I. Purpose

Establish a Peoria City/County Health Department food program policy and procedure for administrative enforcement and judicial procedures in accordance with Illinois Food Code and Peoria County Code. This procedure has been adopted by the Peoria County Board of Health and implemented to comply with Section 10-22, Correction of Violations, A, of Chapter 10 Food Safety of the Peoria County Code. Other Sections of this Code may also apply to the Peoria City/County Health Department Food Safety Enforcement Procedure.

II. Application

This procedure applies to all food service establishments licensed by the Peoria City/County Health Department.

III. Inspection

Inspections are performed to identify violations and establish the appropriate corrective measures and schedule. Inspections include, but are not limited to routine, follow-up, complaint, request for service, and compliance inspections. Enforcement is based on a progressive approach that begins with providing education and/or information and progresses to a penalty or restriction of a food establishment's operations. When applied consistently to all food establishments, it promotes fair and objective treatment. Any order or enforcement decision must include follow-up by the Health Authority to ensure the enforcement actions result in compliance or lead to further enforcement. This procedure is designed to provide flexibility. It does not dictate what specific actions must occur in each particular situation, but provides options for each level of enforcement. The decision regarding particular actions will be made by the Health Authority, given the specifics of each case. Each decision must be documented in the file.

IV. Definitions

1. Active Managerial Control: A purposeful incorporation of specific action or procedures by industry management into the operation of their business to obtain control over foodborne illness risk factors. This is a preventive rather than reactive approach to food safety through a continuous system of monitoring and verification. This term is used to describe the industry’s responsibility for developing and implementing food safety management systems to prevent, eliminate, or reduce the occurrence of foodborne illness risk factors.

2. Administrative Follow-Up: A means to verify correction of a violation without visiting the establishment.

3. Chronic Violations: A specific Priority or Priority Foundation violation that is documented in three out of five routine inspections (chronologically conducted inspections).
4. Compliance Conference: An informal meeting between an establishment owner or a designated representative, and representatives from the Health Authority, for the purpose of reviewing the severity of observed violations, the need for correction, and consequences of allowing violations to continue. In addition, this meeting is intended to clarify expectations for food protection and sanitation, discuss the consequences of non-compliance, review the licensee’s plan for addressing the violation(s) that led to this action, and establish a corrective action plan, that, if followed, will result in compliance with the Illinois Food Code and Chapter 10, Food Safety, of the Peoria County Code. Compliance Conferences precede informal hearings.

5. Compliance Inspection: A follow-up inspection of a food service establishment conducted as a result of a compliance plan developed during a compliance conference or hearing. It may or may not be a full inspection.

6. Continuous violation: A specific Priority or Priority Foundation violation that is observed during an inspection, is documented, and persists on the next two follow-up inspections without correction. (Example - routine/follow-up/follow-up.)

7. Follow-up Inspection: Inspection(s) deemed necessary to ensure corrective action has been taken to correct Code violations documented during previous inspection(s). A follow-up inspection may be a charged inspection depending on the nature of the Code violations necessitating a follow-up inspection.

8. Hearing: A meeting request received by the Health Authority from the License holder or representative to determine if a food service license should be suspended or revoked; or to determine whether an order from the Health Authority to suspend or revoke food safety license should be withdrawn.

9. License Limitation: The Health Authority may place restrictions on a food establishment’s license, limiting the preparation of food for the purpose of protecting the public’s health. A licensee must be provided an opportunity for an administrative hearing on the issue of the imposition of the license limitation. A licensee may, at any time, request a follow-up inspection of the food service establishment for removing the limitation and re-instating the full license.

10. Recurring Violations: A specific Priority or Priority Foundation violation that is observed during an inspection, is documented, is corrected, and recurs. Two examples of a recurring violation are:
   
   a. The same violation is documented on three consecutive inspections, but the violation is corrected after each documentation, OR

   b. A specific violation that is observed during an inspection, is documented on three of the last five inspections, but need not be on consecutive inspections.

