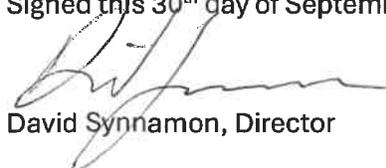


FOOD SERVICE SANITATION HEARING REQUEST REGULATIONS

The following regulations are hereby established by the City of Allentown Director of Health under the authority of Chapter 303 section 303.1 of the codified ordinances of the City of Allentown.

- A. Response to Notice of Hearing. A person who receives a notice of hearing for an administrative conference and elects to respond to the notice shall file a response to notice within 10 calendar days in accordance with the most current edition of the FDA Model Food Code.
- B. Disposition of license application. A license applicant may request a hearing regarding the disposition of an application for a new or revised license if the Allentown Health Bureau does not issue or deny the license within 60 days.
- C. Denial of application. A license holder may request a hearing to address concerns about the Allentown Health Bureau's denial of application for a license, or request for a variance, or compliance actions except that a hearing request does not stay the Bureau's restriction or exclusion of employees, a hold order, or the imposition of a summary suspension.
- D. Response to denial of application. A person desiring a hearing in response to a denial of an application for license or an adverse administrative determination shall submit a hearing request to the Bureau within 10 calendar days of the date of the denial, inspection, or compliance action, unless the Bureau specifies in certain situations that the request shall be submitted within a shorter period of time.
- E. Required form and contents. A response to a hearing notice or a request for hearing shall be in written form and contain the following:
 - a. If a response to notice of hearing,
 - i. An admission or denial of each allegation of fact;
 - ii. A statement as to whether the respondent waives the right to a hearing; and may also contain
 - iii. A statement of defense, mitigation, or explanation concerning any allegation of fact; and
 - iv. d. A request to the Bureau for a settlement of the proceeding by consent agreement, if the Bureau will provide this opportunity.
 - b. If a request for a hearing,
 - i. A statement of the issue of fact for which the hearing is requested; and
 - ii. A statement of defense, mitigation, denial, or explanation concerning each allegation of fact.
 - c. If either a response to notice of hearing or a request for a hearing,
 - i. A statement indicating whether the presence of witnesses for the Bureau is required; and
 - ii. The name and address of the respondent's or requester's legal counsel, if any.

Signed this 30th day of September, 2024.


David Synnamon, Director