

JESSAMINE COUNTY BOARD OF HEALTH

Regulation 2.0: Requirement to Post Health Inspection Reports

WHEREAS, the Jessamine County Board of Health is given authority to adopt regulation to protect the health of the people as defined in KRS 212.230, and

WHEREAS, the Jessamine County Health Department is charged with rights of inspection on behalf of the Cabinet for Health and Family Services as defined in KRS 217.155, and

WHEREAS, the Jessamine County Health Department carries out the right of inspection in accordance with the provisions of 902 KAR Chapter 45, and

WHEREAS, the Jessamine County Board of Health deems it beneficial to inform the people of inspection findings as public information,

NOW THEREFORE; the following rules and regulations are adopted for the protection of the public's health;

1. Food service establishments permitted to prepare or sell food shall post health inspection reports. This shall include restaurants, grocery stores, gas stations which serve prepared foods, schools and care facilities. Due to a lack of a structured operating time and often a lack of a physical structure; mobile food units, pushcarts, restricted concession food services, temporary food service, and similar food service facilities will not be required to post inspection reports but shall keep inspection reports on hand and make them available for viewing upon request.
2. A Jessamine County Health Department (Department) provided copy of an establishment's most recent routine or follow-up health inspection report shall be posted within the establishment in a place conspicuous to the general public which is clearly visible upon entry into the establishment, as determined by an agent of the Department, and shall not be removed, defaced, covered or concealed from view of the customer. Posted health inspection reports and display materials are the property of the Department and are to be posted or removed only by authorized Department personnel.
3. The Department's agent shall superimpose the numerical score of the inspection of the establishment upon the posted health inspection report.
4. If a follow up inspection is required, the initial inspection report will be displayed until the follow up inspection is completed and critical violations corrected. Points for correcting noncritical items will not be reflected in the final score. Follow up scores will be displayed as the initial inspection score written above the follow up score separated by a line.

5. The health inspection report shall remain posted until the next inspection is conducted by the Department. The removal, defacement or concealment of a posted health inspection report and/or "Closed" signs may result in the placard being reposted for an additional period of time to be determined by the Department and may constitute action for permit suspension or revocation. Health inspection reports or display materials removed due to the closure of an establishment are to be returned to the Department.
6. If an establishment is found in violation of this regulation, the Department's agent shall give written notice of the violation with an order to correct immediately. A fine of not less than \$5 and not more than \$100 per day may be assessed by the Department as provided for by KRS 212.990 until the establishment is compliant with the provisions of this regulation.
7. An establishment receiving notice of violation may request a conference with the Department by giving written notice to the Department within 10 days of the receipt of notice and/or fine. The conference shall be held at a date, time and location determined by the Department. Based upon the record of such conference, the Department shall make a finding and sustain, modify or rescind the notice of violation.
8. Any appeal thereafter shall be made to the Board of Health in writing within 10 days of the conference with the Department. The Board of Health shall review the notice and/or fine and make a final determination of whether the notice and/or fine shall be sustained, modified or rescinded at the next scheduled board meeting.
9. Failure to comply with this regulation and/or the failure to pay any fines assessed by this regulation shall constitute a criminal offense for which the Board of Health may file criminal action in Jessamine District Court for the enforcement thereof.
10. This Regulation shall be effective the 1st day of January, 2015. The foregoing Regulation was read for the first time on the 12th day of June, 2014, read for the second time, passed and approved on the 26th day of August, 2014.

APPROVED BY:


William C. McCaw, Board Chairman

ATTESTED TO:


Randy Gooch, Board Secretary