11. Risk Control Plan: A written document developed by the establishment in cooperation with the Health Authority for the purpose of correcting a violation that has been repeated on two or more consecutive inspections. A risk control plan should address what the violation is, why it is a violation, how it will be corrected; as well as methods to ensure it does not occur again. Successful risk control plans are often developed with a team of people instead of individually. They involve training, teaching, and coaching staff on proper procedures. Risk control plans will be reviewed by the Health Authority to determine, if followed, that the risk control plan corrects the violation.
12. Substantial Number: Eight (8) or more violations.

13. Warning Letter: A letter issued by the Health Authority that lists the violations and establishes compliance requirements. This letter can also be a warning that the violation has occurred two times, and the third occurrence will start the formal enforcement process.

V. Violations Posing Imminent Health Hazard

An imminent health hazard is a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury. A condition at the food establishment that the Environmental Health Program Coordinator or Director of Environmental Health determine requires immediate action to prevent endangering the health of the public may also be considered an imminent health hazard.

1. A license holder shall immediately discontinue operations if an imminent health hazard exists including, but not limited to:
   - Damage due to fire, flooding, or severe weather,
   - Lack of power, water, hot water, refrigeration, sewer, or presence of sewage,
   - Severe insect or rodent infestation,
   - Misuse of poisonous or toxic materials,
   - Unchecked foodborne illness outbreak and continued exposure of patrons to disease causing organisms,
   - Gross unsanitary occurrence or condition, or
   - Other circumstances that may endanger public health.

2. If a violation constitutes an imminent health hazard due to conditions which may readily contaminate food and lead to a possible food-borne illness outbreak, the violation must be corrected immediately.

3. If the imminent health hazard cannot be corrected immediately, the Health Authority has the following options:
   a. Embargo the food item(s) or equipment, per Section 10-23B, Chapter 10 Food Safety, of the Peoria County Code;
   b. Voluntary Destruction of food or beverage items, per Section XI of this document;
   c. Suspend license following steps in Section XIII of this document, Procedure for License Suspension and seek voluntary closure.

VI. Documentation and Time Period for the Correction of Violations for Food Safety Inspections Not Posing an Imminent Health Hazard

Assessment is based on the presence of violations at the time of the inspection as well as the history of violations and enforcement. Inspection reports shall convey violations clearly and concisely. The completed inspection report form shall specify the inspection item number, code violation reference, type of violation (P, Pf, or C), nature and location of the violation, recommendations for correction, and if it is a repeat violation. In addition, the person in charge shall be informed of the compliance expectations and time period upon which the violations shall be corrected. Violations cited during an inspection shall be categorized by severity
or type. The establishment's time period for correction of the violations shall be in accordance with the following provisions:

1. **Core Violations (C):** Those violations identified as Core in the Illinois Food Code. Core violations must be corrected by the next routine inspection or a time period agreed upon by the Health Authority, except for the Certified Food Protection Manager as outlined below. If in the opinion of the Health Authority, equipment and/or structural deficiencies will contribute to a potential health hazard or a substantial number of core violations are cited but not corrected during the inspection a thirty (30) day time period for correction may be required rather than the next routine inspection.

Certified Food Protection Manager: To correct this violation, an establishment must provide written proof to the Health Authority that an adequate number of staff are enrolled in an ANSI approved Certified Food Protection Manager course within ten (10) days of the violation and submit proof of successful completion of the exam in the form of a certificate (electronic is acceptable) within thirty (30) days of the violation. Submission of written proof of enrollment and a copy of the certificate may be considered an Administrative Follow-Up.

2. **Food Handler:** To correct this violation, an establishment must provide written proof to the Health Authority that any staff who did not meet this requirement at the time of inspection has done so within thirty (30) days of the violation. Submission of written proof of enrollment and completion may be considered an Administrative Follow-Up.

3. **Allergen Awareness Training:** To correct this violation, an establishment must provide written proof to the Health Authority showing that the allergen awareness training requirement has been met within thirty (30) days of the violation. Submission of written proof of enrollment and completion may be considered an Administrative Follow-Up.

