

To: Whom It May Concern

From: Rutherford-Polk-McDowell Health District

Subject: Collection of Fees for Temporary Food Establishments

Date: August 15, 2009

Effective August 15, 2009, all health departments will begin collecting a fee of \$75.00 for each Temporary Food Establishment (TFE) permit issued. G.S. 130A-248 (d) states that the Department shall charge each establishment subject to this section a fee of \$75.00. The Attorney General staff has determined that TFE are foodservice facilities and are subject to the fees set forth in this statute. The fee is charged for each permit issued.

A Temporary Food Establishment means those food or drink establishments which operate for a period of 15 days or less, in connection with a fair, carnival, circus, public exhibition, or other similar gathering. A new permit is issued each time there is a change of location or special event or if there is a change in operation. Any person who falls into this category will be required to submit the attached application and completed drawing of the layout of the establishment, along with the \$75.00 fee to the Health Department at least 14 days prior to the event.

If the application and the fee are not submitted by the specified time, due to unforeseen reasons, then a phone contact must be made to the Environmental Health Specialist in the county that the vendor wishes to operate. If no contact is made or the fee is not paid prior to the day of the event, a permit will not be issued. There will be no collection of fees in the field by any representatives of this agency.

Establishments that are **exempt from the TFE permit** include those that are incorporated as nonprofit corporations or that are exempt from federal income tax under the Internal Revenue Code as defined in G.S. 105-228.90, or that are political committees as defined in G.S. 163-278.6 (14) and that prepare or serve food or drink for pay no more frequently than once a month for a period not to exceed two consecutive days. If the applicant falls into this category, then an application still must be submitted along with a letter of tax exempt status from the IRS or N.C. Department of Revenue specifying such and giving the tax exempt identification number. **No fee will be required.**

A complete packet of information is attached with this memo, including the application, the TFE rules, and information guide. Please read all information and return only what is required to be returned and retain the other portion for your reference. Every effort will be made by this agency to assist you on the date of your event.

For additional information please contact the Health Department at the number below.

Rutherford 828-287-6317 Polk 828-894-8004 McDowell 828-652-2921

***PAYMENT OF FEE DOES NOT GUARANTEE THAT A PERMIT WILL BE ISSUED.**

INFORMATION TO SEND BACK TO THE HEALTH DEPT