 150 tons)	\$23,874.00	\$17,905.50	\$11,937.00	\$5,968.50
EA Notification – In-Vessel Digestion Operation	\$7,837.00	\$5,877.75	\$3,918.50	\$1,959.25
Registration – Medium Volume In-Vessel Digestion Facility	\$24,766.00	\$18,574.50	\$12,383.00	\$6,191.50
Full – Large Volume In-Vessel Digestion	\$33,735.00	\$25,301.25	\$16,867.50	\$8,433.75
Transformation Facility Annual Health Permit	\$33,735.00	\$25,301.25	\$16,867.50	\$8,433.75
Composting Facility Annual Health Permit	\$7,791.00	\$5,843.25	\$3,895.50	\$1,947.75
Agricultural Composting Operation Annual Health Permit	\$2,352.00	\$1,764.00	\$1,176.00	\$588.00
Registration Fee—Solid Waste Vehicle Annual Health Permit (1st Vehicle)	\$346.00			
Registration Fee—Solid Waste Vehicle Annual Health Permit (Each Additional Vehicle at Same Site)	\$62.00			
Registration Fee—Waste Bins Annual Health Permit	\$382.00			
Landfill Closure/Post-Closure Activity Health Permit	T/M + consultants			
Closed, Illegal, or Abandoned Site Activity	T/M			
Planned Solid Waste Facility Activity (facility is permitted, but not currently receiving solid waste)	T/M			
Review of Permit Exemption	T/M			

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Alternate Daily Cover Review	T/M
State Permit Exempt Disposal Facility Health Permit	\$1.20 per ton
Enforcement Activity	\$163.00/hr

H. Public Water Systems

FEE DESCRIPTION	FEE/RATE/CONDITIONS			
Permit Application Review—New Water System	T/M + consultants (\$1,200.00 deposit)			
Permit Application Review—Permit Amendment	T/M + consultants (\$600.00 deposit)			
Permit Application Review—Change of Owner	T/M + consultants (\$600.00 deposit)			
Minor Plan Review— Water System Alterations or Repairs	T/M + consultants (\$400.00 deposit)			
	FEE/RATE/CONDITIONS	4/1 – 6/30	7/1 – 9/30	10/1 – 12/31
Community Water System Annual Health Permit	\$2,562.00	\$1,921.50	\$1,281.00	\$640.50
Non-Transient Non-Community Water System Annual Health Permit	\$2,885.00	\$2,163.75	\$1,442.50	\$721.25
Transient Non-Community Water System Annual Health Permit	\$1,935.00	\$1,451.25	\$967.50	\$483.75
State Small Water System Annual Health Permit	\$1,344.00	\$1,008.00	\$672.00	\$336.00
Food Facility Water System Annual Health Permit	\$1,226.00	\$919.50	\$613.00	\$306.50
Technical Report Review	T/M			
Laboratory/Sample Analysis	T/M			
Re-inspection	\$163.00			
Enforcement Activity	\$163.00/hr ¹			

1. During any given fiscal year, the maximum reimbursement for enforcement costs authorized by Section 116595 of the California Health & Safety Code may not exceed twice the annual operating permit costs.

I. Dairy Farm Inspection and Sampling

FEE DESCRIPTION	FEE/RATE/CONDITIONS
Dairy Farm Annual Health Permit– Routine Inspection and Sampling	Amount Allowable by Statute and Approved by CDFA.

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Dairy Farm Follow-up Inspection Fees	Amount Allowable by Statute and Approved by CDFR.
Laboratory/Sample Analysis	T/M
Enforcement Activity	\$163.00/hr

J. Administration

Division Standard Hourly Rate (per hour)	\$163.00
Permit Reissuance/Reprint	\$25.00
Copies	\$0.10/copy
Administrative Office Hearing Fee	\$300.00 (first 3 hrs) (\$163/hr thereafter)

K. Charges for Other Services. For all other services provided by Environmental Health Division and not expressly referenced in this section, such services shall be billed at a rate of time and material, as defined in Section 8.02.070(M)(2).