4. **Priority Foundation Violations (Pf):** Those violations identified as priority foundation in the Illinois Food Code. Priority foundation violations must be corrected immediately or within ten (10) days of the inspection, or other specified time frame as determined by the Health Authority. PLEASE NOTE: An Administrative follow-up may be appropriate to verify correction of certain Priority Foundation Violations, including, but not limited to verifying the establishment has a functioning metal stem thermometer.

5. **Priority Violations (P):** Those violations identified as priority in the Illinois Food Code. Priority violations must be corrected immediately, within three (3) business days of the inspection, or other specified time frame as determined by the Health Authority.

6. **Priority and Priority Foundation Violations NOT Posing Imminent Health Hazard:** If Priority and Priority Foundation violations do not pose an imminent health hazard, but cannot be corrected immediately, the Health Authority has the following options for corrective action between the time of inspection and any follow-up deemed necessary:

   a. Issue an Embargo Order to embargo the food item or equipment, per Section 10-23B, of the Peoria County Code, Chapter 10 Food Safety,

   b. Ask the establishment to voluntarily destroy food or beverage items suspected of being tainted/contaminated by harmful pathogens or chemical toxins (Advise Environmental Health Program Coordinator and/or Director of Environmental Health) per Section XI of this document,
c. Move equipment or foods subject to possible contamination, or other immediate corrections, as applicable, or

d. Suspend license following steps in Section XIII when conditions necessitate.

7. Approval of a compliance schedule that extends beyond the time limits specified under this section may occur if a written schedule of compliance is submitted by the license holder and no imminent health hazard exists or will result from allowing an extended schedule for compliance.

VII. Follow-Up Inspections for Priority and Priority Foundation (P/Pf) Violations NOT Corrected During the Initial Inspection

1. 1st Follow-up Inspection. Determines the level of compliance regarding Priority or Priority foundation violations. The Health Authority has the following options or combination of options if Priority or Priority foundation violations noted on the initial inspection still exist at the time of the 1st follow-up inspection:

   a. Issue an Embargo Order to embargo the food item or equipment if it was not done during initial inspection or continue the Embargo Order on the food item or equipment, per Section 10-23B, of the Peoria County Code, Chapter 10 Food Safety,

   b. Ask the establishment to voluntarily destroy food or beverage items suspected of being tainted/contaminated by harmful bacteria or chemical toxins (Advise Environmental Health Program Coordinator and/or Director of Environmental Health) per Section XI of this document,

   c. Suspend license following steps in Section XIII when conditions constitute an imminent health hazard,

   d. Work with the establishment to develop a risk control plan or other activity to assist with regaining active managerial control with corrective action dates and follow-up actions, if applicable, and or

   e. Grant additional time of ten (10) business days or less if justifiable and good faith is being demonstrated by the license holder/person in charge. The additional time may only be granted if the existence of the violation does not create an imminent health hazard (as defined in this procedure).

2. 2nd Follow-up Inspection. Determines the level of compliance regarding Priority or Priority foundation violations at the end of the granted time period. The Health Authority has the following options if Priority or Priority Foundation Violations noted on the initial inspection still exist at the time of the 2nd follow-up inspection:

   a. Any of the options outlined above in Section 1 of this part,

   b. Continue the Embargo Order of the food item or equipment if one was issued during previous inspection(s) per Section 10-23B, of the Peoria County Code, Chapter 10 Food Safety,

   c. Send a warning letter outlining the violations and compliance requirements, including time periods, and advising that continued non-compliance will start the formal enforcement process.
Warning letters shall be sent by certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge, and or

d. Refer to the Environmental Health Program Coordinator and/or Director of Environmental Health to determine further action and/or proceed with a Compliance Conference.

3. 3rd Follow up Inspection. Determines the level of compliance regarding Priority or Priority foundation violations at the end of the granted time period. The Health Authority has the following options if Priority or Priority Foundation Violations noted on the initial inspection still exist at the time of the 3rd follow-up inspection:

   a. Continue the Embargo Order of the food item or equipment if one was issued during previous inspection(s) per Section 10-23B, of the Peoria County Code, Chapter 10 Food Safety,

   b. Work with the establishment to develop a risk control plan or other activity to assist with regaining active managerial control, if applicable,

   c. Send a warning letter outlining the violations and compliance requirements, including time periods, and advising that continued non-compliance will start the formal enforcement process. Warning letters shall be sent by certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge, AND

   d. Refer to the Environmental Health Program Coordinator and/or Director of Environmental Health to determine further action and/or proceed with a Compliance Conference.

