

1 **A RESOLUTION OF THE FULTON COUNTY BOARD OF COMMISSIONERS TO APPROVE A**
2 **MODIFICATION OF THE FULTON COUNTY BOARD OF HEALTH'S FEES FOR**
3 **ENVIRONMENTAL HEALTH SERVICES TO ADDRESS MOBILE FOODS SERVICES**
4 **ESTABLISHMENTS WITH ACTIVE PERMITS FROM OTHER JURISDICTIONS OPERATING**
5 **WITHIN FULTON COUNTY; TO PROVIDE FOR THE COLLECTION BY THE FULTON**
6 **COUNTY BOARD OF HEALTH OF AN ADMINISTRATIVE FEE IN FULTON COUNTY; AND**
7 **FOR OTHER PURPOSES.**

8
9 **WHEREAS**, the Official Code of Georgia (the "Code") provides that the Fulton County
10 Board of Health has the authority pursuant to O.C.G.A. § 31-3-4 to "establish fees for the provision
11 of public health services provided by county boards of health, including but not limited to
12 environmental health services, which fees may be charged to persons or to establishments and
13 premises within the county for inspection of such establishments, premises, structures and
14 appurtenances thereto" and that all such "fees approved by the county board of health shall also
15 be approved by the district director of health;" and

16 **WHEREAS**, pursuant to O.C.G.A. § 31-3-4(a)(6), "No fees for environmental health
17 services may be charged unless the schedule of fees for such services has been approved by
18 the county governing authority;" and

19 **WHEREAS**, effective as of January 1, 2023, via House Bill 1443, the Georgia Legislature
20 amended Title 26, Chapter 2, Article 13 of the Code, in pertinent part, "to provide that mobile food
21 service establishments that have active permits may operate in the county of origin and in one or
22 more counties other than its county of origin without obtaining an additional permit; ... to provide
23 for inspections of mobile food service establishments by other counties; to provide for
24 administrative and inspection fees; and for other purposes;" and

25 **WHEREAS**, to comply with House Bill 1443, the District Health Director approved and
26 recommended to the Board of Health a modification of the Fee Schedule of the Environmental
27 Services Division of the Fulton County Board of Health (attached hereto as Exhibit A);

28 **WHEREAS**, the modification serves to (1) remove the annual inspection fees associated
29 with mobile food service establishments with active permits in other Georgia counties that can
30 now operate in Fulton County withing having to obtain a Fulton County permit, (2) remove the fee

1 associated with the Fulton County Board of Health's plan review for mobile food service
2 establishments with active permits in other Georgia counties, and (3) establish a new fee to
3 compensate the Fulton County Board of Health for its administrative costs associated with
4 researching the permitting and compliance status in the county of origin; and

5 **WHEREAS**, on January 25, 2023, the Fulton County Board of Health passed and adopted
6 a Resolution of the Fulton County Board of Health to Approve the Modification of the Fee
7 Schedule of the Environmental Health Services Division to Provide an Administrative Fee in
8 Fulton County for Mobile Food Service Establishments Permitted in Another County; to Seek
9 Approval of Said Modification from the Fulton County Board of Commissioners; and For Other
10 Purposes (attached hereto as Exhibit B).

11 **WHEREAS**, pursuant to the authority granted by O.C.G.A. § 31-3-4(a)(6), the Fulton
12 County Board of Commissioners finds that it will be in the best interest of the health and safety of
13 its residents to adopt the proposed modifications recommended by the Fulton County Board of
14 Health to the fee schedule for environmental health services; and

15 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners
16 hereby approves the modified Fee Schedule of the Fulton County Board of Health for
17 Environmental Health Services, as set forth in Exhibit A attached hereto and incorporated herein
18 by reference.

19 **BE IF FINALLY RESOLVED**, that this Resolution and Fee Schedule shall become
20 effective 30 days after its adoption, and that all resolutions and parts of resolutions in conflict with
21 this Resolution are hereby repealed to the extent of the conflict.

22 **SO PASSED AND ADOPTED**, this 1st day of March, 2023.

