

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

February 25, 2020

VIA INTER-OFFICE MAIL AND EMAIL

Max Slater, Esq.  
Administrative Hearing Officer  
Allegheny Co. Health Dept.  
542 Fourth Avenue  
Pittsburgh, PA 15219

**RE: Rocky's Restaurant Appeal (Client # 199901120002)**

Dear Hearing Officer Slater:

On January 21, 2020, the Allegheny County Health Department ("ACHD") ordered Rocky's Restaurant to close immediately for ongoing violations of the ACHD's Rules and Regulations Article III, "Food Safety", observed at 4759 Liberty Avenue, Pittsburgh, PA 15224. On February 21, 2020, Emanuel Mori filed an appeal against the ACHD's decision to close the food facility. Appeal is marked as Exhibit "A".

Pursuant to ACHD Rules and Regulations Article XI, "Hearings and Appeals", § 1104.A, a notice of appeal is timely if filed within 30 days after the date of issuance of the ACHD's action. In this case, the date of action was January 21, 2020 and the appeal was filed on February 21, 2020, after the 30-day deadline. Thus, as the appeal is untimely, the ACHD requests that the appeal be dismissed. If you have any questions, I can be reached at 412-578-2653.

Sincerely,

Vijjalakshmi Patel  
ACHD Assistant Solicitor

Enclosures

cc: Donna Scharding, Food Safety Program Manager (via email)  
Emanuel Mori, Appellant (via first-class mail)



KAREN HACKER, MD, MPH, DIRECTOR  
**ALLEGHENY COUNTY HEALTH DEPARTMENT**  
542 FOURTH AVENUE • PITTSBURGH, PA 15219  
PHONE (412) 687-ACHD (2243) • FAX (412) 578-8325 • WWW.ACHD.NET

**EMANUEL R. MORI**

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4759 Liberty Ave., Pittsburgh, PA 15224

February 19, 2020

Allegheny County Health Department

Food Safety Program

Re: Client #199901120002

To Whom It May Concern:

I am appealing the decision of the Allegheny Health Department to close my café, Rocky's in Bloomfield.

Thank you,

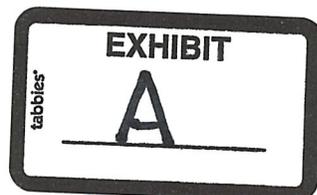
*Emanuel R Mori*

Emanuel R. Mori

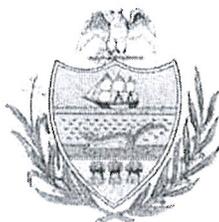
**RECEIVED**

**FEB 21 2020**

**DIRECTOR'S  
OFFICE**



COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

January 21, 2020

Emmanuel R. Mori  
4759 Liberty Avenue  
Pittsburgh, PA 15224

Re: Client #199901120002  
Rocky's Restaurant  
4759 Liberty Avenue  
8<sup>th</sup> Ward

Dear Mr. Mori,

On December 4, 2019, you were afforded the opportunity for a hearing prior to suspension of your health permit. The Director of the Allegheny County Health Department, under Article III, Section 337.2 - Suspension and Reinstatement of the Health Permit, may suspend the health permit of the food facility when there is a violation of the aforementioned Article.

**THEREFORE, IN ACCORDANCE WITH ARTICLE III, SECTION 337, THE HEALTH PERMIT FOR CLIENT #199901120002 IS SUSPENDED AND YOU ARE ORDERED TO CLOSE THE FACILITY IMMEDIATELY UPON RECEIPT OF THIS NOTICE.**

**IT IS ILLEGAL TO OPERATE A FOOD FACILITY IN ALLEGHENY COUNTY WITHOUT A HEALTH PERMIT.**

In order to have the health permit reinstated, you must comply with the orders issued to you on 01/21/2020 and 08/13/2019.

Pursuant to Article XI, entitled "Hearings and Appeals", you are hereby notified that you have thirty (30) days from the date of this notice in which to file a written appeal. The appeal shall be filed in the office of the Director, 542 Fourth Ave., Pittsburgh, PA 15219. In the event that an appeal is not filed within thirty (30) days from the date of this order, the within action shall become final.

Respectfully,

Janet Russo  
Environmental Health Supervisor  
Food Safety Program

Sign: Emmanuel Rocky Mori Print: EMANUEL ROCKY MORI

Title: OWNER OF Rocky's Date: FEB 18 2020



RON SUGAR, ACTING DIRECTOR  
ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM

3901 PENN AVENUE • BUILDING 1 • PITTSBURGH, PA 15224-1318

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