



www.orangecountync.gov

Environmental Health Services
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Application for Verification of Permit Exempt Status for Food Preparation and Lodging Facilities

In order to claim an exemption from a lodging or a food service permit, this application will need to be filled out and submitted along with appropriate proof of exemption as detailed in this document.

APPLICATION FOR EXEMPTION FROM A FOOD SERVICE PERMIT

Please Print

Applicant Name: _____

Business/Organization Name: _____

Mailing Address: _____

City/State/Zip : _____

Phone1 : _____

Phone2 : _____

Email: _____

Property owner and contact information if different from above

Operating Location Address: _____

Hours / Days of Operation: _____

Water Supply: Public Water Well Other (explain) _____

Wastewater Disposal Septic System Public Sewer

Proposed food menu items (Use additional sheets if necessary) _____

Please indicate the proposed exemption from permitting by checking the appropriate section and providing the requisite documentation

Exemption from Lodging Permit NCGS 130A-248(a1)

- Four (4) or fewer lodging units -130A-250(1)
- Condominium - 130A-250(2)
- Boarding house or rental to permanent houseguest - 130A-250(3)*¹
- Private Homes with occasional food / lodging \leq 2 week duration for special events
130A-250(4)²

Exemption from Food Service Permit NCGS 130A-248

- Private club - 130A-250 (5)
 - Provide copy of the organization's charter showing:
 - selective membership,
 - operation by membership
 - no food/lodging provided to non-members except guests
 - establishes either non-profit or tax exempt status
- Curb market operated by the State Agricultural Extension Service - 130A-250 (6)
- Incorporated as nonprofit corporation in accordance with Chapter 55A of the General Statutes 130A-250 (7)
 - Prepares or serves food or drink for pay
 - No more frequently than once a month for a period not to exceed two consecutive days
 - All proceeds are returned to the non-profit entity
 - Provide declaration from the NC Secretary of State (919) 807-2000
 - www.secstate.state.nc.us/
- Exempt from federal income tax under the Internal Revenue Code, as defined in G.S. 105-228.90 130A-250 (7)
 - Prepares or serves food or drink for pay
 - No more frequently than once a month for a period not to exceed two consecutive days
 - Provide documentation of 501(c)(3) approval or similar exemption from the Internal Revenue Service
- Political committee as defined in G.S. 163-278.6(14) 130A-250 (7)
 - Prepares or serves food or drink for pay
 - No more frequently than once a month for a period not to exceed two consecutive days

¹ A food service permit will apply when food is served or prepared to 13 or more regular boarders or permanent houseguests who are disabled or who are 55 years of age or older.

² Excluding bed and breakfast homes or bed and breakfast inns

Recommendations for Exempt Organizations

Although you may be exempt from permitting, it is recommended that use "best management practices" to insure the safety of your patrons. Please contact us at (919) 245-2360 if there are any questions or concerns.

- Food stands should be located in clean surroundings and kept in a clean and sanitary condition. They should be constructed and arranged to protect food, utensils, and equipment from insects, dust, and other contamination. Protection against flies and other insects should be provided by screening or by effective use of fans.
- There needs to be an effective barrier between the public and the food preparation, cooking, and display areas.
- All equipment and utensils (griddles, warmers, spatulas, tongs, refrigerators, etc.) should be cleaned routinely and maintained in a sanitary manner.
- Running water under pressure should be provided. The water supply needs to be from an approved source. Provisions should be made for heating water for the washing of utensils and equipment. At least a single vat sink, large enough in which to wash cooking utensils, pots, and pans, should be provided. At least one drain board or counter top space should be provided.
- Food workers need to have a place in the immediate area to wash their hands. A sink is preferable, but if not available, a pan, soap, running water, and single-use towels will do.
- Convenient and approved toilet facilities should be provided for use by employees. Public toilet facilities provided on the grounds are acceptable if reasonably convenient, adequate, and kept clean.
- Facilities for patrons to wash their hands should be provided. Sewage must be disposed of in an approved manner.
- Adequate provisions must be made to maintain temperature control of perishable foods. Potentially hazardous foods should be refrigerated at 45 degrees or less. Holding temperatures of hot foods must be above 140 degrees.
- Containers with lids need to be provided for garbage and trash. Garbage needs to be removed at least daily and disposed of in an approved container. Each operator should keep his immediate premises clean.
- All food served should be clean, wholesome, and free from adulteration and from an approved source.
- Food prepared off site should be prepared in an approved kitchen. The vendor needs to maintain a record of the type and origin of all foods. Foods need to be transported and stored to maintain temperature requirements and protect food form contamination.
- Volunteers or workers that are sick, or have boils or wounds must not be allowed to work in the food stand in any capacity.

More information is available at our website www.co.orange.nc.us