4. If time periods for corrective actions outlined in a warning letter are not met or good faith efforts are not being made, refer establishment to the Environmental Health Program Coordinator and or Director of Environmental Health for a compliance conference.

5. Administrative Follow-Up: Documentation may be submitted to the Health Department within the allotted time frame given for correction from a reputable repair service (licensed or certified to make repair) indicating corrections have been made or other Department approved documentation, including, but not limited to photographs or receipts. If the correction requires repairs, the documentation must be on the service company’s letterhead with the license/certificate number of repair person and indicate how the violation was corrected. This type of follow-up may be used for correcting Pf violations such as metal stem thermometers or other violations not deemed necessary for a site visit, unless a site visit was necessary for another violation. If an administrative follow-up occurs, it shall be documented in CDP on a mobile inspection form under administrative follow-up.

VIII. Core Violations

1. Core Violations not corrected at the time of inspection require correction by the next routine inspection, unless deemed necessary to correct in a shorter time frame.

2. Additional time may be granted for correction up to one year if in the opinion of the Health Authority the extension of time to correct certain equipment and/or structural deficiencies will not contribute to a potential public health hazard. A warning letter outlining the violations and compliance requirements and advising that continued non-compliance will start the formal enforcement process shall be sent by certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge.
3. If in the opinion of the Health Authority, equipment and/or structural deficiencies may contribute to a potential health hazard or substantial number of core violations are cited but not corrected during the inspection a thirty (30) day time period for correction may be granted.

4. If repeat violations still exist at the end of the time period extension a referral to the Environmental Health Program Coordinator and/or Director of Environmental Health to decide further action. If warranted, a Compliance Conference will be scheduled to determine further action.

5. **Due to the number or level of noncompliance with Core violations which create unsanitary conditions**, the Health Authority may suspend the license following steps in Section XIII of this document, Procedure for License Suspension. If this situation occurs, it may be necessary to send a warning letter and or have a Compliance Conference.

IX. **Repeat Violations - continued noncompliance for Priority and Priority Foundation Violations:**

1. Continuous violation:
   
   a. Send a warning letter outlining the violations and compliance requirements, including time periods, and advising that continued non-compliance will start the formal enforcement process. Warning letters shall be sent by certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge, and

   b. Work with the establishment to develop a risk control plan or other activity to assist with regaining active managerial control, if applicable.

2. Recurring Violations: See above option 1. a. above.

3. Chronic Violations: See above option 1. a. above.

X. **General**

For the purpose of this section, repeats include all violations, not just Risk Factor Violations.

1. All Compliance letters, including warning letters, shall be copied to the license holder at an alternate address, if applicable, and shall be sent by certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's. Compliance correspondence must also be provided to the State’s Attorney’s Office.

2. If an establishment’s inspection indicates ten (10) or more Risk Factor Violations the establishment shall receive a ten (10) day full follow up inspection and be referred to the Environmental Health Program Coordinator and or Director of Environmental Health for a Compliance Conference.

3. If an establishment’s inspection indicates six (6) – nine (9) Risk Factor Violations with or without five (5) – ten (10) repeat violations, the following actions shall be taken:

   a. A ten (10) day full follow-up inspection shall be conducted,

      i. If the ten (10) day full follow up inspection results in six (6) or more Risk Factor violations the establishment shall be referred to the Environmental Health Program Coordinator and/or Director of Environmental Health for a Compliance Conference.
ii. If the ten (10) day full follow up inspection indicates three (3) or more Risk Factor violations and a substantial number of GRP violations the establishment shall be referred to the Environmental Health Program Coordinator and/or Director of Environmental Health for a Compliance Conference.

b. Work with the establishment to develop a risk control plan or other activity to assist with regaining active managerial control, if applicable, and

c. Send a warning letter outlining the violations and compliance requirements, including time periods, and advising that continued non-compliance will start the formal enforcement process. Warning letters shall be sent by certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge before the ten (10) full follow-up inspection is conducted.

