



Environmental Health Services Substantive Policy Statement SPS-EHS-2015-01

Substantive Policy Statements

Substantive Policy Statements (SPS's) are written expressions that are strictly advisory and inform the general public of the Pinal County Environmental Health Services Department's current approach to, or opinion of, the requirements of ordinances or regulations, including, where appropriate, the Department's current practices, procedures or methods of action based on that approach or opinion. In accordance with A.R.S. §11-1601, SPS's do not include internal procedural documents that only affect internal procedures of the Department and do not impose additional requirements or penalties on regulated parties or confidential information.

Enforcement Policy

Chapter I of the Pinal County Environmental Health Code provides multiple options for enforcement action to help gain compliance. There are either civil or criminal routes that may be taken in the enforcement process.

The intent of the Pinal County Public Health Services District, Environmental Health Services is to be flexible and use the enforcement scenario most applicable to the specific situation. Factors considered by the department when determining appropriate enforcement action include:

1. The seriousness of the violation.
2. The history of the violation.
3. The duration of the violation as established by credible evidence.
4. Any good faith efforts to comply with the applicable requirements.
5. Previous enforcement actions taken for the same violation.
6. Other factors affecting the health and safety of the community.

Generally, for routine violations of the health code, notice will be given with an opportunity for compliance within a specified timeframe prior to enforcement action being taken. However, for more significant violations and/or violations which have an imminent or serious health or safety impact on the community, enforcement action may be immediate and substantial, including immediate suspension and closure of a permitted establishment, criminal charges, or civil penalties. Significant violations of this nature include, but are not limited to:

1. Operating a permitted establishment in the presence of an imminent health hazard.
2. Operating an establishment without the required permit.
3. Operating an establishment beyond the scope of application or limit of approval.
4. Public Health or Environmental Nuisances that pose an imminent health hazard or safety risk.