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FULTON COUNTY BOARD OF COMMISSIONERS

Chairman Robert L. Pitts

ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney

[https://fc0365.sharepoint.com/sites/CountyAttorney/CALegislation/County Manager/BOC Resolution to Approve Fee Revision for EH Division of BOH re Mobile Food Service Establishments \(FINAL\).docx](https://fc0365.sharepoint.com/sites/CountyAttorney/CALegislation/County%20Manager/BOC%20Resolution%20to%20Approve%20Fee%20Revision%20for%20EH%20Division%20of%20BOH%20re%20Mobile%20Food%20Service%20Establishments%20(FINAL).docx)

EXHIBIT A

**Fulton County Board of Health
Environmental Health Section
Proposed Modification**

SERVICE NUMBER	DESCRIPTION	FEE
DESCRIPTION - FOODSERVICE		
1	New Facility Plan Review Risk Type I (include Mobile Foodservice Operation with Base and Unit in Fulton)	450.00
2	New Facility Plan Review Risk Type II (include Mobile Foodservice Operation with Base and Unit in Fulton)	600.00
3	New Facility Plan Review Risk Type III (include Mobile Foodservice Operation with Base and Unit in Fulton)	750.00
4	Administrative Fee for Existing Facility Change of Ownership or Name Change with NO Changes to Menu, Equipment or Structure	250.00
5	Plan Review for Existing Facility (Major: Any structural or equipment changes involving floors, walls, ceilings, plumbing, etc.)	350.00
6	Plan Review for Existing Facility (Minor: Equipment relocation, resurfacing, menu change requiring additional equipment or space, etc.)	200.00
7	HACCP/Variance Review for Existing Facility	150.00
8	Plan Resubmission (plan revision after 1 st free re-submittal)	250.00
9	Assessment for a Letter of Approval for a Vendor at a Pop -up Foodservice Operation	150.00
10	Assessment for a Letter of Approval for a Facilitator of a Pop -up Foodservice Operation Location	300.00
11	Mobile Foodservice Unit/Extended Foodservice Unit Base of Operations Assessment (for permitted food service establishments only)	150.00
12	Mobile unit administrative research fee for mobile units permitted outside of Fulton County	75.00
13	Non-profit Inspection Fee per Vendor	100.00
14	Temporary Foodservice Organizer Plan Review	300.00
15	Temporary Foodservice Plan Review	200.00
16	Temporary Foodservice Inspection Fee (1-7 Day Event)	100.00 (permit & opening inspection)
		37.00/ day- Risk Type I 73.00 / day - Risk Type II
17	Temporary Foodservice Inspection Fee (8 -14 Day Event)	200.00 (permit & opening inspection)
		37.00/ day - Risk Type I 73.00/ day - Risk Type 11

**Fulton County Board of Health
Environmental Health Section
Proposed Modification**

18	Annual Foodservice Inspection Fee (Risk Type I - add \$100 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	450.00
19	Annual Foodservice Inspection Fee (Risk Type II - add \$150 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	600.00
20	Annual Foodservice Inspection Fee (Risk Type III - add \$150 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	750.00
21	Provisional Permit Fee (All Risk Types)	200.00
22	Mobile/Extended Foodservice Unit (Outside of Fulton County) Inspection Fee	300.00
23	Re-inspection Fee at Owner's Request (for a better score after receiving a passing score)	700.00
DESCRIPTION - LAND USE		
24	Sub division Lot Review	200.00/ lot
25	Residential Lot Site Review	200.00
26	Commercial Lot Site Review	300.00
27	Site Assessment Visit for Project Development (e.g., Environmental Assessment Requests, Road Widening, etc.)	300.00/ site visit or 300.00/ acre
28	New Residential OSSM Construction Permit with Inspection	300.00
29	New Commercial OSSM Construction Permit with Inspection up to 2000 gallons/ day	450.00
30	New Commercial OSSM Construction Permit with Inspection over 2001 gallons/day	600.00
31	Residential Repair or Modification Review, Permit & Inspection	250.00
32	Residential Minor Repair (non-absorption field related) Permit & Inspection	200.00
33	Commercial Repair or Modification Review, Permit & Inspection	300.00
34	Existing System Evaluation (no permit issued)	200.00
35	Re-inspection of OSSM Construction Installation (if unapproved at first inspection)	125.00
36	Septic or Portable Sanitation Pumper Truck Inspection & Permit	400.00

