

# Restaurant Complexity Determination

Restaurant complexity and license type is determined solely by a scoring/assessment system. The following criteria have been determined by the state and each factor carries a score of 1.

Questions & Specifications
<input type="checkbox"/> The restaurant contains a self-service salad or food bar.
<input type="checkbox"/> The restaurant handles raw poultry, meat, or seafood.
<input type="checkbox"/> The seating capacity of the restaurant or operation is 50 or more.
<input type="checkbox"/> Food is served through a drive through window for food pickup.
<input type="checkbox"/> The restaurant promotes delivery of ready-to-eat food products to customers.
<input type="checkbox"/> Potentially hazardous foods are cooled, reheated, or hot or cold held for service longer than 4-hours.
<input type="checkbox"/> Food is prepared in one location and then transported to be served in another location.
<input type="checkbox"/> The restaurant contains or uses banquet facilities as well as main dining area.
<input type="checkbox"/> Food is served that requires preparation activities such as chopping, dicing, slicing, boiling and blanching in order for that product to be served.
<input type="checkbox"/> Has the facility been previously ordered closed by the health department?
<input type="checkbox"/> Has the facility had a foodborne outbreak with the previous licensing year?

Establishments with a score of 0 will have a prepackaged or low complexity license. Establishments with a score from 1-4 are moderate complexity. Establishments with scores of 5 or above require a high complexity license. The following was taken directly from the state restaurant code, ATCP 75:

ATCP 75.105 Department fees. (1) DEFINITION. In this subsection, “seating capacity” means the number of seats available for use by restaurant patrons.

(2) RESTAURANT PERMIT CATEGORY ASSIGNMENT. (a) 1. Except with respect to a prepackaged restaurant, a temporary restaurant, or a mobile restaurant base with no food preparation, the department shall assign a restaurant to a permit category by evaluating the complexity of the restaurant based on the criteria specified in Table ATCP 75.105 A.

2. A restaurant whose point value equals zero, shall be included in the simple permit category.

3. A restaurant whose point value is at least one but not greater than 4 shall be included in the moderate permit category.

4. A restaurant whose point value equals 5 or greater shall be included in the complex permit category.

5. A restaurant that has been ordered closed by a state or local health department or that has caused a foodborne outbreak within the previous licensing year shall be included in the complex category.

**Table ATCP 75.105 A  
Determination of Restaurant Permit Category**

Complexity factors	Points
Food is not prepared until an order is placed.	0
Food items are held hot for one meal period or for a maximum of 4 hours, whichever is less.	0
Food preparation is limited to mixing together prepackaged products that do not need to be cooked further except for aesthetic reasons, or to condiment preparation (such as slicing pickles and onions).	0
The restaurant contains a self-service salad or food bar.	1
The restaurant handles raw poultry, meat, or seafood.	1
The seating capacity of the restaurant or operation is 50 or more.	1
Food is served through a drive through window for food pickup.	1
The restaurant promotes delivery of ready-to-eat food products to customers.	1
Potentially hazardous foods are cooled, reheated, or hot or cold held for service longer than 4 hours.	1
Food is prepared in one location and then transported to be served in another location.	1
The restaurant contains or uses banquet facilities as well as main dining area.	1
Food is served that requires preparation activities such as chopping, dicing, slicing, boiling, and blanching in order for that product to be served.	1