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Scioto County Board of Health Resolution – EH – 22-4

Retail Food Program  
Ohio Revised Code 3717.49 (B)(1)  
**Suspend or Revoke Food Service License**  
**Not an Immediate Danger to the Public Health**

**Whereas**, Ohio Revised Code – Section 3717.05 is the Uniform Food Safety Code, which shall be used by the licensors of retail food establishments and food service operations in ensuring the safe handling of food in the state of Ohio.

**Whereas**, Section 3717.49(A) states that a licensor may suspend or revoke a food service operation license on determining that the license holder is in violation of any requirement of this chapter or the rules adopted under it applicable to food service operations, including a violation evidenced by the documented failure to maintain sanitary conditions within the operation.

**Whereas**, Section 3717.49(B)(1) states that except in the case of a violation that presents an immediate danger to the public health, *prior to initiating action to suspend or revoke a food service operation license, the licensor shall give the license holder:*

- Written notice specifying each violation and a reasonable time within which each violation must be corrected to avoid suspension or revocation of the license.
- The licensor may extend the time specified in the notice for correcting a violation if the license holder is making a good faith effort to correct it.

**Whereas**, if the license holder fails to correct the violation in the time granted by the licensor, the licensor may initiate action to suspend or revoke the food service operation license by giving the license holder written notice of the proposed suspension or revocation. The licensor shall include in the notice a description of the procedure for appealing the proposed suspension or revocation. The license holder may appeal the proposed suspension or revocation by giving written notice to the licensor. The license holder shall specify in the notice whether a hearing is requested. The appeal shall be conducted in accordance with Section 3717.49 (B)(3) of the Ohio Revised Code.



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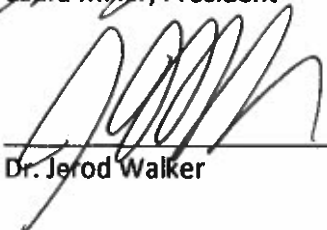
Any action that may be taken by a licensor under division (B)(1) of this section may be taken by a health commissioner or other person employed by the licensor if the person or health commissioner is authorized by the licensor to take the action.

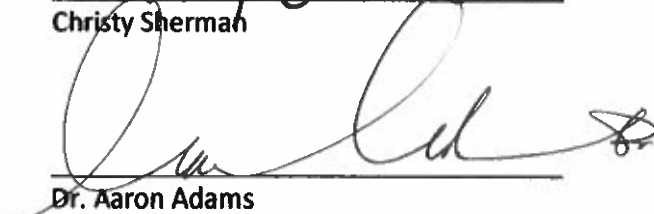
Therefore, *Be It Resolved*, this 14th day of January 2022, the health commissioner, administrator and registered environmental health specialists employed by the Board of Health are authorized by the Board of Health to take any action that the Board may take under Section 3717.49(B)(1) of this division.

Scioto County Board of Health Members:

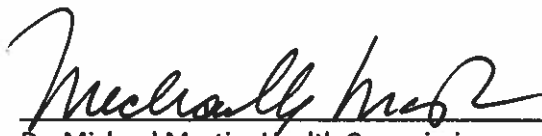
  
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Laura Miller, President

  
\_\_\_\_\_  
Christy Sherman

  
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Dr. Jerod Walker

  
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Dr. Aaron Adams

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Sean Sturgill

  
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Dr. Michael Martin, Health Commissioner