

## RESOLUTION #2015-135

### **A RESOLUTION AUTHORIZING THE HEALTH COMMISSIONER TO IMMEDIATELY SUSPEND A RETAIL FOOD ESTABLISHMENT OR FOOD SERVICE OPERATION LICENSE IN EMERGENCY SITUATIONS**

WHEREAS, Revised Code Sections 3717.29 and 3717.49 state the licensor may immediately suspend a retail food establishment or food service operation license on determining that a license holder is in violation of any requirement of Chapter 3717 or rules adopted under it applicable to retail food establishments and food service operations, and that the violation presents an immediate danger to the public health; and

WHEREAS, the licensor may suspend the license holder's retail food establishment or food service operation license without giving written notice or affording the license holder the opportunity to correct the violation; and

WHEREAS, the licensor under Revised Code Section 3717.01 means a board of health approved under Section 3717.11; and

WHEREAS, Revised Code Sections 3717.29 and 3717.49 states that a health commissioner may also take any action that may be taken by a licensor if the health commissioner is authorized by the licensor to take the action;

NOW, THEREFORE, BE IT RESOLVED that the Galion City Board of Health hereby authorizes the health commissioner to immediately suspend a retail food establishment or food service operation license as specified in Revised Code Sections 3717.29 and 3717.49, on determining that a license holder is in violation of any requirement of Chapter 3717 or rules adopted under it applicable to retail food establishments and food service operations, and that the violation presents an immediate danger to the public health.

Further, after suspending a license under this authority the health commissioner may, on determining that there is no longer an immediate danger to the public health, lift the suspension without consulting the licensor.

Adopted by the Galion City Board of Health this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Thomas O'Leary  
Mayor/Board of Health President

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Trish Factor  
Health Commissioner