

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2128. Access to Premises and Due Notice.

After the Health Inspector presents official credentials and provides notice of intent to inspect the establishment or premises during the hours of operation or other reasonable time, the person in charge shall permit the Health Inspector access, either in the company of an employee or otherwise, to all persons employed by, and to all parts of the establishment or premises, and shall permit examination and copying of any and all records, to insure compliance with this Act and the regulations promulgated there under. If the person in charge denies access to the Health Inspector, the Health Inspector shall inform the person in charge that:

(a) the holder of a sanitary permit is required to allow access to Health Inspectors as specified under § 2128 of this Act; and

(b) access to the establishment or premises is a condition of maintaining a sanitary permit to operate an establishment specified in 3 CMC § 2122.

If, after the Health Inspector presents this information, the person in charge is still unwilling to grant access to the establishment or premises, the Health Inspector shall schedule a hearing within ten working days to suspend the sanitary permit on the basis of being unable to conduct an inspection. The Health Inspector shall note in the inspection report the details surrounding the person in charge's refusal to grant access to the establishment or premises.

Source: PL 12-48, § 3 (2128), modified.