

## POTENTIAL ADDITIONAL MEASURES AUGMENTING WHAT'S ALLOWED UNDER MEHKO PROVISIONS

ACTION		POTENTIAL PROVISIONS	REASONS TO CONSIDER	OTHER CONSIDERATIONS
<b>A. ADMINISTRATION</b>				
1.	Permitting and Inspection	<ol style="list-style-type: none"> <li>1. Require annual renewal of the permit with one annual routine inspection; and</li> <li>2. Allow only one permit per dwelling; and</li> <li>3. Require property owner's consent prior to permit if a rental; and</li> <li>4. Require permit fees as established by the Board.</li> </ol>	<ul style="list-style-type: none"> <li>• Ensure ongoing compliance with state and local requirements.</li> <li>• Reduce potential nuisances that may be created by multiple MEHKO permits at a single dwelling.</li> <li>• Ascertain that property owner is aware of the business.</li> <li>• Recover cost of the program.</li> </ul>	<ul style="list-style-type: none"> <li>• Some additional time and expense for both the Department and operator.</li> <li>• May be prohibitive for some tenants to obtain owner's permission.</li> </ul>
2.	Reporting	Provide an annual report to the Board of Supervisors.	Keep BOS apprised of implementation issues and any recommended amendments.	Additional Department administrative time to prepare report.
<b>B. BUSINESS OPERATIONS</b>				
3.	Annual compliance audit	Verify gross sales and number of meals on annual basis through one or more of following: <ol style="list-style-type: none"> <li>1. Proof of income and daily/weekly number of meals submitted with permit renewal; or</li> <li>2. Supply upon request to Environmental Health during an inspection; or</li> <li>3. Third party verification, such as a Certified Public Accountant, submitted by operator;</li> <li>4. Self-certification by operator.</li> </ol>	Ensure MEHKO is operating within the statutory limitations of no more than \$50,000 annual gross receipts (CPI adjusted) and no more than 30 meals/day or 60 meals/week. Compliance with this limitation grants a MEHKO from complying with certain zoning, building and fire code requirements.	<ul style="list-style-type: none"> <li>• Cost to operator to maintain and verify data.</li> <li>• Data may be difficult to obtain from operators and may increase staff time/cost.</li> <li>• Not a typical inspector role. May need fiscal staff to assist.</li> </ul>
4.	Business license	Require proof of a business license in MEHKOs home jurisdiction prior to issuance of the food permit.	<ul style="list-style-type: none"> <li>• Ensure business license has been obtained for retail sales.</li> <li>• Assists in addressing nuisance provisions within (or added to) a Business License Ordinance.</li> </ul>	<ul style="list-style-type: none"> <li>• County's Business License requirements only enforceable in unincorporated area.</li> <li>• Cities would be responsible to enforce their Business License requirements.</li> </ul>

## POTENTIAL ADDITIONAL MEASURES AUGMENTING WHAT'S ALLOWED UNDER MEHKO PROVISIONS

ACTION		POTENTIAL PROVISIONS	REASONS TO CONSIDER	OTHER CONSIDERATIONS
5.	Taxes	<ol style="list-style-type: none"> <li>Self-certification that tax payer identification obtained from Franchise Tax Board or other form of identification used and that MEHKO operator will file taxes; or</li> <li>Notification of Solano County Assessor's Office when MEHKO applies for initial Permit.</li> </ol>	To ensure that a MEHKO is paying sales taxes for a retail business operation.	<ul style="list-style-type: none"> <li>Additional staff time.</li> <li>Purview of Franchise Tax Board to ensure tax payments occurring.</li> <li>Unique to MEHKOs; not done for any other food facility.</li> </ul>
<b>C. FOOD SOURCE</b>				
6.	Address source of food to ensure not funded by government subsidy or charitable sources	<ol style="list-style-type: none"> <li>Require Self-Certification by operator; or</li> <li>Require MEHKO to maintain and submit food purchase records, including receipts, either a) upon request, or b) annually with permit renewal.</li> </ol>	To ensure that a MEHKO does not use a subsidized or charitable food source for business income.	<ul style="list-style-type: none"> <li>Difficult to verify independently.</li> <li>Increased staff time for Department and MEHKO operator.</li> </ul>
<b>D. EDUCATION</b>				
7.	Update Food Certificate and Food Handler Information	Require notification of any change in trained food handlers within specified time period by the MEHKO operator.	Ensure MEHKO maintains trained individuals between inspections.	Additional time for staff and operator to mail/review/file information.
<b>E. NUISANCE</b>				
8.	Nuisance Provisions	<ol style="list-style-type: none"> <li>Clarify creation of public nuisance is grounds to suspend or revoke the permit.</li> <li>Provide specific nuisance remedies, such as the ability to file nuisance abatement lawsuit and/or injunctive relief. Consider adoption of administrative fines.</li> <li>Add specific nuisance provisions to Business License Ordinance (Solano County Code, Chapter 14).</li> <li>Prohibit exterior signs.</li> </ol> <p>Cities can adopt similar nuisance provisions in their jurisdiction, but are not obligated to do so.</p>	<ul style="list-style-type: none"> <li>Provide mechanisms to address and abate any nuisances created by MEHKOs.</li> <li>Sign prohibition allows a MEHKO to continue operation in a residential area without zoning restrictions and ensures no visible nuisance.</li> </ul>	<ul style="list-style-type: none"> <li>County nuisance ordinances will not extend to the cities.</li> <li>Definition of what constitutes a nuisance may result in either: 1) Unintended consequences on other businesses and uses unless specific to MEHKOs, or 2) Open door to spurious neighbor complaints.</li> </ul>