



Memorandum

TO: WHATCOM COUNTY COUNCIL
SATPAL SIDHU, COUNTY EXECUTIVE

FROM: Champ Thomaskutty, Whatcom County Health and Community Services Director

DATE: MAY 11, 2026

RE: Revising Whatcom County Code Chapter 24.03 Food Service Rules and regulations

Requested Action

Whatcom County Health and Community Services respectfully request that the County Council approve the attached proposed ordinance and code revision pertaining to retail food service establishments in Whatcom County.

The requested changes include:

- Updating references and definitions;
- Removing outdated language; and
- Amending permit suspension language to support a more educational and less punitive approach for retail food establishment regulation.

Background

Whatcom County Health and Community Services (WCHCS) is responsible for enforcing the provisions of WAC 246-215, the Washington State Retail Food Code. WCC 24.03 adopts WAC 246-215 by reference. In addition, WCC 24.03 establishes the duration of a food establishment permit and enforcement criteria.

WAC 246-215-8600 provides for broad authority to suspend a food establishment permit. WCHCS seeks to more clearly define the circumstances when a food establishment will be suspended. WCHCS recognizes that permit suspension dramatically impacts a business. WCHCS intends that permit suspension is used only when:

- An imminent health hazard exists;
- Obstruction of a food inspector has occurred; or
- Repeated high risk violations occur.

Funding

These proposed changes to WCC 24.03 will not affect the budget for WCHCS. No additional funding is requested and no additional revenue is anticipated as a result of the proposed code revisions.

Please call Tom Kunesh at ext. 6034 if there are any questions. Thank you.