Report of Public Hearing

***Davis County Board of Health Regulation***

Scott Zigich, Hearing Officer

Pursuant to Utah Code Annotated 26A-1-121(1), the Davis County Board of Health held a public hearing on June 28, 2016, to receive public comments concerning adoption of proposed changes to the existing ***Food Service Sanitation Regulation***.

The existing ***Food Service Sanitation Regulation*** establishes practices and provisions for the safe preparation and dispensing of food within Davis County.

The proposed changes to the Board of Health Regulation formally adopt and incorporate by reference the Utah Food Service Sanitation Rule (R392-100). Other regulation changes include allowing increased flexibility for mobile and temporary food establishments, updating fees, and standardizing Department formatting.

Copies of the proposed changes to the Regulation were made available to the public at the Department’s website and the Environmental Health Services Division office located at 22 South State, Clearfield, Utah. Notice of the hearing was published in the Davis County Clipper and the Ogden Standard Examiner, papers of general circulation, on June 16 and June 23, 2016. Notice was also given on the Department’s website and the State of Utah’s public notice website.

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**Hearing Summary:**

The public hearing was held at 5:00 p.m. on June 28, 2016, in Classroom #2021 of the Davis County Health Department, Clearfield, Utah. Written comments were received by the Department at the Environmental Health Services Division until 5:00 p.m. July 5, 2016.

Two public comments were received at the hearing:

**Public Comment 1.** A potential new food establishment owner, Chris Taylor, commented that he supported the changes as they may relate to his application. He also asked some clarifying questions concerning the new regulation and his proposed operation.

***Response:*** *Staff answered his general questions about the new regulation and his application. After their responses, he had no issues with the proposed changes and supported the new regulation. As a follow-up to his questions, staff determined that clarification was needed for the flavored ice facility establishment food limitations.*

**Public Comment 2.** Pam and Tim McLaughlin, owners of the Clearfield Grounds for Coffee, submitted concerns about the current state food rule and how it applies to pets on the “premises.” She requested that the Department continue its current position of allowing pets on the outdoor seating area.

*Response: Currently, because this specific “patio” is not a service area and only provides outdoor seating, the Department does not believe this is a regulated area. Additionally, there has not been a current demand from other facilities relating to pets on the premises so the Department would like to continue to approach this topic on a case-by-case basis. Other local health departments in Utah have started programs that attempt to address this issue and it would be useful to gain insight from their work.*

Additionally, one written comment was received.

**Written Comment 1.** A current restaurant owner, Rick Inman, submitted a request for the Department to provide an “educational,” scheduled first inspection for the first inspection rather than the current unannounced visit.

*Response: Education is a major aspect to all Division inspections. Staff will evaluate this concept with new establishments.*

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**Certification of Hearing:**

I, Scott Zigich, presided over the public hearing for the Davis County Board of Health adoption of the proposed changes to the ***Food Service Sanitation Regulation*** and have approved this Hearing Report Summary.

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_