4. If an establishment has two (2) consecutive inspections with six (6) or more Risk Factor violations the establishment shall receive a ten (10) day full follow up inspection.

   a. If the ten (10) day full follow up inspection results in six (6) or more Risk Factor violations the establishment shall be referred to the Environmental Health Program Coordinator and/or Director of Environmental Health for a Compliance Conference.

   b. If the ten (10) day full follow up inspection indicates three (3) or more Risk Factor violations and a substantial number of Good Retail Practice (GRP) violations the establishment shall be referred to the Environmental Health Program Coordinator and/or Director of Environmental Health for a Compliance Conference.

5. If an establishment’s inspection indicates zero (0) – three (3) Risk Factor Violations and six (6) – ten (10) repeat violations, a warning letter shall be sent outlining the violations and compliance requirements, including time periods, and advising that continued non-compliance will start the formal enforcement process by certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge.

6. If an establishment’s inspection indicates zero (0) – five (5) Risk Factor Violations and eleven (11) or more repeat violations, the establishment shall receive a ten (10) day full follow up inspection and be referred to the Environmental Health Program Coordinator and or Director of Environmental Health for a Compliance Conference.

7. If an establishment fails to comply with the Certified Food Protection Manager, Food Handler Training Requirement, or Allergen Awareness Training Requirement during two (2) consecutive inspections, a warning letter shall be sent certified mail or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge outlining the time period for correction and advising that failure to comply within the time period will start the formal enforcement process.

XI. Procedure Voluntary Destruction

If conditions exist, i.e., foods out of temperature, spoiled, contaminated, etc…:
1. The Health Authority shall ask person in charge to place items in the trash and pour bleach or other
denaturing substance on the food or destroy the food by other means deemed appropriate, i.e., garbage
disposal.

2. Document all items with approximate amount/weight on voluntary destruction form and have person in
charge sign.

3. If person in charge refuses to discard the food items:
   a. Document refusal,
   b. Embargo food items per Section XII of this document, and
   c. Notify Environmental Health Program Coordinator or Director of Environmental Health.

4. Advise the establishment that the food must be destroyed or they must provide laboratory testing to prove
the food is safe for human consumption at their own expense.

5. Continued use of the food will result in license suspension and potential permanent license revocation.

6. The Director will consult with the State’s Attorney for legal action.

XII. Procedure for Embargo

Any food item or equipment may be embargoed, per Section 10-23B of Chapter 10 Food Safety, of the Peoria
County Code which states the following:

The Health Authority may, upon written notice to the owner or person in charge, place an embargo on any
food or equipment which the Health Authority believes is in violation of Chapter 10, Food Safety. The
Health Authority shall tag, label, or otherwise identify any food or equipment subject to the embargo. It shall
be unlawful for any person to move or alter an embargo notice or tag placed on food or equipment by the
Health Authority.

1. No food subject to an embargo shall be used, served, or moved from the food establishment. The Health
Authority shall permit storage of the food under conditions specified in the embargo, unless storage is not
possible without risk to the public health. In such cases the Health Authority shall require the denaturing
or destruction of the food.

2. Where equipment used in the preparation of food products is found to be in a state of disrepair, unsafe,
unsuitable for use, or unsanitary, such equipment shall be taken out of use and an embargo placed on said
items by the Health Authority. Such equipment shall not be returned to service until written permission is
obtained from the Health Authority. Such equipment will not be altered, disposed of, or destroyed
without permission of the Health Authority or authorized representative except on an order by a court of
competent jurisdiction.

3. The license holder may make a written request to the Health Authority for a hearing within five (5)
business days of receiving the embargo. Such requests shall be made directly to the Health Authority. If
no such request is made within this time period, the food subject to the embargo shall be destroyed. A
hearing shall be held, if so requested. Based on the evidence produced at that hearing the embargo may
be vacated, or the owner or person in charge of the food or equipment may be directed by written order to
denature or destroy such food or equipment or to bring it into compliance with the provisions of Chapter 10, Food Safety.

