



Ohio Administrative Code

Rule 3701-21-02 License.

Effective: April 2, 2015

(A) During the month of February of each year, and not later than March first, except as hereinafter provided, every operator of a food service operation proposing to operate during any part of the licensing year shall apply for a license for that year from the board of health of the health district in which the food service operation is located.

This provision shall apply to all food service operations except seasonal food service operations, mobile food service operations, temporary food service operations, and new food service operations opened for business subsequent to March first of each year. All licenses issued to a food service operation expire pursuant to division (C) of section 3717.43 of the Revised Code.

(B) An application for a license to operate a new food service operation during any part of the year shall be filed as hereinafter provided not less than ten days before the food service operation is opened for business. If proper application has been made, the facility layout and equipment specifications have been approved and complied with on the final inspection, and all items are in compliance with Chapter 3717. of the Revised Code and Chapter 3717-1 of the Administrative Code, the ten-day waiting period may be waived and the license issued.

(C) The operator of a mobile food service operation shall make application for a license to the board of health of the health district in which the operator's business headquarters are located. The operator of a mobile food service operation whose business address is located outside of Ohio shall make application for a license to the board of health having jurisdiction over the operator's first Ohio location in any one licensing year. A food service license issued to an operator of a mobile food service operation by an approved health district, as provided in Chapter 3717. of the Revised Code, shall be recognized by all other licensors in this state.

(D) The operator of a food service operation shall make written application for a license to the licensor on an application form prescribed by the director of health which shall contain all pertinent information related to the portions of the premises utilized for the food service operation.



(E) Fees for issuing and renewing food service operation licenses, determined by the licensor in accordance with section 3717.45 of the Revised Code, may be levied upon each food service operation. These fees shall be used solely for paying the expense of the administration and enforcement of Chapter 3717. of the Revised Code and Chapter 3717-1 of the Administrative Code and this chapter.

(1) In determining the amount of the annual license fee, the licensor shall use the categories established by rule 3701-21-02.1 of the Administrative Code and the cost analysis established by rule 3701-21-02.2 of the Administrative Code.

(2) If a license fee as prescribed under this paragraph is not filed with the licensor or postmarked on or before the date it is due, a penalty of twenty-five per cent of any such fee shall be imposed and paid.

(3) Fees authorized or charged under this paragraph shall be in lieu of all food service operation license and inspection fees required by the licensor on or with respect to the operation of, ownership of or employment by food service operations within this state, except as provided in paragraph (C) of rule 3701-21-02.1 of the Administrative Code.

(F) For each food service operation license issued the following applicable amount shall be collected and transmitted by the licensor to the director of health for deposit in the general operations fund created in section 3701.83 of the Revised Code and used for administering and enforcing Chapter 3717. of the Revised Code, Chapter 3717-1 of the Administrative Code, and this chapter:

(1) Twenty-eight dollars for each license that the licensor issues under the fee category specified in paragraphs (A)(1), (A)(2), and (A)(4) of rule 3701-21-02.1 of the Administrative Code;

(2) Fourteen dollars for each license that the licensor issues under the fee category specified in paragraph (B)(1) of rule 3701-21-02.1 of the Administrative Code; and

(3) Six dollars for each license that the licensor issues under the fee category specified in paragraph (A)(5) of rule 3701-21-02.1 of the Administrative Code.



(G) The operator of a food service operation that caters shall make application for a license to the board of health of the health district in which the operator's kitchen is located. A food service license issued to an operator of a catering food service operation by a licensor, as provided in section 3717.43 of the Revised Code, shall be recognized by all other licensors in this state. The operator of a food service operation that caters shall maintain a copy of the license at each catered event.

(H) A licensee shall display the license for that food service operation at all times at the licensed location.

Each operator of a mobile food service operation shall conspicuously display the name of the operation, the city of origin, and area code and telephone number on the exterior of the mobile unit. The name and city of origin of the food service operation shall be displayed with individual lettering measuring at least three inches high and one inch wide.