

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

June 23, 2020

FROM

CORWIN PORTER, Interim Director, Department of Public Health

SUBJECT

Reinstatement of Expiration Dates for Permits Issued by Environmental Health Services for Facilities Effected by the Acting Health Officer Orders and the Governor's Order In Response to the Coronavirus 2019 Pandemic

RECOMMENDATION(S)

Authorize the Department of Public Health, Division of Environmental Health Services to reinstate permit expiration dates for facilities effected by the order issued by the Acting Health Officer and the Governor due to the Coronavirus 2019 pandemic, commencing on July 1, 2020 or when the facility is reopened as San Bernardino County proceeds through the Stages of the California Roadmap.

(Presenter: Corwin Porter, Interim Director, 387-9146)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

On average, the Department of Public Health, Division of Environmental Health Services (EHS) bills approximately \$325,000 in permit fees per month. With permit expiration dates being suspended for more than three months, EHS is anticipating a revenue loss of over \$1,000,000 through the end 2019-20.

BACKGROUND INFORMATION

California Retail Food Code Sections 114381, 114387 and 114390, state food facilities must obtain a health permit to operate. San Bernardino County Code Section 33.0102 gives enforcement authority to EHS to enforce the California Health and Safety Code provisions pertaining to Environmental Health and other relevant sections of State law. EHS permits and inspects facilities where food is prepared, eaten, sold or stored, as well as public swimming pools and spas, including those at gymnasiums, to ensure they are in compliance with health and safety codes and are authorized to charge fees sufficient to cover actual expense of administering and enforcing.

San Bernardino County Code Sections 16.0213B(b) and 16.0213B(g-h) authorize fees collected for inspection permits for facilities such as dine-in restaurants, drive-thru establishments, gyms (swimming pools) and health centers, movie theaters, and bars.

In an effort to protect the public from any possible spread of Coronavirus (COVID-19), the Acting Health Officer ordered the cancellation of all gatherings of any number starting March 17,

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2020, which financially and operationally impacted all food and beverage establishments, gyms, health clubs and recreational pools and spas. On March 24, 2020 (Item No. 67), the Board of Supervisors approved the extension of permit expiration dates for facilities effected by the Health Officer order for a time equal to that of the duration of the order. On May 23, 2020, the State approved San Bernardino County's COVID-19 Variance and Attestation Form, modifying the Stay-At-Home order and proceeding into Stage 2 of the California Roadmap. This approval allowed businesses within Stage 2 to reopen with modifications. With businesses reopening, EHS will begin inspecting reopened facilities to ensure compliance with Health and Safety regulations and additional modifications related to COVID-19. Commencing July 1, 2020, EHS will reinstate the permit expiration dates that were extended for facilities that are now operational. The expiration dates of all affected permits will be extended by 4 months, with the ability to defer payment, if necessary, an additional 60 days without penalties. EHS will not recover the lost fees in 2020-21 fiscal year.

The permit extension would continue for all other facilities that remain closed including, but not limited to, tattoo facilities, non-medical massage facilities and community pools. As the remaining facilities are granted approval to reopen, their new expiration date will be issued.

Approval of this item will allow the Department of Public Health to reinstate permit expiration dates, which have helped mitigate the financial impact businesses have experienced due to the COVID-19 pandemic.

PROCUREMENT

NA

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Jennifer Mulhall-Daudel, Contracts Manager, 388-0241) on June 2, 2020; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on June 8, 2020; Finance (Paul Garcia, Administrative Analyst, 386-8392) on June 8, 2020; and County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on June 8, 2020.

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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Josie Gonzales Seconded: Robert A. Lovingood
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 23, 2020



cc: File- Public Health
la 06/30/2020