4. If the license holder has not made a written request to the Health Authority for a hearing within five (5) business days of receiving the embargo a follow up inspection shall be conducted and the items must be destroyed or removed from the premise. If there is a repair order or proof that the equipment is being repaired it can remain in the establishment with the embargo, and a follow-up inspection will be made within a time-frame based on the repair order.

If conditions exist that require food item(s) or equipment to be embargoed:

1. The Health Authority shall advise the person in charge what is being embargoed, why it is being embargoed, and that it must remain embargoed until the food(s) is deemed safe through laboratory testing at the establishment’s expense or the equipment has been repaired and approved to use by the Health Authority.

2. Document specifics of all items being embargoed, including, but not limited to what, the amount, and the location.

3. Print embargo tag(s) and place on item(s) being embargoed. If unable to print embargo tags, a supplemental inspection form may be used.

4. The Health Authority shall require the person in charge to attach the embargo tag on item(s) prior to completion of the inspection.

5. If person refuses to embargo item(s):
   a. Document,
   b. Suspend the license per Section XIII of this document,
   c. Inform the Environmental Health Program Coordinator and or Director of Environmental Health, and
   d. Advise the person in charge failure to discard, repair, and or have laboratory testing (food items only) to prove safe to use at their own expense may result in permanent license revocation, and a referral to the State’s Attorney’s Office for further legal action.

XIII. Procedure for Suspension of Food Safety License (Closure)

1. A food safety license may be suspended for any reason outlined in Section 10-38, of Chapter 10 Food Safety of the Peoria County Code.

2. Failure to comply with any notice regarding violations which pose imminent health hazards or repeat violations issued in accordance with Chapter 10 Food Safety of the Peoria County Code may result in the immediate suspension of the food safety license.

3. If the Health Authority deems suspension of the food safety license may be warranted due to imminent health hazards or other conditions that may cause potential harm to consumers, he/she must immediately contact the Environmental Health Program Coordinator or Director of Environmental Health to discuss the action.
4. If suspension of the food safety license remains the recommended action upon discussion with the Environmental Health Program Coordinator or Director of Environmental Health, the Health Authority shall note the request on inspection report. The time and date of the request must be noted on these forms. The Health Authority shall review the conditions pertinent to the existence of an imminent health hazard or other conditions relevant to suspension of the food safety license with the establishment's owner/person in charge and request voluntary closure. Documentation must also include conditions for follow-up inspection and resumption of operations.

5. Removal of license. The Health Authority must remove the food safety license from the establishment if possible, when license suspension is deemed necessary.

6. The establishment shall be given the option to close voluntarily.
   a. If the establishment agrees to close voluntarily it shall be documented on the inspection form and the Voluntary Closure form shall be completed.
   b. If voluntary closure is refused, the License is still considered suspended, and
      i. The Health Authority shall document such action on the inspection report form and return to the Health Department to provide the Environmental Health Program Coordinator or Director of Environmental Health with all applicable inspection reports and information.
      ii. The Environmental Health Program Coordinator or Director of Environmental Health will contact the State's Attorney's Office for an injunction or other legal remedy.

7. Closure by injunction or other legal remedy. If closure is warranted, but the establishment does not close voluntarily, the Health Authority shall inform the license holder/person in charge that the State's Attorney will be contacted to have an injunction or other legal remedy issued for the cessation of all operations. Once this occurs the State's Attorney's Office may have to be involved in gaining approval to resume operations which could increase the amount of time the establishment will be required to remain closed.

XIV. License Reinstatement Following License Suspension

1. Time Frame for Follow-Up Inspection

   After receiving a written request from the license holder that the conditions cited in the license suspension order no longer exist, the Health Authority shall conduct an inspection of the food establishment for which the license was suspended within two (2) days during which the Health Authority’s office is open to the public. Flexibility may be exercised for establishments that have had their License suspended for unforeseen emergency (i.e. natural disaster, boil order, fire) situations.