L. Implementation Date

1. All fees adopted under this section, with the exception of fees for annual permits provided for under 8.02.070(L)(2), shall be implemented immediately following the enactment of this section.
2. Fees for annual permits shall be implemented on the 1st day of January following the enactment of this section, with the exception of fees for annual permits for Body Art Operations (Section 8.02.070(C)), and Housing and Institutions (Section 8.02.070(E)). Body Art Operations and Housing and Institutions will be implemented on the first day of July following the enactment of this section.

M. Definitions and Explanations.

1. The Division's fixed fee is based on an established time/workload standard for each individual fee methodology to determine the standards as approved by the Board of Supervisors.
2. Time and materials charges are based on the division's hourly rate and the cost of any materials or services required for administering a program related to a permit holder's facility or activity. The cost recovery method is based on billing a permit holder for the costs associated with their permit. The division hourly rate is the rate calculated by and contained in the most recent Environmental Health Division Cost Study adopted by the County Board of Supervisors.
3. Accounting and billing by Public Health Department, Environmental Health Division will be done for all fees that are based on time and materials charges. Late payments will be assessed penalties.

4. Use and Cost of Consultants. The Public Health Department, Environmental Health Division may use or employ outside independent consultants to assist in processing, investigating, or conducting special studies or provide expertise not available within the department. The cost for such consultants shall be a charge against the project and not against the county general fund unless first approved by the Board of Supervisors or allocated within the adopted budget.
5. Deposit Refunds for T/M Projects. Refund of fees shall be as provided by the applicable sections herein. All costs incurred to date including overhead shall be deducted from refunds for T/M projects. Refunds shall be processed in accordance with the Imperial County auditor's guidelines, procedures or instructions.
6. Plan Review Fees. Plan review fees apply, but are not limited, to the following: Permanent Food Facilities, Mobile Food Facility, Mobile Food Support Unit, Public Pools/Spas/Spray Grounds, Body Art Facilities, Mobile Body Art Operations, and Organized Camps.
7. When Plan Review is completed, the T/M cost is calculated. If T/M cost is less than the amount deposited, the difference is refunded to account holder. If T/M cost exceeds the amount deposited, the applicant shall be notified of the difference and shall pay the difference prior to receiving any plan approval. No plan shall be deemed approved until outstanding amount is paid in full. Any plan otherwise deemed approved by law unless rejected or approved by the evaluating agency within a specific time shall be deemed rejected if for any reason, any outstanding balance assessed under this ordinance section remains due and unpaid on or after the "deemed approved" date specified by law or regulation.
8. This ordinance establishes the above fees effective January 1, 2024. Fees can be adjusted annually utilizing Consumer Price Index (CPI).

8.02.080 – Public Health Department, Environmental Health Division - Due Date for Permit Fees; Penalty for Late Payment; Penalty for Unredeemable Checks.

1. Due Date. Fees for renewing annual permits are due and payable on or before December 1st of each year. Fees for permits to begin any permitted activity, whether renewable or not, are due and payable before any such activity begins. Failure to renew health permit prior to expiration date will invalidate permit.
2. Penalty for late payment. Failure to pay any portion of the annual permit within 30 days from the date the fee is due will result in a twenty-five percent (25%) penalty of the amount of permit fee, with a maximum penalty not to exceed seven thousand five hundred dollars (\$7,500.00). Failure to pay any portion of the annual permit fee within 30 days of the date the fee is due will result in revocation of the health permit. Operating without a health permit will result in civil and or criminal penalties listed in section 8.02.090(2).
3. NSF Checks. If the department receives payment in the form of a check and said check is not redeemable, the department shall charge \$25.00. The original check amount and all penalties are to be paid in cash, credit card, or by cashiers' check made payable to "Imperial County Public Health Department." All processing and time frames shall be held in abeyance until such time as the full amount has been deposited. The Public Health Director

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may waive this provision only if it is determined that the check was non-redeemable through no fault of the applicant. To request a waiver, the applicant must supply written proof from the bank and the required fee payment.