**Fulton County Board of Health
Environmental Health Section
Proposed Modification**

37	Plan Re-submission Review (after 1 st free re-submittal)	250.00
38	Well Location Review & Permit (includes one sample if requested)	250.00
39	Well Water Sampling for Fecal Coliform	110.00
40	Septic Tank Contractor Certification Test with Proctoring	110.00
DESCRIPTION - PUBLIC SWIMMING POOLS		
41	Plan Review for Pool less than or equal to 1000 square feet (new, renovation or major modification) & Construct Permit (includes piping pressure test inspection)	525.00
42	Plan Review for Pool 1001 to 2000 square feet (new, renovation or major modification) & Construction Permit (includes piping pressure test inspection)	600.00
43	Plan Review for Pool greater than or equal to 2001 square feet (new, renovation or major modification) & Construction Permit	1200.00
44	Plan Review for Pool with Features (diving board, play features, slide, etc.)	Add 150.00
45	Plan Review for Change of Ownership or Name Change without Modifications or Renovation (Hydraulic Equipment Review Required)	250.00
46	Plan Re-submission Review (after 1 st free re-submittal)	250.00
47	Piping Pressure Test Re-inspection	200.00
48	Annual Inspection Fee for Seasonal Pool with Operational Permit	525.00
49	Annual Inspection Fee for Year Round Pool with Operational Permit	700.00
50	Re-inspection Fee (after 1 st free re-inspection for Unsatisfactory Compliance)	250.00
51	Re-inspection Fee (Requested by Owner after Satisfactory Score)	700.00
52	Certified Pool Contractor Test / Re-test	220.00
53	Contractor Certification / Re-certification Fee	110.00
DESCRIPTION - TOURIST ACCOMMODATIONS		
54	Plan Review for 1 to 20 Rooms	375.00
55	Plan Review for 21 to 50 Rooms	525.00

**Fulton County Board of Health
Environmental Health Section
Proposed Modification**

56	Plan Review for 51 to 100 Rooms	675.00
57	Plan Review for More than 100 Rooms	825.00
58	Plan Re-submission (after 1 st free re-submittal)	250.00
59	Plan Review for Existing Facility (Remodel)	300.00
60	Administrative Fee for Change of Ownership or Name Change with no Remodel)	250.00
61	Annual Inspection Fee (1-20 Rooms)	475.00
62	Annual Inspection Fee (21-50 Rooms)	650.00
63	Annual Inspection Fee (51-100 Rooms)	775.00
64	Annual Inspection Fee (101+ Rooms)	900.00
65	Re-inspection Fee (Requested by Owner after receiving passing score)	700.00
DESCRIPTION - BODY ART		
66	Plan Review for New Establishment or Major Modification/ Renovation to Existing Establishment	700.00
67	Administrative Fee for Change of Ownership (no changes to structure, equipment layout, renovations, etc.)	300.00
68	Plan Re-submission (after 1 st free re-submittal)	350.00
69	Annual Inspection Fee for Body Art Facility	550.00
70	Re-inspection Fee (Requested by Owner after passing score)	700.00
71	Body Art Exam/ Re-examination Fee	125.00
72	Body Artist License	150.00
73	Body Artist License Transfer Fee	150.00
74	Guest Body Artist License	75.00/week
75	Temporary Body Art Establishment Permit (1-7 days)	400.00
DESCRIPTION - SOLID WASTE PLAN REVIEW		
76	Solid Waste (up to 7 cubic yards)	200.00
77	Solid Waste (8 to 32 cubic yards)	220.00
78	Solid Waste (33 to 56 cubic yards)	300.00
79	Solid Waste (57 to 80 cubic yards)	350.00


**Fulton County Board of Health
Environmental Health Section
Proposed Modification**

80	Solid Waste (81+ cubic yards)	450.00
DESCRIPTION – MISCELLANEOUS FEES		
81	Administrative Fee for Record Search	15.00 per hour
82	Late Fee (for any invoice)	20.00/day (max double fee)
83	Special Event (Nonprofit & For Profit) Plan Review (No food vendors)	100.00
84	Operating without a Valid Permit	Double Fee
85	Administrative Fee for Liquor License Application Review (Any Type of Facility)	220.00
86	Replacement of Lost Permit or License	125.00
87	On Site Consultation	125.00
88	Return Check Fee	51.00
89	Re-stamping of Previously Approved Plans	125.00
90	Plan Review Service or Inspection Fee for Government (Any Program)	0.00

Approved and Recommended By:


Lynn Paxton, M.D., District Health Director

Date 1/24/23


Brandon Leftwich, Dr.PH

Date 1.24.23

EXHIBIT B

**RESOLUTION OF THE FULTON COUNTY BOARD OF HEALTH TO APPROVE THE
MODIFICATION OF THE FEE SCHEDULE OF THE ENVIRONMENTAL HEALTH SERVICES
DIVISION TO PROVIDE AN ADMINISTRATIVE FEE IN FULTON COUNTY FOR MOBILE
FOOD SERVICE ESTABLISHMENTS PERMITTED IN ANOTHER COUNTY; TO SEEK
APPROVAL OF SAID MODIFICATION FROM THE FULTON COUNTY BOARD OF
COMMISSIONERS; AND FOR OTHER PURPOSES**