2. Term of Suspension, Reinstatement of License

   A suspension shall remain in effect until the conditions cited in the notice of suspension no longer exist and their elimination has been confirmed by the Health Authority through a follow-up inspection and other means as appropriate.
3. The suspended license shall be reinstated immediately if the Health Authority determines that the public health hazard or nuisance no longer exists. A notice of reinstatement shall be provided to the license holder or person in charge.

4. Establishments that have had their License suspended for reasons other than an unforeseen emergency (i.e. natural disaster, boil order, fire) situation shall be subject to the license reinstatement fee instead of a Follow-up Inspection fee.

XV. Compliance Conference

1. Pre-conference meeting: The Health Authority will conduct a review of previous inspections with the Environmental Health Program Coordinator. The Environmental Health Program Coordinator will brief the Director of Environmental Health.

2. A certified letter or other approved method by the Department that enables tracking of the delivery to the establishment's licensee/person in charge requesting his/her attendance for a compliance conference before the Environmental Health Program Coordinator and Director of Environmental Health shall be sent.

3. The letter shall state the date, time, and location of the compliance conference.

4. The Sanitarian will work with the Environmental Health Program Assistant to secure a meeting location for the date and time of the compliance conference.

5. A meeting with the Sanitarian, Environmental Health Program Coordinator and Director of Environmental Health to discuss the inspection history and potential outcome must be scheduled at least two (2) days prior to the compliance conference.

6. Findings. Environmental Health Program Coordinator/or Director of Environmental Health shall make a finding based on the information presented at the conference and shall sustain, modify or rescind any notice or order considered at the Compliance Conference.

7. If the owner/person in charge fails to attend the Conference, the Health Authority may require the suspension of the food license.

8. A certified letter or other approved method by the Department that enables tracking of the delivery shall be delivered to the licensee/person in charge stating the findings of the Compliance Conference, requirements for correction, and outline a time-frame for follow-up inspection(s) of the establishment.

9. Compliance inspection(s) of the establishment shall be performed by the Health Authority as outlined in the compliance plan developed during the Compliance Conference.

10. License Limitation: The agency may place restrictions on a food service license, limiting the preparation of food for the purpose of protecting the public’s health. A licensee must be provided an opportunity for an administrative hearing on the issue of the imposition of the license limitation. A licensee may, at any time, request a follow-up inspection of the food service establishment for removing the limitation and reinstating the full license.
XVI. Revocation of License

1. If any of the circumstances below occur, the Sanitarian will advise the Environmental Health Program Coordinator who will in turn advise the Director of Environmental Health. If license revocation is warranted, the Director of Environmental Health will make a referral to the Public Health Administrator and the revocation process as outlined in Chapter 10 Food Safety of the Peoria County Code will be followed.

   a. An establishment’s food safety license is suspended for non-compliance two (2) times during a twelve-consecutive-month period.

   b. An establishment has two (2) or more compliance conferences during a twelve-consecutive-month period and fails to meet the agreed upon compliance plan.

2. The License Holder or representative will be advised of the right to a hearing pursuant to Section 10-40 Hearing, in Chapter 10, Food Safety of the Peoria County Code.

3. If a hearing is requested, the hearing will be conducted in accordance with the Peoria City/County Health Department Health Authority Environmental Hearing Procedures.

4. Closure by injunction or other legal remedy. If closure is warranted by the final decision of the revocation hearing, but the establishment fails to cease operations and close, the Health Authority shall inform the license holder/person in charge that the State's Attorney will be contacted to have an injunction or other legal remedy issued for the cessation of all operations.

XVII. Conditions Not Addressed

These procedures are intended to be administrative guidelines for Health Department personnel in the conduct of their duties. It is understood that in the interest of protecting the public's health, the Health Authority may deviate from these guidelines based on their professional judgment. If a decision is made to not adhere to these guidelines, personnel shall document the conditions that necessitated the deviation and the underlying factors that influenced that finding.

In order to protect the public's health, the Health Department reserves the right to impose additional regulatory health protection requirements beyond those outlined in these guidelines if conditions warrant such action.

This procedure was adopted by the Peoria County Board of Health on the 25th day of June 2018, and will be effective July 1, 2018.