

## Administration

1769 E. Moody Blvd Bldg 2  
Bunnell, FL 32110



[www.flaglercounty.org](http://www.flaglercounty.org)

Phone: (386)313-4001

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March 15, 2019

Captain's Bait, Tackle & BBQ, LLC

Location: 5862 N. Oceanshore Blvd., Palm Coast, FL 32137

Mailing: 113 Island Estates Parkway, Palm Coast, FL 32137

Subject: Notice to Cure

Dear Sirs:

You are hereby notified that you are required to cure certain circumstances noted in an inspection dated March 1, 2019 issued by the Division of Hotels and Restaurants. A copy of the inspection is attached hereto.

Specifically, Flagler County notes that the inspection indicated that there are 118 seats. The present lease, dated June 6, 2016, that you are operating under sets a 100 seat maximum. The County directs an immediate reduction to 100 seats until the issues concerning the septic capacity are addressed and cured.

With regard to prior approval of the septic tank system for only 60 seats, we understand that the rated capacity of the present system for "single service seats" per the Health Department is 80 seats. However, this seating capacity is not reflected in a permit modification from the Health Department.

As you further are aware, the County is taking the caretaker's house offline because it will no longer be used.

Regardless of the circumstances, you will be required to seek a modification that meets state codes should you wish to exceed 60 seats. Accordingly, you must cure the finding that the septic tank system capacity has been exceeded within 90 days of this date.

Sincerely,



Jerry Cameron  
County Administrator

Approved as to form:



Albert J. Hadeed

Charles Ericksen, Jr.  
District 1

Greg Hansen  
District 2

David Sullivan  
District 3

Joe Mullins  
District 4

Donald O'Brien Jr.  
District 5

**ATTACHMENT 1 - 3/1/2019 Health Dept Report**

<https://www.myfloridalicense.com/inspectionDates.asp?licid=5231088>



**Licensee**

Name:	<b>CAPTAINS BAIT TACKLE &amp; BBQ</b>	License Number:	<b>SEA2800760</b>
Rank:	<b>Seating</b>	License Expiration Date:	<b>06/01/2019</b>
Primary Status:	<b>Current</b>	Secondary Status:	<b>Active</b>
Location Address:	<b>5862 N OCEANSHORE BLVD PALM COAST, FL 32137</b>		

**Inspection Information**

Inspection Type	Inspection Date	Result	High Priority Violations	Intermediate Violations	Basic Violations
Complaint Full	03/01/2019	Follow-up Inspection Required Violations require further review, but are not an immediate threat to the public.	2	0	2

**More information about inspections.**

**Violations:**

A summary of the violations found during the inspection are listed below. The department cites violations of Florida's sanitation and safety laws, which are based on the standards of U.S. Food and Drug Administration's Food Code. High Priority violations are those which could contribute directly to a foodborne illness or injury and include items such as cooking, reheating, cooling and hand-washing. Intermediate violations are those which, if not addressed, could lead to risk factors that contribute to foodborne illness or injury. These violations include personnel training, documentation or record keeping and labeling. Basic violations are those which are considered best practices to implement. While most establishments correct all violations in a timely manner (often during the inspection), the division's procedures are designed to compel compliance with all violations through follow-up visits, administration action or closure when necessary.

<u>Violation</u>	<u>Observation</u>
<b>51-15-4</b>	Basic - Establishment increased seating without providing written approval from the local fire authority and wastewater provider. Approval of the septic tank system limits the establishment to a maximum number of seats. The maximum number of seats has been exceeded. Establishment on septic tank, approx. 26 seats inside , and approx. 92 seats in screened in enclosure, for a total of 118 seats on site. Establishment licensed for 60 seats.
<b>25-11-5</b>	Basic - Single-service articles stored outside or in a room/shed that is not fully enclosed (open to outdoors/screened). Unopened cases of single service utensils in screened in enclosure, not fully enclosed, exposed to parking lot dust. Corrected on site by bringing single service items into fully enclosed building. <b>**Corrected On-Site**</b>
<b>28-23-4</b>	High Priority - Approval of the septic tank system limits the establishment to a maximum number of seats. The maximum number of seats has been exceeded. Establishment on septic tank, approx. 26 seats inside , and approx. 92 seats in screened in enclosure, for a total of 118 seats on site. Establishment licensed for 60 seats.
<b>03A-02-4</b>	High Priority - Potentially hazardous (time/temperature control for safety) food cold held at greater than 41 degrees Fahrenheit. Slow 46°F in tall 3 door reach in cooler on cook line.