

Chapter 8.58 FOOD FACILITY GRADING

8.58.010 Purpose.

The purpose of this chapter is to establish standards for the issuance of a grading score which represents the compliance of food facilities with local ordinances and state law. (Ord. G-7605 § 2 (part), 2007; Ord. G-7463 § 2 (part), 2006)

8.58.020 Definitions.

As used in this chapter:

- A. "Department" shall mean the Kern County environmental health services department.
- B. "Food facilities" shall mean a food facility as defined in the California Retail Food Code Section 113789 of the California Health and Safety Code. These are commonly referred to as restaurants, take-out fast food, delis, markets or similar operations.
- C. "Director" shall mean the environmental health services director or his/her designee.
- D. "Inspection" shall mean an evaluation of the food facility conducted on site by the department.
- E. "Inspection report form" shall mean the written report prepared and copy issued to a food facility provided by the department after conducting any inspection to determine compliance with all applicable federal, state, and local laws and regulations relating to the protection of public health.
- F. "Inspection summary report" shall mean a card that is posted at the conclusion of the inspection which is based on the results from the inspection report form. The inspection summary report will indicate a letter grade or numeric score.
- G. "Re-score inspection" shall mean an evaluation of the food facility conducted by the department at the request of the permittee to reassess compliance with applicable laws and regulations. (Ord. G-7605 § 2 (part), 2007; Ord. G-7463 § 2 (part), 2006)

8.58.030 General requirements.

All food facilities shall be inspected and graded uniformly using an inspection report form. The grade of each food facility shall be determined by the director using the scoring method provided on the form. The inspection summary report of each food establishment shall be posted.

- A. The letter "A" shall indicate a final score of ninety percent (90%) or higher.
- B. The letter "B" shall indicate a final score of less than ninety percent (90%) but not less than eighty percent (80%).
- C. The letter "C" shall indicate a final score of less than eighty percent (80%) but not less than seventy-five percent (75%).
- D. A numeric score shall be indicated for a final score of less than seventy-five percent (75%). Facilities that score below seventy-five percent (75%) will be required to close immediately and the environmental health permit will be suspended.
- E. The inspection summary report shall be posted at a food facility by the director upon completion of an inspection. (Ord. G-7605 § 2 (part), 2007; Ord. G-7463 § 2 (part), 2006)

8.58.040 Posting requirements.

- A. The inspection summary report shall be posted at or near each entrance to the food facility used by its patrons or in a conspicuous place selected by the director.
- B. The inspection summary report shall not be defaced, marred, camouflaged, hidden or removed. It shall be unlawful to operate a food facility unless the inspection summary report is posted. (Ord. G-7605 § 2 (part), 2007; Ord. G-7463 § 2 (part), 2006)

8.58.050 Inspection summary report—Period of validity.

An inspection summary report shall remain valid until the director completes the next inspection of the food facility. (Ord. G-7605 § 2 (part), 2007; Ord. G-7463 § 2 (part), 2006)

8.58.060 Appeal process.

If, after completion of an inspection, the permittee disagrees with the inspection findings or the resulting inspection summary report, the permittee may request an appeal.

- A. The permittee shall submit a written request for an appeal on a standardized form as determined by the department within five (5) business days following the inspection.
- B. The appeal shall be heard within three business days following the written appeal request.
- C. The appeal shall be heard by the director at which time the appeal shall be considered and a final determination issued within one (1) business day.
- D. The previously issued inspection summary report shall remain posted until final resolution is obtained through the appeal process. After resolution of the appeal process the new inspection summary report shall be posted within one (1) business day. (Ord. G-7605 § 2 (part), 2007: Ord. G-7463 § 2 (part), 2006)

8.58.070 Re-score inspection.

At the discretion of the permittee, a re-score inspection may be requested to reassess compliance.

- A. A re-score inspection must be requested by the permittee on a standardized form as determined by the department within seven (7) days of the original inspection. Only one (1) re-score inspection may be requested within each fiscal year.
- B. The director shall conduct a re-score inspection within seven (7) days of receiving the request and submission of the inspection fee by the permittee.
- C. At the conclusion of the re-score inspection, the inspection summary report shall be issued based upon the scoring method set forth in this chapter.
- D. A requested re-score inspection is separate and independent of all inspections as determined by the director. (Ord. G-7605 § 2 (part), 2007: Ord. G-7463 § 2 (part), 2006)

8.58.080 Enforcement and penalties.

Removal of the inspection summary report is a violation of this chapter and may result in the suspension or revocation of the environmental health permit.

Any person who violates any provision of this chapter is guilty of a misdemeanor and subject to the provisions as specified in Chapter 8.54 of this title. (Ord. G-7605 § 2 (part), 2007: Ord. G-7463 § 2 (part), 2006)