

481—30.5(137F) Penalty and delinquent fees.

30.5(1) Food establishment licenses and food processing plant licenses that are renewed by the licensee after the license expiration date shall be subject to a penalty of 10 percent of the license fee per month. A license shall only be renewed if it meets the requirements set forth in subrule 30.3(5).

30.5(2) A person who opens or operates a food establishment or food processing plant without a license is subject to a penalty of up to twice the amount of the annual license fee.

30.5(3) A person who violates Iowa Code chapter 137F or these rules shall be subject to a civil penalty of \$100 for each violation.

a. For the department, prior to the assessment of any civil penalties, the licensee shall have the opportunity for a hearing conducted by the appeals division in the department of inspections and appeals.

b. For contractors, licensees shall have the opportunity for a hearing before the local board of health as required in rule 481—30.13(10A). If the hearing is conducted before the local board of health, the licensee may appeal to the department.

c. If the licensee does not appeal pursuant to rule 481—30.13(10A), the assessment shall become final after 15 days.

This rule is intended to implement Iowa Code sections 137F.4, 137F.9 and 137F.17.