8.02.090 - Public Health Department, Environmental Health Division - Civil and Criminal Penalties for Denial of Access to Inspect, and Non-Renewal or Operating Without a Permit, or Removal of a Letter Grade Card or Inspection Score Card.

1. Denial of Access. Denial of access to a permitted facility by the permit holder or their representative will result in revocation of the health permit and the permit holder will be subject to civil and/or criminal penalties listed in subdivision (B) below.
2. Civil and Criminal Penalties. The following civil and criminal penalties shall apply to any person who operates without the appropriate health permit, fails to obtain a new permit upon a change of ownership pursuant to Section 8.02.050, or pay any renewable fee listed in Section 8.02.70 or removal of a letter grade card or inspection score card:
 - a) Infractions
Failure to renew annual health permit or any person who violates any of the provisions of this chapter shall be guilty of an infraction and upon conviction thereof shall be punished by: (1) a fine not less than one hundred dollars (\$100.00) or to exceed two hundred dollars (\$200.00) for a first violation of this chapter; (2) a fine not less than two hundred dollars (\$200.00) or to exceed three hundred dollars (\$300.00) for a second violation of this chapter within one year; (3) a fine not less than three hundred dollars (\$300.00) or to exceed five hundred dollars (\$500.00) for each additional violation of this chapter after a second violation within one year.
 - b) Misdemeanor.
Notwithstanding the provisions of 8.02.090(2)(a) above, a first and subsequent offense may be charged and prosecuted as a misdemeanor and upon conviction thereof shall be punished as provided by Section 19 of the California Penal Code. Every offense declared to be a misdemeanor is punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding one thousand dollars (\$1,000), or by both, or as may be prescribed by applicable law in effect at the time of the offense. Each day such violation is committed or permitted to continue shall constitute a separate offense.
3. Correction of Violations. Payment of any penalty established by this chapter shall not relieve a person from the responsibility of correcting any violation of this chapter, statute or regulation nor shall it relieve a person from the payment of a late fee imposed under this chapter.

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8.02.100 - Posting requirements—Penalty for noncompliance—Documents available for public review.

1. Upon issuance by the county health officer, the health officer shall post at every food facility the letter grade card or the inspection score card as determined by the county health officer, so as to be clearly visible to the general public and to patrons entering the facility. "Clearly visible to the general public and to patrons" means:
 - a. Posted in the front window of the food facility within five (5) feet of the front door or posted in a display case mounted on the outside front wall of the food facility within five (5) feet of the front door;
 - b. Posted adjacent to the pass out window on a mobile food facility, or on the customer service side of an unenclosed mobile food facility; or
 - c. Posted in a location as directed and determined at the discretion of the county health officer to ensure proper notice to the general public and to patrons.

2. In the event that a food facility is operated in the same building or space as a separately licensed or permitted business, or in the event that a food facility shares a common patron entrance with such a separately licensed or permitted business, or in the event of both, the county health officer shall post the letter grade card or the inspection score card in the initial patron contact area, or in a location as determined in the discretion of the county health officer.

3. The letter grade card and the inspection score card shall not be defaced, marred, reproduced, copied, camouflaged, hidden or removed. It is unlawful to operate a food facility unless the letter grade card or the inspection score card as determined by the county health officer, is in place as set forth hereunder. Removal of the letter grade card or the inspection score card is a violation of this chapter and may result in the suspension or revocation of the public health permit and shall be punishable as specified in Section 8.02.090.

4. Detention facilities, private schools, public schools, and cottage food operations shall not be required to post a letter grade card or inspection score card.

5. The food official inspection report upon which the letter grade card or the inspection score card is based, and all subsequent reports issued by the county health officer shall be maintained at the food facility and shall be available to the general public and to patrons for review upon request. The food facility shall keep the food official inspection report and all subsequent reports until such time as the county health officer completes the next routine inspection of the facility and issues a new food official inspection report.

8.02.110 - Letter grade card and inspection score card—Period of validity.

1. A letter grade card or inspection score card shall remain valid until the county health officer completes the next routine inspection of the food facility.