



# Fulton County

## Legislation Text

File #: 23-0160, Version: 1

### Department

County Manager

### Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution of the Fulton County Board of Commissioners to approve a modification of the Fulton County Board of Health's Fees For Environmental Health Services to address changes in law regarding mobile foods services establishments with active permits from other jurisdictions operating within Fulton County; to provide for the collection by the Fulton County Board of Health of an administrative fee in Fulton County; and for other purposes. Effective 30 days from BOC approval. **(APPROVED)**

### Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

O.C.G.A. § 26-3-379, effective January 1, 2023, provides in part that mobile food service establishments are no longer required to obtain a food service permit in each county in which they operate and may instead obtain a permit in one home county known as the base of operations, and that the county boards of health that are responsible for permitting and inspections in other counties where the mobile food service establishments operate may charge an administrative fee for confirming legal compliance in the county serving as the base of operations.

O.C.G.A. § 31-3-4(a)(6) provides, in pertinent part, that "No fees for environmental health may be charged unless the schedule of fees for such services has been approved by the county governing authority." These fees are collected by the Board of Health and utilized solely by the BOH.

### Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

**Health and Human Services**

### Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

### Is this a purchasing item?

No

**Summary & Background** *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

The County Manager's Office recommends approval from the Board of Commissioners of the Updated Fee Schedule for Environmental Health Services provided by the Fulton County Board of Health, as approved by the District Health Director and the Board of Health at the January 25, 2023, regular quarterly board meeting. The Fee Schedule revisions follow a change to Georgia law allowing mobile food service establishments, such as food trucks, to obtain a permit to operate in one home county rather than having to obtain a full permit in each county in which they operate, and providing the boards of health in the counties where they operate outside their base of operations to charge administrative fees for the work they will have to do to confirm the validity and good standing of the permit in the home county. The proposed revisions to the fee schedule: (1) provide for an administrative research fee, because the Board of Health has the administrative responsibility to confirm a food truck's good standing in other counties; and (2) reflect that food trucks no longer are required to have annual inspections by each county in which they operate, but may be inspected by another authorized county upon request. The Fulton County Board of Health's District Health Director and its Board of Directors have approved the fee schedule changes provided herein, as required by O.C.G.A. § 31-3-4(a)(6).

**Scope of Work:**

**Community Impact:** The proposed action will comply with current law, which facilitates the operation of food trucks across counties.

**Department Recommendation:** Approve.

**Project Implications:**

**Community Issues/Concerns:** Click or tap here to enter text.

**Department Issues/Concerns:** The Fulton County Board of Health anticipates a decrease in revenues due to this change in the law.

**Contract Modification** *(Delete this chart only if the Requested Action is for a NEW award. Simply insert the text "New Procurement." If the Requested Action is for a Contract Modification ((Renewal, Amendment, Change Order, Extension, Increase Spending Authority)), the chart should remain and be completed.)*

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount			\$.00
1st Renewal			\$.00
2 <sup>nd</sup> Renewal			\$.00
Extension #1			\$.00
Total Revised Amount			\$.00

**Contract & Compliance Information** *(Provide Contractor and Subcontractor details.)*

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

**Contact Information** *(Type Name, Title, Agency and Phone)*

Dr. Brandon Leftwich, Director of Environmental Health Division of Fulton County Board of Health,  
404-613-8834

**Contract Attached**

Choose an item.

**Previous Contracts**

Choose an item.

**Total Contract Value**

Original Approved Amount:

Previous Adjustments:

This Request:

TOTAL:

**Grant Information Summary**

Amount Requested:

Match Required:

Start Date:

End Date:

Match Account \$:

- ☐ Cash
- ☐ In-Kind
- ☐ Approval to Award
- ☐ Apply & Accept

**Fiscal Impact / Funding Source**

**Funding Line 1:**