WHEREAS, the Official Code of Georgia ("the Code") provides that the Fulton County Board of Health has the authority pursuant to O.C.G.A. § 31-3-4 to "establish fees for the provision of public health services provided by county boards of health, including but not limited to environmental health services, which fees may be charged to persons or to establishments and premises within the county for inspection of such establishments, premises, structures and appurtenances thereto" and that all such "fees approved by the county board of health shall also be approved by the district director of health;" and

WHEREAS, pursuant to O.C.G.A. § 31-3-4(a)(6), "No fees for environmental health services may be charged unless the schedule of fees for such services has been approved by the county governing authority;" and

WHEREAS, effective as of January 1, 2023, via House Bill 1443, the Georgia Legislature amended Title 26, Chapter 2, Article 13 of the Code, in pertinent part, "to provide that mobile food service establishments that have active permits may operate in the county of origin and in one or more counties other than its county of origin without obtaining an additional permit; ... to provide for inspections of mobile food service establishments by other counties; to provide for administrative and inspection fees; ... and for other purposes;" and

WHEREAS, the District Health Director has approved and recommended to the Board of Health the modification of the Fee Schedule of the Environmental Health Services Division in order to compensate the Fulton County Board of Health for its administrative costs associated with researching the permitting status and ensuring compliance with other local rules for mobile food service establishments that are not originally permitted in Fulton County, pursuant to House Bill 1443, attached hereto as Exhibit A; and

WHEREAS, the modification will serve to remove the annual inspection fees associated with mobile food service establishments permitted in other Georgia counties, and further, to

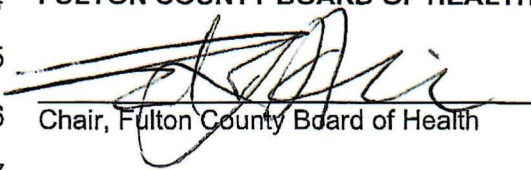
1 remove the fee associated with the Fulton County Board of Health's plan review for mobile food
2 service establishments permitted in other Georgia counties.

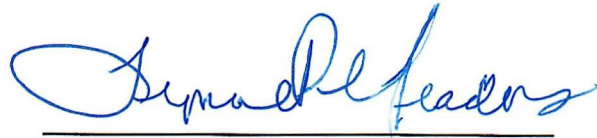
3 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Health hereby
4 approves and adopts the modified Fee Schedule for the Environmental Health Services Division
5 as set forth in Exhibit A herein.

6 **BE IT FINALLY RESOLVED**, that this Resolution and Fee Schedule shall become
7 effective 30 days after approval by the Fulton County Board of Commissioners, and that all
8 resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the
9 extent of the conflict.

10 **SO PASSED AND ADOPTED** by the Fulton County Board of Health, this 25th day of
11 January, 2023.

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14 **FULTON COUNTY BOARD OF HEALTH**

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16 _____
Chair, Fulton County Board of Health



Secretary, Fulton County Board of Health

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18 Approved as to Form:

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20 _____
Attorney, Fulton County Board of Health

**Fulton County Board of Health
Environmental Health Section
Proposed Modification**

SERVICE NUMBER	DESCRIPTION	FEE
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9	Assessment for a Letter of Approval for a Vendor at a Pop -up Foodservice Operation	150.00
10	Assessment for a Letter of Approval for a Facilitator of a Pop -up Foodservice Operation Location	300.00
11	Mobile Foodservice Unit/Extended Foodservice Unit Base of Operations Assessment (for permitted food service establishments only)	150.00
12	Mobile Foodservice Unit from Outside County or Extended Foodservice Unit Connected to a Permitted Foodservice In County Plan Review	300.00
12	<u>Mobile unit administrative research fee for mobile units permitted outside of Fulton County</u>	<u>75.00</u>
13	Non-profit Inspection Fee per Vendor	100.00
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Effective April 1, 2022

Numbering corrections made 1.12.23

**Fulton County Board of Health
Environmental Health Section
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22	Mobile/ Extended Foodservice Unit (Base of Operations located in a different county) Annual Inspection Fee	300.00
22	<u>Mobile/Extended Foodservice Unit (Outside of Fulton County) Inspection Fee</u>	<u>300.00</u>
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**Fulton County Board of Health
Environmental Health Section
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**Fulton County Board of Health
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**Fulton County Board of Health
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87	On Site Consultation	125.00
88	Return Check Fee	51.00
89	Re-stamping of Previously Approved Plans	125.00
90	Plan Review Service or Inspection Fee for Government (Any Program)	0.00

Approved and Recommended By:


Lynn Paxton, M.D., District Health Director

1/24/23
Date


Brandon Leftwich, Dr.PH

1.24.23
Date