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Scioto County Board of Health Resolution – EH – 22-3

Retail Food Program  
Ohio Revised Code 3717.29 (C)(1)  
**Suspend or Revoke a Retail Food Establishment License –  
Not a Clear and Present 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**, a board of health may suspend or revoke a retail food establishment license on determining that the license holder is in violation of any requirement of this chapter or the rules adopted under it applicable to retail food establishments, including a violation evidenced by documented failure to maintain sanitary conditions within the establishment.

**Whereas**, Section 3717.29(C)(1) states that except in the case of a violation that presents a clear and present danger to the public health, before initiating action to suspend or revoke a retail food establishment license, *the board shall give the license holder:*

- Written notice specifying each violation and a reasonable time within which the license holder must correct each violation to avoid suspension or revocation of the license.
- The board 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 board, the board may initiate action to suspend or revoke the retail food establishment license by giving the license holder written notice of the proposed suspension or revocation. The board 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 board. The license holder shall specify in the notice whether a hearing is requested. The appeal shall be conducted in accordance with Section 3717.29(C)(3) of the Ohio Revised Code.

A health commissioner or other person employed by the board, if the health commissioner or person is authorized by the board to take the action, may take any action that the board may take under division (C)(1) of this section.



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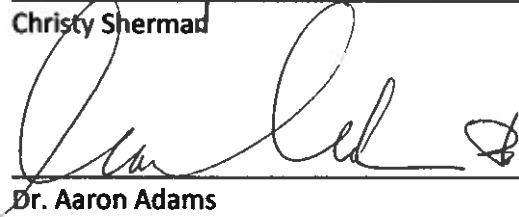
**Therefore, Be It Resolved, this 14th day of January 2022, the health commissioner, administrator and registered environmental health specialists employed by the Board of Health are authorized by the Board of Health to take any action that the Board may take under Section 3717.29(C)(1) of this division.**

**Scioto County Board of Health Members:**

  
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Laura Miller, President

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

  
\_\_\_\_\_  
Dr. Jerod Walker

  
\_\_\_\_\_  
Dr. Aaron Adams

\_\_\_\_\_  
Sean Sturgill

  
\_\_\_\_\_  
Dr. Michael Martin, Health Commissioner